

EXTRACT FROM

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More haemophiliacs join Aids legal fight

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A FURTHER 150 haemophiliacs infected with the Aids virus have joined legal action against the government, their lawyers disclosed last night.

Many victims have contacted lawyers in the past two weeks in anticipation of this Tuesday's deadline for the issue of writs. The case, to begin in 12 months, will be one of the biggest ever claims for compensation.

The 150 new claimants join 600 already intending to sue the government. However, about 50 of the total claimants could die from Aids-related illnesses in the year before the action begins.

A total of 1,200 haemophiliacs have been infected with HIV through treatment with the blood-clotting substance, Factor VIII, which they received through the NHS; 163 have since contracted Aids, and 110 are dead.

Nine weeks ago, after a campaign by the Haemophilia Society and The Sunday Times that was supported by more than 300 MPs, the government offered £20,000 each to haemophiliacs. But the government said it was not compensation and that it would defend legal action.

Last night Graham Ross, a Merseyside lawyer acting for many of the haemophiliacs, said: "This firm has taken on 57 new cases in the past two weeks and has referred 60 elsewhere. People do not want to miss the boat. We are very encouraged."

Further claims may be made in the next 10 weeks as the deadline for under-18s has been extended to April 15 to take account of legal aid rules.

David Watters, general secretary of the Haemophilia Society, said haemophiliacs would receive the £20,000 ex-gratia payments in the next two weeks.

The Sunday Times has written to MPs who supported the campaign for haemophiliacs, asking for support for another group of HIV-positive patients: an estimated 50 non-haemophiliacs infected as a result of blood transfusions.

Although they were also infected during NHS treatment, the government has refused to extend the £20,000 payment, and has also ruled out legal compensation.

Kenneth Clarke, the health secretary, wrote last week to Alf Morris, the opposition spokesman for the disabled, saying that the £20,000 recognised the "wholly exceptional circumstances" of the haemophiliacs.

Clarke wrote: "Haemophiliacs were already suffering from a disability which affected their employment prospects and insurance status. They had little opportunity to insure their lives or their mortgages, or to build up savings in order to provide for their dependants."

"The hereditary nature of haemophilia means that more than one member of the family may be infected with HIV. These special considerations do not apply to those who have become infected with HIV as a result of a blood transfusion."

Morris said last night: "This is not justice. We have no way of knowing what the employment prospects, insurance status or savings were of the blood transfusion victims before they were infected. In some cases their plight is actually worse."

In the House of Commons on Wednesday Morris put the cost of giving equal treatment to non-haemophiliacs at £2m. "Is that too much for the Treasury to find in the cause of elementary justice?" he asked.

Ross, who is co-ordinating a group of lawyers acting for non-haemophiliacs, said legal action might be taken.

Several lawyers are considering suing health authorities or blood transfusion services over contaminated blood. A 26-year-old man in Scotland is suing the Scottish blood transfusion service for £200,000, alleging he was given HIV-contaminated blood during an operation in 1985.

A 37-year-old Edinburgh woman is considering similar action after contracting HIV in hospital in 1984. A woman in her twenties in Yorkshire who was given contaminated blood plasma after being knocked down by a car in July 1985 is considering suing the authorities and the car driver.