

Witness Name: Danielle Holliday

Statement No.: WITN7763001

Exhibits:

Dated: March 2025

INFECTED BLOOD INQUIRY

EXHIBIT WITN7763015

Katherine Cusack

From: Danielle Holliday <DHolliday@GRO-C>
Sent: 03 October 2024 16:04
Subject: #DPS:FA:nvuf:A# Re: IBCA Update

Good afternoon,

Yesterday afternoon, we, together with the other legal representatives, met with Sir Robert Francis, David Foley and other members of the IBCA/Cabinet Office teams tasked with setting up the Infected Blood Compensation Scheme and start to make payments by the end of the year.

Sir Robert appreciates that many people remain dissatisfied with elements of the Scheme and is passing any input comments back to the Government but was keen to impress that very often matters are not within the gift of the IBCA but are down to the policy makers at the Cabinet Office.

He emphasised that what is within their control at IBCA is the application process and how that it is implemented. He also expressed a commitment to working with legal representatives going forward. They are still developing the necessary systems to accept applications and do appreciate that lack of any detailed update is very frustrating. They are looking at how communication may be improved.

Applications and legal funding

We are told that IBCA is yet to begin testing the system but anticipates that a number of individuals will be asked to assist with this over the next few weeks. The priority is to get the system right which is likely to require some trial and error. We pointed out that this is all very well but that you our clients were keen to see progress and for us to be able to assist in the preparation of applications at this point so that once the scheme is open matters can be progressed swiftly.

This led to a discussion as to when legal funding will start and what it will cover so that we can begin to provide detailed assistance and advice on an individual basis. Unfortunately, other than confirming again the Governments acceptance that it will provide legal funding they were unable to say when it will start or how it will work. In particular we sought assurance that funding will be provided to assist estates in obtaining the relevant Grant of Representation so that applications for interim payments may be made and whilst they could see the immediate need for this no comfort could be given on this issue at the moment.

It appears that one of the problems is that the IBCA don't yet have access to any money and because of this have to wait for authority from the Government to spend any money which in turn will have to wait until after the Budget on 30 October.

I do appreciate that all this will be disappointing for those of you who had hope that the Scheme would be ready to accept applications by mid-October but that is almost certainly not going to happen.

Data transfer and Data Protection

Sir Robert and David explained that the IBCA were in the process of obtaining data from various sources including IBSS, Alliance House Organisation Schemes (e.g. Macfarlane Trust, Skipton Fund, etc.) and the IBI and will in due course seek your individual permission to use that data when assessing claims. They said that they are undertaking this task so that applicants to the Scheme will not have to repeat their histories, but we are unconvinced as to the benefit of the transfer of this data out of context. Concerns were also raised regarding the use of statements given to the IBI which were given for a different purpose and may not contain all the relevant information to support a claim. Sir Robert confirmed that they are more likely to be used to ground a case for eligibility rather than any other use.

Appeal Process

The actual mechanisms for an appeal whether by a first stage internal review or second stage independent tribunal are still very much a work in progress and they are looking at a number of different options and in discussion with HM Courts and Tribunals Service. We encouraged the IBCA not to delay the start of the application process whilst the appeal procedure is developed and we said that hopefully we can all work together to get it right in the first place !!

Supplementary Route and claims for affected people

We asked when it was thought that the next set of Regulations would be published, however, both Sir Robert and David were unable to say and it is entirely down to the speed of the parliamentary draftsmen who are not renowned for being particularly quick. We pointed out that many with valid claims have died since the announcement that compensation would be paid, and this will be relayed back to the Government and hopefully speed things up.

Going forward

The IBCA engagement team is meeting representatives from a number of campaign groups over the next few weeks. We hope to have a continuing dialogue with the IBCA so that we can keep you updated even if it is not always the news that you want to hear as it is important that you are kept aware of what the position is.

Kind regards

Danielle Holliday

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