

Friday, 28 July 2023

(2.00 pm)

SIR BRIAN LANGSTAFF: Before we start can I just tell you, it won't be unexpected, that the same rules, as it were, apply today as they did on Wednesday, given the security arrangements that naturally apply to someone who occupies the position of our witness. So please at any break would you remain in your seats until the Chancellor has left. Thank you.

Chancellor, good afternoon. Let me explain the arrangements. You probably have an idea what they are. But your audience will number in four figures. Many are here in front of you, they are participants in the Inquiry. At their back there are representatives of the press. To your left are lawyers representing various different interests in the Inquiry, there is a room downstairs, and otherwise people are watching by YouTube live stream. So that's your audience.

In a moment or two Mary will ask you to take the oath again. You have been here before. One of the rare witnesses to have that privilege.

And Ms Richards will ask you the questions, I think as before.

Mary.

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told us about that, at that stage from your perspective as someone who had been Secretary of State for Health.

Lawrence, could we please have INQY1000235.

This is the transcript of your evidence last summer, Mr Hunt.

If we could go to electronic page 7 I think.

If we pick it up towards the bottom of the page.

If we zoom in on the bottom half of the page, please, Lawrence.

I'm going to pick it up at the bottom left-hand column, around line 22. You say there:

"The way the system works in Whitehall is that any big spending decision requires Treasury approval, and if there's a disagreement with the Treasury, you can go to the Prime Minister."

Then you refer, top of the next column, to the time you were then concerned with Number 10 and Number 11 singing from the same hymn sheet.

Then you talked about if you:

"... needed more money than ... was in [the] departmental budget, then you would obviously have to go to the Treasury ... [you] had a pretty good idea the answer would be no, given the overall state of public finances."

Then I don't think we need to go to the further

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MR JEREMY HUNT (sworn)

Questioned by MS RICHARDS

MS RICHARDS: Mr Hunt, welcome back.

In terms of the roles you have held, you have been a Member of Parliament since 2005, I understand.

A. Correct.

Q. You were Secretary of State for Health and Social Care between 2012 and 2018?

A. Correct.

Q. It was in that capacity that you gave evidence -- or, in that former capacity that you gave evidence to the Inquiry last year?

A. Yes.

Q. You were then Foreign Secretary between July 2018 and July 2019?

A. Yes.

Q. You were not then in Government thereafter but you had been Chancellor of the Exchequer since 14 October 2022, and it is in that capacity that you are giving evidence today.

A. Yes.

Q. I want to start by asking you some questions about the role of the Treasury and the Treasury's decision-making processes, in general terms.

I want to start by looking at what you previously

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references but you told us also, by way of summary, about the process of obtaining funding during Spending Reviews and the basic rule being no additional substantial amounts of funding outside of spending reviews. But you also told us, I think, of an occasion when you were able to secure an extra £8 billion outside of the Spending Review process. You told us also that if the Prime Minister was behind something, it was a lot easier to get it but that in general terms the Treasury's job was to say no to lots and lots of spending requests. That was what you told us from your perspective as a spending department.

Does that remain a broadly accurate description of the process now from your perspective as Chancellor?

A. I probably wouldn't use the word "the Treasury's job is to say no". The Treasury's job is to balance the national accounts and make sure we can pay for the things that we choose to pay for and that the taxes that we get pay for that and that the economy is as healthy as possible. But yes, it is the Treasury's job to make sure we spend money within our means.

Q. Just in terms of Spending Reviews, is this correct, the 2021 Spending Review set departmental budgets up to 2024, 2025, is that correct?

A. Correct.

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1 Q. So when is the next Spending Review?
 2 A. It will start in April 2025.
 3 Q. Can we take it that, in terms of the securing of funding
 4 for a compensation framework for those infected and
 5 affected, whatever it might ultimately look like, that
 6 that's going to be looked at outside of the Spending
 7 Review process?
 8 A. I'm sorry, I'm going to have to give you an answer which
 9 I may give you more than once this afternoon, but we are
 10 genuinely in a situation where no decisions have been
 11 made about the level of compensation or how it will be
 12 funded. We are in very active and detailed discussions
 13 about all of that but I can't, therefore, be drawn on
 14 where that funding would come from.
 15 Q. I suppose my question more, Mr Hunt, is about
 16 timescales, because if the next Spending Review is not
 17 until as you have described it, that would postpone
 18 decision-making for a significant period of time and
 19 might not be said to be in accordance with the priority
 20 which the Prime Minister and others have told us is
 21 attached to this issue within Government.
 22 What can you tell us, if anything, about, then,
 23 timescales if you are not able to tell us about sources
 24 of funding?
 25 A. Well, what I can tell you is that we totally understand

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1 That's potentially a matter of concern and interest
 2 now when the Inquiry has made recommendations for
 3 compensation.
 4 Are you able to give us, without committing to any
 5 particular decisions, an assurance that the Treasury no
 6 longer has that implacable opposition that you told us
 7 about last summer?
 8 A. I want to be as helpful as I possibly can, but you
 9 understand -- indeed, we discussed last week -- I have
 10 to follow collective responsibility.
 11 And it's -- I think it is worth me explaining to
 12 everyone, if I may, Ms Richards, why this isn't
 13 a stalling tactic, but it -- Government only works
 14 because all Government ministers stick to an agreed
 15 position for the whole Government, otherwise we just
 16 wouldn't be able to deal with having effective
 17 Government at the same time as a free and open press.
 18 So I have to speak in a way that reflects the whole
 19 Government's position.
 20 As a former Health Secretary when I came before the
 21 Inquiry last name, I spoke very freely about the
 22 difference between my view and the Department of Health
 23 and the Treasury's view and Number 10's view, and we
 24 discussed lots of documents that showed the differences
 25 in those views.

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1 the urgency of this situation. You know, we recognise
 2 the fact that, as I think I wrote in a letter before
 3 I was Chancellor, that one person is dying approximately
 4 every four days and that there is a need for justice to
 5 be as quick as possible for what has been a terrible
 6 scandal. So we completely understand that and -- so
 7 that is a very active consideration in all the
 8 discussions that we are having.
 9 Q. Can I then perhaps ask you a little about, again, what
 10 you said last year about the stance of the Treasury.
 11 Now, you told us that compensation was something that
 12 the Treasury, at the time that you were Secretary of
 13 State for Health, so looking at the 2012/2018 period,
 14 was opposed to.
 15 The references for that, if anyone needs it -- I'm
 16 not proposing to put it up on screen unless it would
 17 assist you, Chancellor -- but it is at pages 15 and
 18 internal page 87 of the transcript.
 19 But you also told us that the whole question of
 20 a public inquiry was something that hadn't happened
 21 sooner precisely because the Treasury feared that it
 22 would lead to recommendations for compensation. That
 23 was your very clear understanding and clear evidence:
 24 that was a major factor as to why there hadn't been
 25 a public inquiry.

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1 What I can say very clearly is that the Government's
 2 position, the whole Government's position, has changed,
 3 because in December we accepted the moral case for
 4 compensation. So I hope that gives comfort to people
 5 that the Government, as a whole, is not taking the
 6 stance that it took during the period that I was Health
 7 Secretary.
 8 Q. Can I then just ask you a little about the process that
 9 the Government will be following in terms of
 10 decision-making regarding funding. Again, I'm not
 11 asking for details of meetings, I'm not asking for
 12 details of costings or of options, but just to broadly
 13 understand the process of how far along -- again, in
 14 general terms -- you are.
 15 If we just look at WITN3499036, please, Lawrence.
 16 So this is your response to a letter from Mr Quin as
 17 part of a ministerial write-round. We looked earlier
 18 this week with Mr Quin at his letter to you; this is
 19 your letter back on 15 December with the policy
 20 clearance from the Home Affairs Committee for the
 21 acceptance of the moral case for compensation.
 22 Can we just look to the bottom of the page, please,
 23 Lawrence. We will see the last paragraph says:
 24 "You can proceed on the conditions that:
 25 "a. CO [Cabinet Office] lead discussions around

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1 affordability and secure any associated funding with
2 HMT."

3 Is it correct to understand from that that, in broad
4 terms, the process is that a Government department, in
5 this case the Cabinet Office, will effectively, at
6 whatever stage is regarded as appropriate, make a case
7 to the Treasury in relation to funding?

8 **A.** That is the way Government works in normal
9 circumstances. So you could take any Government
10 department, let's say the Department for Education, and
11 the Secretary of State for Education will have a budget
12 that's agreed at a spending round, and she will have
13 a limit, let's say £50 million, £100 million -- these
14 sound large sums of money but, in the context of
15 a budget of £40-£50 billion, they are relatively small
16 sums of money -- where she can just make a decision on
17 her own. If it was above the departmental spending
18 limit, she would have to refer that decision up to the
19 Treasury and we would approve it or say we have got
20 concerns.

21 So, in this situation, I think it goes without
22 saying that the sums of money are likely to be
23 potentially very large, so it will be a standard
24 practice that a line like that would be put in
25 a condition for proceeding.

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1 decisions as turning round a supertanker, something
2 that's quite slow.

3 There is a three-month gap between 22 February and
4 18 May. Are you confident that's consistent with the
5 Government working at pace, which is the phrase that has
6 been repeatedly used, but which you will appreciate many
7 of those listening find frustratingly nebulous?

8 **A.** I do appreciate that, and I do appreciate that the way
9 Government works might seem frustratingly slow, but I am
10 absolutely content that the Government has been acting
11 at pace, because it isn't just me. I obviously have
12 a very important role in this, but the structure that we
13 have set up to address this issue is a small ministerial
14 group across Whitehall. I asked ahead of this
15 appearance how many meetings have happened this year,
16 and it is about 50, and there's been a meeting at
17 official level every week, and the small ministerial
18 group, of which I'm not part but the Treasury is
19 represented because the Chief Secretary of the Treasury
20 attends, that's met four times, and the process is that,
21 essentially, officials do a huge amount of detailed
22 work, then there are ministerial meetings to progress
23 the issue, and then, finally, that small ministerial
24 group will make a recommendation to myself and to the
25 Prime Minister.

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1 **Q.** You gave us some dates in your witness statement of
2 dates on which you had been updated or provided with
3 advice. Again, I stress my question is about the
4 process; I'm not asking you to tell us what the advice
5 was that you received.

6 But if we just look at your statement -- so
7 WITN3499034, please, Lawrence -- and if we can go to
8 paragraph 11 and 12. Thank you.

9 You tell us in paragraph 11 you received advice on
10 22 February on the fiscal implications of the policy
11 options being considered, and you have told us that
12 there was an emphasis from your officials on the:

13 "... imperative to act quickly for the benefit of
14 the infected and affected and to respond meaningfully to
15 the public inquiry, whilst recognising the wider
16 economic and fiscal context."

17 I will come back to that last phrase later, Mr Hunt.

18 You then refer to receiving advice on 18 May, and
19 then having received a note on 21 June.

20 Now, it may be that, viewed within Government, those
21 sound like quite speedy steps. We have heard
22 evidence -- and I think we discussed it last year,
23 Mr Hunt -- from a number of ministers, but
24 Sir John Major's evidence comes to mind immediately,
25 describing the process of Government reaching new

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1 So, there has been a lot of work that's happened,
2 and I think -- in my own case, I think since the Second
3 Interim Report that the Chair produced, I think I have
4 had ten meetings where we have discussed this issue and
5 I have had six detailed submissions. So over a period
6 of about three months, I think that does represent quite
7 regular engagement.

8 **Q.** Leaving aside any question of waiting for the final
9 report before a decision is taken, because I'm going to
10 come onto that later, but in terms of the Treasury's own
11 processes and Government's own processes, are you able
12 to give any kind of sense of how far along the journey
13 Government has reached?

14 Does it have now -- Mr Quin used the word "building
15 blocks", and that was, I think, from his perspective as
16 the Cabinet Office minister. From your perspective, has
17 much of the underlying work been done so that what's
18 left is now the decision-making, primarily?

19 **A.** I think there are some very big issues that are raised,
20 both in Sir Robert Francis' compensation study and the
21 First and Second Interim Reports, which you may want to
22 talk about at some stage later, but, you know, the
23 constitutional implications of on a novel arm's length
24 body being set up and able to make decisions wholly
25 independently of ministers and Government; the economic

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1 implications, because the kind of sums are potentially
2 very large; the fiscal implications, that's to say the
3 implications for taxpayers, again the sums of money are
4 potentially very large.

5 Given the scale of what we could potentially be
6 talking about, I do think that good progress has been
7 made. There is more work to do. But the purpose of
8 making this progress and the purpose of having those 50
9 meetings and, you know, hundreds of emails flying around
10 Whitehall is because we want to be in a position to
11 avoid any unnecessary delay when the final
12 recommendations in your final report, Chair, is
13 published because we recognise the urgency.

14 So I think the purpose of the Government
15 commissioning Sir Robert Francis' report and all this
16 work now is to make -- is essentially to make sure that
17 we don't have a situation where the final report is
18 published and then there's a further long unnecessary
19 delay because the Government has to crunch through all
20 these details.

21 But if I could perhaps give some context to the
22 families who are listening.

23 One of the things you asked me about when I appeared
24 a year ago was some of the things I had written in the
25 book called *Zero*, and one of the things I said in that

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1 Francis' recommendations was that we should review our
2 approach following the publication of Sir Brian's
3 response.

4 So I think having that Second Interim Report
5 published this April has allowed a lot more work to
6 happen at pace than was previously possible.

7 **Q.** In relation to those interim payments last summer, and
8 again just talking about the timescales of
9 decision-making rather than anything else, we know from
10 the witness statement of Nadhim Zahawi, who was at that
11 point the Chancellor of the Exchequer, that the
12 Chancellor's approval was sought and given within
13 an eight-day period in August of last year.

14 Now, I appreciate, of course, that the sums of money
15 involved in relation to those interim payments, although
16 not insignificant, are not of the same magnitude of an
17 entire compensation framework for those infected and
18 affected, but what part does political will play in
19 speeding up the process? Because I don't know if you've
20 seen, as well as Mr Zahawi's statement, Kit Malthouse's
21 statement, but he gives some insight into having the
22 heft of senior politicians involved, having the approval
23 of Number 10, wanting to push something absolute
24 quickly. How much of a difference does that make?

25 **A.** Of course it makes a big difference. I mean, you know,

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1 book was that I thought the NHS needed a long-term
2 workforce plan, and I was able to announce that the NHS
3 would have a long-term workforce plan in November last
4 year. That then was announced, finally, eight months
5 later. There were a hundred meetings and, I think,
6 thousands of submissions and bits of information and
7 that was a £2.4 billion piece of work.

8 So it is -- I just say that not because we want any
9 delays beyond what are strictly and absolutely necessary
10 but it is very normal when you are talking about large
11 sums of money for a lot of work to go into those
12 processes.

13 **Q.** Would it be right to understand that when you are
14 talking about your perspective on the work that's being
15 undertaken, you are talking about the time since you
16 have been in Government?

17 **A.** Yes, but I would say that I think it was -- if I look
18 before the time I was in Government -- shortly after
19 I had given evidence to you last year I wrote, alongside
20 Andy Burnham and Matt Hancock, to urge the then
21 Government to make the interim payments of £100,000, and
22 although that finally happened when I was Chancellor,
23 the decision to do that happened before I was
24 Chancellor, and I think that we did need Sir Brian's
25 Second Interim Report because I think one of Sir Robert

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1 we're -- you know, the Prime Minister and the Chancellor
2 are very senior in the Government, and if they consider
3 something to be a priority it happens quickly.

4 I think there was something else happening here as
5 well, which is that the then Prime Minister knew that
6 his time would be coming to an end in early September,
7 and so that was part of the reason for me writing the
8 letter that I wrote when I did, because I was hoping
9 that he might think it was something that he wanted to
10 do before he stepped down, which indeed was the case.
11 So that may also have been a reason why it happened
12 quickly.

13 **Q.** I want to turn to some newspaper articles and the
14 information that's contained within them.

15 If we could have, please, Lawrence, RLIT0002137.

16 This is published in the Financial Times and it is
17 10 May 2023. You will see it says this in the left-hand
18 column:

19 "The compensation bill for those affected by the NHS
20 contaminated blood scandal could reach £10bn, according
21 to officials, in a further blow to the UK's stretched
22 public finances."

23 There's then reference in the next paragraph to the
24 moral case being accepted. There is then reference to
25 ministers "only now coming to terms with the financial

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1 hit".

2 "Government officials have told the Financial Times

3 that the compensation scheme might cost £5bn-£10bn.

4 "Given the tight nature of the public finances,

5 officials from the Treasury and the Department of Health

6 have been holding recent talks over how a compensation

7 scheme would be structured. 'We are working through the

8 options,' said one government insider.

9 "Another official added, 'People are very worried

10 about the cost.'"

11 Then it is said that the Government declined to

12 comment.

13 Now, do you know whether the officials who are

14 quoted here were Treasury officials?

15 A. Absolutely not. I'm afraid there are leaks occasionally

16 from Government. I've got no idea.

17 What I can absolutely assure you is that those leaks

18 did not happen on the say-so of myself or anyone in my

19 ministerial team, and we wouldn't want to do that

20 because we are still trying to get our heads round the

21 very complex issues involved.

22 Q. Can we then look at the second article, which is

23 RILT0002136.

24 This is 2 July 2023, so it is just under two months

25 later. This is -- I'm trying to remember which

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1 are concerned, any desire to put numbers into the public

2 domain and -- for whatever reason it might be. I think

3 it is very unhelpful when these leaks happen and so, at

4 a ministerial level, we are absolutely not responsible

5 for it.

6 Q. If it is not at a ministerial level, then, unless it has

7 been made up by the journalists -- and we are talking

8 here about the Financial Times and the Sunday Telegraph;

9 it doesn't seem very likely that that would be the

10 case -- it has to be at official level, Civil Service

11 level. The concern that might give rise to -- going

12 back again to your evidence last year, you told us about

13 what you described in a memorable term as "institutional

14 inertia", and other witnesses have told us about

15 "groupthink" -- I think we discussed groupthink as well,

16 Mr Hunt -- and former Secretaries of State for Health

17 preceding you have given us similar accounts of Civil

18 Service resistance to policies or decisions. The fact

19 that these leaks are being made of what's said to be

20 upper forecast and concern, they might tell us

21 something, might they not, about the mindset of the

22 civil servants and officials, because the purpose of the

23 leaks would look to be a scaremongering process. There

24 is no particular good reason why this material should be

25 out there in this form otherwise.

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1 newspaper this one was -- the Sunday Telegraph.

2 So we can see again from the left-hand column there

3 is a figure now which "could total more than

4 £20 billion", so it has doubled or quadrupled, depending

5 upon which end of the scale in the previous article you

6 take:

7 "Ministers have examined financial modelling which

8 places the upper forecast ... at the mid £20 billions.

9 "The figures have caused concern in Whitehall

10 because the potential amounts involved are so large that

11 they would affect the Government's wider fiscal plans.

12 And ministers do not know where the money is coming

13 from, with the compensation at present 'completely

14 unfunded', The Telegraph has been told."

15 Again, are you able to say what the source of those

16 leaks was, in terms of department? I'm not asking for

17 individual names. Or are you able to confirm whether it

18 was the Treasury or not?

19 A. I can absolutely confirm -- I don't know where the leaks

20 came from. I don't -- I mean, you know, most of the

21 time when leaks happen, they are things that ministers

22 don't welcome. They make our life more difficult and

23 they shouldn't happen. But what I can say is that there

24 has been absolutely no sort of ministerial -- or

25 certainly as far as I'm concerned or Treasury ministers

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1 A. If I may very politely say, I think it is quite unwise

2 to speculate on the motives of people who do leaks,

3 because there are many different reasons why people can

4 do it. But I would say that the overwhelming majority

5 of civil servants want to do their very best to do what

6 they think ministers would like them to do. They have

7 a very strong sense of living in a democracy and doing

8 their best for the elected politicians of the day.

9 So I think -- I can absolutely say, hand on heart,

10 I have not come across any sense from the officials

11 I've dealt with that, you know, they don't want to see

12 this terrible scandal resolved justly. I think it is --

13 they are very, very difficult decisions, very complex

14 decisions, very big decisions, and we are all looking at

15 them from every single direction to fully understand

16 them.

17 But there is absolutely no sort of Sir Humphrey-like

18 desire to frustrate ministers or to make ministers do

19 anything other than just fully understand the situation

20 from every angle.

21 Q. There is one further newspaper article I just wanted to

22 ask you about as well, which is RLIT0002147, please.

23 So this is July 16, the Sunday Times, and if we

24 could go on, please, to page 4, Lawrence.

25 Yes, if we pick it up in the third paragraph:

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"Hunt [so that is a reference to you] has held several meetings in the Treasury to discuss compensation packages for the victims. This week, he and Sunak are expected to discuss options before they appear before the inquiry."

If we follow further down, please. And then this:

"The Treasury estimates total payouts from the scandal could range between £5 billion and £22 billion. The drastic variation arises because the two reports on the scandal approach compensation differently."

Now, Mr Hunt, I'm assuming you looked at the Second Interim Report of the Chair. It certainly wasn't the Inquiry's perspective that there was a radical difference between the Inquiry's recommendations and those of Sir Robert Francis -- indeed, the report says in terms something to the contrary -- and such differences as there are between the two reports, it seems difficult to see how that could make a fourfold difference in terms of magnitude.

Is this an accurate statement of the Treasury's understanding of the position, that the two reports approach compensation so markedly differently that you get those two figures?

A. Well, without sort of trespassing on the principle that I shouldn't be saying what our thinking is before

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media, given everything that has been suffered by people over the decades.

So what would be the approach to trying to find out who had leaked and what their motivation was?

A. I mean, I agree with you, the right mechanism for these announcements to be made is through Parliament and directly to the families who have suffered. In my experience, I'm afraid, leak inquiries are very, very rarely successful. I don't think I can remember one where there was a successful identification of the person who was responsible, and so I'm not sure that really solves the problem. But I just would stress that, although these stories are written up in a very credible way by very credible publications, by journalists who are trying to tell people the truth, it is really important to remember that the person who is responsible for those kinds of leaks may not have been in possession of the full picture, and it is quite important not to over-interpret as a result.

Q. I'm just going to move on to ask you a little about the approach to the modelling that's been undertaken; not in any detailed sense, I'm not expecting you to have a grasp of how financial modelling is undertaken or to be able to explain that to us in any kind of detail, but in terms of the numbers who might claim.

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a decision has been made, all I can say is: I don't recognise that statement either. And that's a very good reason, by the way, why -- you know, I think when you are looking at newspaper articles that come from leaks, in my experience, quite often there is a grain of accuracy, but it is also very important to remember that the person who is responsible for the leak may not be in possession of the full facts. They might be someone who is working in one part of one department and they aren't seeing the whole picture and so sometimes they are wrong.

Q. One question I have been asked by a number of Core Participants to ask is whether there should be an investigation into the sources of those leaks. The Prime Minister indicated he wouldn't say whether there was going to be an indication because those who were responsible would then know. But what, more generally, is the approach of Government when information like this is leaked? I appreciate there may be leaks all the time, I don't know, but this is a context in which I am sure you would agree it is incredibly important that the first people to know about what's happening are -- whether it is through Parliament, an announcement in Parliament, or directly to those infected and affected, that's the correct mechanism, not through leaks of the

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You will no doubt be aware, and Mr Quin made express reference to it in his witness statement, that the Inquiry has the benefit of a report from an expert group of statisticians, which sought to identify, through statistical modelling and on the basis of the evidence available, the likely numbers of individuals who, over the decades, may have been infected with HIV or hepatitis C. And the figures are obviously large, and I know you have been provided with a summary, for the purposes of today's evidence, of what those figures were.

But, can we be assured that the Government, in looking at potential costings, is going to focus on what the likely number of claims will be, rather than the theoretical likely number of people who may have been infected over decades?

A. Well, I saw those numbers which you kindly supplied me. From memory, it was about 46,000 people might have been infected, of whom I think 1,300 with HIV and the rest HCV or most of the rest HCV. That is a much higher number than I think it is the 2,900 who are thought to have died tragically as a result of the scandal.

All I can say is that we are gathering all the evidence we can from all the sources we can. It is very helpful to have the expert independent statisticians'

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1 views and we are looking at those. Of course we are
2 trying to estimate, as a result of those, what the total
3 cost to the taxpayer would be likely to be in different
4 scenarios. That is the reason we have to do this
5 detailed work.

6 **Q.** If we can just look at, rather than the statistical
7 summary but a document which I know has also been sent
8 to you, which is INQY0000456.

9 So this is a note which sets out, on the basis of
10 up-to-date information from the current four devolved
11 schemes, it sets out first of all the numbers of
12 registrants within the scheme. So you have at the
13 bottom of the page, in terms of infected persons, the
14 total figures, and then the figures in relation to
15 bereaved partners.

16 So you can see there a total, Mr Hunt, of 4,519
17 across the entire United Kingdom of those infected and
18 bereaved partners. Obviously it doesn't include wider
19 relatives because they have not been included within the
20 schemes.

21 But we have there a figure under three and
22 a half thousand of living infected persons registered.

23 Then, if we go over the page, we have the data for
24 the number of interim payments made. So there you will
25 see -- and this is pursuant to last autumn's payments

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1 the interim payments because we are able to do that very
2 quickly. But I don't think I can say more because the
3 Second Interim Report makes further suggestions as to
4 other people who should be entitled to compensation as
5 well.

6 **Q.** Absolutely. It is really just in terms of identifying
7 the numbers infected.

8 Then, you will, I'm sure, be aware from your own
9 work as Secretary of State for Health that there has
10 been a scheme, prior to the four devolved schemes, which
11 happened under your watch when you were Secretary of
12 State for Health, there were the Alliance House
13 organisations, as they are called, which included, in
14 relation to hepatitis C, the Skipton Fund making
15 payments since 2004, since 2011 making payments to those
16 who had -- the estates or -- those who had died prior
17 to 2003. So there is 20 years' worth of evidence there.
18 It is not realistic, is it, to think there are going to
19 be thousands of people who have never made a claim
20 previously now materialising to say that they too were
21 infected with HIV or hepatitis C and wish to seek
22 compensation?

23 **A.** I mean, that's the kind of thing we have to give proper
24 consideration to. I don't think I can give you any
25 further help on it because we haven't made any decisions

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1 following the summer announcement and the First Interim
2 Report.

3 Infected persons who received interim payments,
4 3,503. Bereaved partners, 900. There's an "Others"
5 category, which is explained. So a total of 4,413.

6 So those figures, would you -- I'm not asking you to
7 commit to particular figures, it is just the general
8 approach, Mr Hunt, perhaps a good guide -- possibly the
9 best guide but certainly a good guide -- to the number
10 of claims that might be expected on a compensation
11 scheme from infected people will be to look at the
12 numbers currently registered, because all those infected
13 have been able to register, if we leave aside the
14 categories of hepatitis B who can't, obviously, be
15 included within these figures, and the numbers who made
16 applications for interim payments. It is going to be
17 not a bad starting point, if I can put it that way, for
18 a realistic assessment of how many of those infected
19 might look to the compensation framework.

20 **A.** Well, I think you are suggesting that I should take note
21 of your suggestion on this, which I absolutely do, but
22 I would say that we, I think, used those numbers as --
23 those are the people that we made the interim payments
24 to, so, you know, we recognise the importance of those
25 groups and they are the groups that we prioritise for

26

1 about that. But certainly our starting point is the
2 people who are on the registered schemes.

3 **Q.** The Inquiry does hold data about the numbers who made
4 successful applications to the Skipton Fund. It is
5 public on our website, but if there is any assistance
6 that can be given in that respect in terms of providing
7 that information, please do let the Inquiry know.

8 Can I then just turn to perhaps look at the kind of
9 figures we are talking about, in very rough terms, and
10 try to put them in some kind of context.

11 Billions sounds obviously a lot of money and a lot
12 more money than the total of the interim payments made
13 last summer.

14 A number of Core Participants in relation to this
15 particular point have drawn to my attention a range of
16 other spending commitments such as, I think,
17 the 14.9 billion write-off by the Department of Health
18 and Social Care in relation to Covid and PPE items.

19 But I want to perhaps give a slightly more directly
20 relevant context in terms of clinical harm. So could we
21 look, please, at RLIT0002162, please.

22 This is the annual report and accounts for 2021/2022
23 of NHS Resolution. Are you able to help us in
24 understanding the role of NHS Resolution?

25 **A.** Yes, NHS Resolution is the body that essentially is

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1 responsible for compensating people who have been harmed
2 by the NHS in its day-to-day functions. Somebody who
3 has had an accident in surgery applies for compensation,
4 NHS Resolution is the body that's responsible for that.

5 **Q.** And if we just look -- I think we only need to look at
6 one passage for the broader points.

7 If we could go, please, to page 5, Lawrence. This
8 is the Chair's welcome in the report, and if we pick it
9 up -- it is the left-hand side of the page, please,
10 Lawrence, so if we could zoom into that left-hand side.
11 Thank you. Then it is the right-hand column of what's
12 on the screen, Mr Hunt. I'm going to pick it up in the
13 third paragraph down:

14 "Irrespective of all the above achievements, the
15 cost to the public purse responding to clinical
16 negligence continued to rise over the last year with
17 damages payments under secondary care clinical schemes
18 increasing by 10.3% to £1.775 billion and claimant and
19 NHS legal costs also rising ... The biggest single
20 influence on our provision remains the long-term
21 discount rates set by HM Treasury ... The 2021 discount
22 rate reductions have increased the forward provision by
23 £42.6 billion to £128.6 billion. This is an accounting
24 provision that will further change with future rate
25 changes."

29

1 is so high is because we don't learn enough from
2 mistakes. I think that's one of the very important
3 purposes of this Inquiry, to make sure that we learn for
4 the future.

5 I mean, if you look at, for example, maternity, we
6 spend -- which is the bulk of -- I think it says,
7 actually, in the next --

8 **Q.** It's about 50%.

9 **A.** It says 62% of hospital clinical claims, about 50% in
10 total, and we spend more on maternity claims than the
11 entire cost of every obstetrician and maternity nurse in
12 the NHS every year. So it is an appalling waste that we
13 do this, and we need to be much better at learning from
14 mistakes.

15 But, yes, I'm afraid it is a case that -- I have to
16 say, this is not just an NHS issue; this is the case in
17 health care systems around the world, that they have
18 these sums of money, which we would not have to spend if
19 we were better at learning from mistakes and had more
20 open and transparent systems.

21 **Q.** Just to be clear, having had the pleasure of having read
22 your book, Mr Hunt, for last year's evidence session,
23 the reason you use phrases such as "criminally
24 wasteful", or whatever the precise phrase was, is not
25 because you are saying people who were harmed didn't

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1 Then this:

2 "Another important figure to focus on is the
3 provision for CNST ..."

4 Now, as I understand it, that is clinical negligence
5 in relation to hospital trusts, as opposed to negligence
6 in relation to primary care:

7 "... for claims arising from incidents in 2021/22,
8 which is £13.3 billion, a figure we have referred to
9 previously as the 'annual cost of harm'. Removing the
10 effect of the HM Treasury discount rate change
11 translates this figure to £8.7 billion which is
12 comparable to previous years, while remaining a very
13 significant sum."

14 The purpose of referring to this, Mr Hunt, is just
15 to get some kind of sense that when we are talking about
16 billions of pounds in the context of a potential
17 compensation scheme, it is right to understand, isn't
18 it, that in terms of clinical harm through the NHS, that
19 is measured in billions of pounds every year?

20 **A.** Yes. I think -- I can tell you the amount that was
21 actually paid, from memory, was £2.7 billion or
22 £2.8 billion last year. So there is a difference
23 between liability and how much is actually paid, and
24 I think it is around £2.5 billion. Personally, I think
25 that is criminally high, and I think the reason why it

30

1 deserve to be compensated; it's because the whole focus
2 of your book was to try and stop the harm occurring in
3 the first place and thereby saving the cost of having to
4 compensate people.

5 **A.** Absolutely right, yes. No, of course, if someone has
6 been harmed, they deserve compensation. That goes
7 without saying. But they would -- by the way, their
8 incentive, in my experience, is never about money. They
9 want to stop these injustices happening again. What
10 they would prefer a thousand times over is that that
11 harm hadn't happened in the first place.

12 **Q.** I won't take time going into it, but your book gives
13 other figures about NHS-related costs in terms of those
14 who acquire hospital infections, such as MRSA, the
15 estimate being it costs the NHS a staggering £1 billion
16 per annum.

17 The purpose of flagging those figures up, Mr Hunt,
18 is really just to say this and invite your comment on
19 it: although the figures that have been talked about, at
20 least in the media, are expressed in billions, in the
21 context of the provision of compensation to people who
22 had been harmed over decades through their NHS
23 treatment, would you agree that it helps to perhaps put
24 that in context when we look at the kinds of amounts we
25 talk about each year for those harmed by the NHS?

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1 A. Well, I do accept that, you know, we waste billions
2 every year because of clinical harm in the NHS. It is
3 important to say that there is a slight difference,
4 because the argument -- I think around 10% of the costs
5 of modern health care systems are putting right clinical
6 mistakes. So that's a huge amount of money you could
7 save if you didn't make those mistakes in the first
8 place, and that certainly is billions.

9 A second element of this is the £2.5 billion we pay
10 every year as compensation to right a wrong. In this
11 case, I think it is more about the latter. It is about
12 righting a wrong. It is about dealing with a terrible
13 injustice that has gone on for a very long time.

14 Q. If we could just go back to your witness statement
15 WITN3499034, and back to paragraph 11.

16 We read out paragraph 11 previously and I said
17 I would come back to that last phrase:

18 "... whilst recognising the wider economic and
19 fiscal context."

20 I just want to, if I may, unpick a little with you,
21 some considerations that might feed into that. Of
22 course, as Chancellor, the economic and fiscal contexts
23 no doubt lies at the heart of what you do day in day
24 out.

25 I just want to explore with you questions of how

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1 the Government's own delays.

2 A. I think the way I would phrase it is this. The first
3 decision you have to make is: do you believe justice
4 should be done? In this case, do you believe that
5 compensation should be paid?

6 And the Government has decided it should.

7 Then, if you like, the problem goes to the
8 Chancellor -- but we haven't got to this stage yet,
9 because the small ministerial group has not made its
10 final recommendations and it is still going through what
11 Sir Robert said and what the Second Interim Report
12 said -- and then the Chancellor has to then make
13 a judgment about what is affordable in the current
14 context and how to do justice in the context of the
15 economic and fiscal situation.

16 You are right that it might be the case that it
17 would have been easier if -- well, it certainly would
18 have been easier and it certainly would have been more
19 right if this had been resolved 20 years ago,
20 unquestionably, and it is a terrible scandal that it
21 wasn't. But life doesn't go in straight lines and, you
22 know, this has happened now and, you know, nor were we
23 expecting at this time to have to fund the defence of
24 Ukraine with, you know, £2.3 billion this year and
25 £2.3 billion last year, but, you know, that's the timing

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1 that fits with the decision-making, in general terms, as
2 a matter of principle, that falls to the Government in
3 relation to the recommendations of the Second Interim
4 Report.

5 You told us last year, as we have already
6 established, that the Government refused to hold
7 an inquiry for years because of the fear of having to
8 pay compensation, and you told us also it was undeniable
9 that the Inquiry should have happened decades earlier
10 and you talked about that being a big failing of state,
11 a lack of openness, and other ministers have given
12 evidence to similar effect.

13 Had there been an inquiry decades earlier when you
14 suggested there should have been but for the
15 Government's unwillingness to be landed with a bill for
16 compensation, had successive Governments not delayed,
17 then the question of compensation, the decision on
18 compensation wouldn't fall to be considered at a time of
19 financial restraint.

20 The proposition I want to put to you in general
21 terms is, that's a problem of the Government's own
22 making -- I mean by that successive Governments -- and
23 that should not be a reason to either refuse to
24 compensate or water down the compensation that might be
25 payable because that would be penalising the victims for

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1 that was out of our hands, it was decided by
2 Vladimir Putin. So that is what Government is. You
3 have to make decisions that come across your desk to the
4 best of your ability.

5 It is a very uncomfortable thing for me to say but
6 I can't ignore the economic and fiscal context because,
7 in the end, you know, the country only has the money
8 that it has. So I can't ignore it. But I think
9 everyone here should take some comfort from the fact
10 that the Government has decided there is a moral case
11 for compensation and justice should be done and that is
12 a very big change, but we now have to work through the
13 fact that, you are right, this is a much more
14 challenging time to find the sorts of sums of money that
15 this could potentially involve.

16 Q. Perhaps I leave it again as an invitation, Chancellor,
17 when those decisions do fall to you, to ensure that that
18 proposition, as a point of general principle, is part
19 and parcel of the decision-making process.

20 Would it also be fair to say that had Government
21 acted -- again, I'm talking about successive Governments
22 or Government in general rather than one Government, but
23 had Government acted sooner it might well have cost the
24 Government substantially less than it may do now?

25 A. Well, it wouldn't just have cost less, it would have

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1 been more just and it would have meant --

2 **Q.** Of course.

3 **A.** -- that many hundreds if not thousands of people would

4 have died knowing justice had been done, even despite

5 the incredible agony that they and their families have

6 been through. So I think that goes without saying.

7 **Q.** You have told us, I think, or given us your reflections

8 on the pace at which the Government is currently

9 working. Can I then just ask you a couple of general

10 questions in relation to that question of impact of

11 delay.

12 Does the Government acknowledge in its

13 decision-making processes that the delay in taking

14 a decision -- the delay in implementing any compensation

15 framework inevitably compounds the suffering of those

16 infected and affected, and thus compounds the injustice

17 they have already suffered?

18 **A.** This has been going on for far too long and, you know,

19 justice delayed is justice denied, and that's why we

20 have a responsibility to work as fast as we possibly can

21 to resolve this, given that people are dying every week,

22 and so we need to make this decision -- it is a very

23 challenging decision, I don't pretend otherwise, but we

24 need to resolve this as quickly as we possibly can, and

25 that's why Penny Mordaunt commissioned the

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1 Dame Diana Johnson saying, "Let's not wait until the end

2 of the Inquiry, let's compensate now"; we have

3 Ms Mordaunt in 2020 saying, "Action is long overdue,

4 I cannot stress the urgency of action enough", which

5 I think --

6 **A.** You had Jeremy Hunt saying it in 2022, you know, so --

7 **Q.** Yes. We will come onto that, don't worry.

8 **A.** But I think the way I would put it, if I may,

9 Ms Richards, is that I -- because I happen to have had

10 a lot of experience of this issue, being the person who

11 persuaded the then Prime Minister, Theresa May, that it

12 was the right thing to hold this Inquiry, and having had

13 long experience of it, and having met remarkable people

14 like Mike Dorricott, my own constituent, who sadly

15 passed away. So I happen to have a lot of personal

16 interaction with people who have been affected by this

17 scandal, and so I do understand why there is a very,

18 very high degree of suspicion.

19 I was -- when I originally persuaded Theresa May

20 that we should -- I have to say without difficulty.

21 I think Theresa May has a very strong sense of social

22 justice. But when I made the recommendation that we

23 should have the Inquiry, I was Health Secretary, and

24 I was quite surprised that the families were so adamant

25 that the Department of Health should have absolutely

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1 Sir Robert Francis compensation report, so that we could

2 start to get our heads around the potential routes as

3 far as compensation is concerned, and not have

4 a situation where, when the final report is published,

5 there was then a very long period where the Government

6 worked through different compensation options. That's

7 why we are doing all this work contemporaneously to you

8 finishing off your final Inquiry recommendations.

9 **Q.** You say in your statement -- I don't think it is

10 necessary to put it up on screen, but I will just read

11 it -- you say:

12 "... it is imperative that the government acts

13 quickly to give the infected and affected the certainty

14 they need over this issue, and I am confident that the

15 government is doing so."

16 You have obviously told us in your oral evidence

17 this afternoon a little more than we knew previously in

18 terms of the magnitude of meetings and so on.

19 Is there anything else you can tell those listening

20 that supports your confidence that the Government is

21 now, at least -- leave aside previous periods of time --

22 acting quickly?

23 Because you will understand, Mr Hunt, 2017, when the

24 decision was taken to set up a public inquiry, we had

25 Mr Burnham calling for compensation now; 2019, we have

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1 nothing to do with the way the Inquiry was run, and that

2 kind of showed me just how much suspicion there was of

3 the Department which I was responsible for. So

4 I understand there is suspicion.

5 But what I would say is: if the Civil Service had

6 been given a steer by ministers that, "We don't want to

7 do this, we want to kick this into the long grass, we

8 want to find a way of burying this into the far distant

9 future", that is an awful lot of meetings to have and

10 an awful lot of policy papers to put together.

11 I appreciate that, from the outside, it feels like the

12 Government is working painfully slowly, and I appreciate

13 the moral urgency given that people are dying, but I am

14 satisfied, as Chancellor, that the Government is working

15 very fast to try and resolve this as quickly as

16 possible.

17 **Q.** Can I move to a related but slightly different point,

18 and pick it up with you by reference to a statement made

19 by Mr Quin in December 2022 to the House.

20 COLL0000022, please, Lawrence, and if we go to

21 page 4, please.

22 Just for context, this is 15 December, and it is the

23 date upon which Mr Quin made the statement in which he

24 accepted or he articulated the Government's acceptance

25 of the moral case for compensation.

40

1 If we pick it up, it is the fifth paragraph
2 beginning, "I cannot commit to a timetable", and then he
3 refers to there being a complex series of steps to be
4 taken.

5 Then he says this:

6 "But I assure hon. Members that it is my intention
7 to update the House as we make progress. We must do so
8 in order to ensure that those infected and affected are
9 fully apprised of the progress we are making."

10 Now, you have referred to the suspicion and lack of
11 trust, and you will appreciate, Mr Hunt, that the less
12 people know about what's happening, the greater that
13 suspicion and lack of trust, which in itself is
14 damaging, given the psychological harm over decades.

15 Mr Quin has made further statements to the House,
16 but they don't contain details of progress or concrete
17 information about progress, still less anything that
18 could amount to keeping people fully apprised.

19 Now, there might be two explanations for that. One
20 is that the progress has not yet been made. The other
21 might be that it has been made but the Government is
22 choosing to play its cards close to its chest still.

23 Does the Government understand how important it is
24 to try and give some information, when it can, to those
25 infected and affected, such that even if there are still

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1 Now, I think we are in that situation now, where we
2 are going through the analysis and we are trying to
3 understand the issues. But what I would say to people
4 who are nervous that not enough progress has been made
5 is that we have had an interim payment. That is a big
6 sea change. We have had an acceptance by the Government
7 that compensation will be paid. So that is another very
8 big change. And we have had the Second Interim Report,
9 and I hope we are not too far away from the final report
10 as well.

11 So I think this issue is making progress towards the
12 conclusion.

13 **Q.** When Ms Mordaunt announced the commissioning of what
14 became the Sir Robert Francis Compensation Framework
15 Study, what she talked about was having advice on
16 a potential compensation framework design and solutions
17 which can be ready to implement upon the conclusion of
18 the Inquiry.

19 Now, "upon the conclusion of the Inquiry" suggests
20 a close temporal relationship between the conclusion of
21 the Inquiry and the implementation of the scheme, so not
22 the Inquiry concludes and months go by. Is that still
23 the aspiration of the Government in general terms?
24 Again, I'm not asking you to commit to particular dates,
25 but that it would be upon the conclusion of the Inquiry

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1 matters to be worked out -- the form of an arm's length
2 body, the need for primary legislation, whatever it
3 might be -- some decisions in principle could at least
4 potentially be communicated, even if lots of details and
5 matters of practice still remain to be worked out?

6 **A.** I completely accept the importance of communicating as
7 much as possible to families who have suffered for very
8 many years on this. This decision is -- you know, we
9 have had Sir Robert Francis' recommendations, we have
10 had the Second Interim Report, we are now in a situation
11 where we are doing the very detailed analysis of what
12 the likely cost might be of implementing those
13 recommendations and then understanding the
14 constitutional, the fiscal, the economic implications of
15 all of those. And we have this system in this country
16 where we don't give a running description of that
17 decision-making process because we do need to allow
18 ministers the chance to have frank discussions in
19 private so that -- that is actually -- it will sound to
20 people listening like secrecy but it is important to
21 have -- to give people the chance to say what they
22 really believe in Government meetings without having to
23 think: how is this going to play if it appears in
24 a newspaper tomorrow morning? You genuinely do get
25 better decisions that way.

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1 as opposed to months afterwards? Not least because, as
2 you will appreciate given your decades of political
3 experience, general election potentially next year,
4 purdah, could lead to an extraordinary length of delay?

5 **A.** I completely understand why that's a very, very
6 important question for you to ask on behalf of all the
7 families, but because we haven't made a decision on the
8 compensation and we are in the process of trying to
9 understand that and we all want to make a decision as
10 soon as possible, I can't give you a sense as to the
11 timescales.

12 What I can say is the fact that we commissioned --
13 or that Penny Mordaunt commissioned Sir Robert Francis
14 to do his report is because we did not -- precisely
15 because we did not want what you fear on behalf of the
16 families the most, which is that there would be
17 unnecessary delays in a third stage. So get the
18 Inquiry, then, you know, a very long time before the
19 compensation is announced. The fact that we are doing
20 this work now is because we want to be in a position to
21 resolve this issue as soon as we possibly can upon the
22 conclusion of the Inquiry.

23 **Q.** Now, that leads to the next topic I wanted to explore
24 with you, which is the question of waiting for the
25 conclusion of the Inquiry before making a decision,

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1 which is what your statement tells us is the position.
 2 It is what the statements of the other ministers who
 3 have given evidence this week tells us is the position.
 4 I'm going to ask you the same question I asked other
 5 ministers this week in the hope of clarification.

6 I understand you tell us, Mr Hunt, that work is
 7 still ongoing, so you can't yet announce something that
 8 you haven't decided. But the coupling of the
 9 decision-making process with the conclusion of the
 10 Inquiry, in terms of the production of the Inquiry's
 11 find report, what is it that the Government thinks it is
 12 going to learn from the final report that's so essential
 13 to its decision-making that it has to wait when it has
 14 already got Sir Robert Francis', the First and Second
 15 Interim Reports, its own work and so on, and it has
 16 already accepted the moral case for compensation?

17 **A.** Well, it was always believed that we would make this
 18 decision after the Inquiry's final recommendations were
 19 made. When I, back in 2017, argued inside Government
 20 that we should do the Inquiry, I didn't imagine any
 21 other route than we would allow the Inquiry to make its
 22 final recommendations.

23 When you are deciding what to do -- this is not my
 24 money that is being given out, it is taxpayers' money,
 25 it is the money of every single person in this room and

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1 **Q.** That wasn't the approach the Government took to the
 2 First Interim Report. We heard, obviously, from the
 3 Prime Minister on Wednesday an explanation to the effect
 4 that it was the practice and precedent to await the
 5 final outcome of an inquiry report so its
 6 recommendations could be considered in context. But the
 7 Government didn't feel it necessary to do that in
 8 response to the First Interim Report. And, again, a lot
 9 of people struggled to understand the difference of
 10 approach. Can you assist any further in relation to
 11 that?

12 **A.** Well, I think the fact that -- I mean, I wasn't in the
 13 Government at the time that that decision was made, but
 14 I think the fact that the Government recognised the need
 15 to make interim payments is an indication that the
 16 Inquiry has had a big effect on the Government's
 17 thinking. I think when the Inquiry was originally
 18 commissioned I don't recall any discussion of interim
 19 payments, and the fact that Government did accept the
 20 recommendation to do that showed that its thinking had
 21 evolved. I think it had learnt from some of the things
 22 that -- the evidence that you had heard in the Inquiry.
 23 But I think it is also not just reasonable but right,
 24 given the sums that are involved, which are potentially
 25 very large, that we should see the full context before

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1 the whole country outside this room, and because the
 2 sums are potentially very large, I think it is right
 3 that the decision is made with the full context of
 4 understanding not just how much, but why these things
 5 happened, and I think that we will make a better
 6 decision as a result of that.

7 But what would not be acceptable would be for that
 8 moment to be another hiatus where there was another very
 9 long period of time. I think the fact that ahead of the
 10 final conclusions of the Inquiry that we paid
 11 compensation -- we paid interim compensation and we have
 12 accepted the case for compensation and we are doing the
 13 work now to understand what the final amounts should be,
 14 indicates that we want to make the process as quick as
 15 we possibly can.

16 But I think you will say some very important things
 17 in that Inquiry and I know that you are not going to say
 18 any more on the levels of compensation you think are
 19 necessary but I think you are going to help us to
 20 understand a lot about the context, and I do believe
 21 that it is responsible and right to the taxpayers, who
 22 are funding this, for Government ministers to see the
 23 full context of the horrific scandal that this was,
 24 before we make the final decision as to how the
 25 compensation will work.

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1 we make our final decision.

2 **SIR BRIAN LANGSTAFF:** I think, to be fair, as I understood
 3 the question -- it may not have been entirely clear --
 4 I think counsel was asking you not so much about the
 5 final compensation scheme, package, whatever it is, but
 6 about further interim payments to classes of people who
 7 might merit -- in my view, they do merit, but I say
 8 "might" because it is a matter for precision -- further
 9 interim payments.

10 So it is the parallel situation, if you like, just
 11 for different people, recognising that it may be some
 12 time before the system, whatever system is set up,
 13 provides the compensation which represents a full and
 14 fair and just settlement. That, I think, is what
 15 counsel is asking.

16 Am I right?

17 **MS RICHARDS:** In fact, I was asking the wider question which
 18 Mr Hunt understood. I was going to come onto the
 19 narrower question next.

20 **SIR BRIAN LANGSTAFF:** I do beg your pardon.
 21 I misunderstood. But I have asked your question for
 22 you, have I?

23 **MS RICHARDS:** You have.

24 I'm going to come back to interim payments, but
 25 before I do, the Chair has asked a question, Mr Hunt.

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1 **A.** I think the straightforward answer to that question is
2 that we haven't made a decision on those wider groups.
3 That is an intrinsic part of the discussions that we are
4 having in terms of the whole package, and we just need
5 to make a lot more progress.

6 **Q.** Just dealing with the general question of waiting for
7 the final report, I have suggested to earlier witnesses
8 this week two interpretations that could be placed upon
9 that and invited their comment. I'm going to suggest
10 the same to you, but a third has been flagged up to me
11 by others, for which I'm grateful, which I'm going to
12 explore too.

13 So some are concerned -- perhaps many are
14 concerned -- that the reason you are waiting -- when
15 I say "you", I mean the Government, obviously -- for the
16 final report is because the Government didn't start the
17 intensive work until really this year; it's the
18 Government's own delay that effectively gets masked by
19 waiting for the final report.

20 The other concern is that by waiting for the final
21 report, the Inquiry, at the point it ceases its work, no
22 longer has any powers, and the Government could ignore
23 the Inquiry's recommendations with impunity, in terms of
24 any powers that the Inquiry might have.

25 Do you have any observations on either or both of
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1 four or five months after that, this Government accepted
2 the moral case for compensation.

3 I know you will disagree with this, Sir Brian, but
4 permit me to say it. I think the Government did take
5 a reasonable position when it said that it wanted to
6 know what you thought about Sir Robert's recommendations
7 before it could progress, and so -- because if there was
8 going to be any difference between what you said and
9 Sir Robert said, then that would have a bearing on our
10 decision. So I think it was necessary to have your
11 Second Interim Report, which was extremely helpful, and
12 then I think you see, since that moment, this really
13 quite dramatic increase in the amount of work going on
14 across Whitehall.

15 All Governments have a very big share of the
16 responsibility of the fact that this has taken half
17 a century to resolve that injustice but I think these
18 things are now moving very fast in Whitehall terms.

19 **Q.** The third concern that's been expressed to me by
20 a number of individuals, and therefore I'm articulating
21 it to you, to invite you to comment, you may say it is
22 unfair and wrong, but it gives you then that opportunity
23 to do so.

24 It has been suggested another reason why the
25 Government might want to delay making a compensation
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1 those matters?

2 **A.** I don't really recognise that as being fair. I will
3 say -- I need to say at the outset, you know, I don't
4 think, over the decades to date, that the people who
5 have been infected or affected have been treated fairly.
6 So this is not -- I'm not in any way trying to absolve
7 the state of its responsibility for a terrible scandal.
8 But I think that if you look at what the Government
9 could reasonably have done in the circumstances -- and
10 I wasn't in the Government until the end of last year,
11 but Sir Robert Francis' report came in June. The
12 decision was made, I think, in August to pay --

13 **Q.** Sir Robert Francis' report was delivered to the
14 Government in the middle of March last year --

15 **A.** Okay, but it was --

16 **Q.** -- with a promise that the Government -- sorry, I won't
17 use the word "promise" -- with the Government saying it
18 would produce a response before he gave evidence, and
19 never has.

20 **A.** Okay. But I think about six months after that report,
21 the Government announced that they would make interim
22 payments.

23 **Q.** Yes.

24 **A.** And that is a very, very big change in the posture that
25 governments over very many years have taken. And then
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1 announcement until after the final report is that such
2 an announcement would be designed to take the sting out
3 of the publicity, the press reporting that might come
4 from a highly critical final report and turn it into
5 a good news story.

6 If that were the case, I am sure you would accept it
7 would be unacceptable to place the reputation of the
8 Government over the needs and interests of those
9 infected and affected. You may tell me that that is --
10 you may be able to give an assurance that that's not the
11 Government's thinking?

12 **A.** Can I just say this very plainly. There is no good news
13 story in this scandal. None whatsoever. It is
14 a terrible, terrible scandal. So that is absolutely not
15 our thought.

16 **Q.** Can I then come back to the question of interim
17 payments.

18 As you know, the Second Interim Report has
19 recommended interim payments for cohorts of individuals
20 who have never previously received any compensation nor
21 financial support from the support schemes, and in
22 particular I have in mind, as I am sure you understand,
23 parents whose children died and children whose parents
24 died. You will have seen in the Second Interim Report
25 some of the examples of the testimony of those who have
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suffered such unspeakable losses.

Can we put up on screen, and you knew I was going to ask you this, I am sure, Mr Hunt, the letter you wrote last summer when not in Government.

It is WITN3499035. This is the joint letter that you wrote with Andy Burnham and Matt Hancock.

You say this, 3 August, addressed to the Prime Minister:

"Dear Prime Minister,

"We are writing to urge you to authorise the making of interim payments to all victims and all bereaved partners of victims of the infected blood scandal with immediate effect. As recommended by the Infected Blood Inquiry Chair, Sir Brian Langstaff, on 29th July those payments should be worth at least £100,000 per award.

"As Health Secretaries with a combined period in office of 10 years we passionately believe that this is the vital next step towards justice for those who have suffered dreadfully over the decades as a result of this scandal. The victims and their families deserve nothing other than the complete and immediate acceptance of Sir Brian's recommendation. To refuse to do so would simply continue the injustice thus far handed out by the state to a group of innocent victims condemned to years of suffering and neglect.

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same sense of urgency applicable to those who have received nothing, no support even from the financial assistance schemes, why is that urgency not applicable to them and to the specific recommendation in the Second Interim Report for interim payments to be made?

A. Well, I think we do need to go as fast as we possibly can with those other groups of people. We have now got both Sir Robert's recommendation and the Second Interim Report, but I don't -- I know this will disappoint people listening, but there are some very big recommendations, not just in terms of the amount of money involved, but, for example, the idea that the amount should be decided by an independent arm's length body without any reference to ministers. We have to think through how the accountability of that would work. I'm not aware of that structure ever having happened before, but this is obviously taxpayer's money and these are potentially very, very large sums of money.

So the need to see justice for families who are affected, bereaved mothers and fathers and people who lost their own mother and father, is very much something that we recognise is important to do. But we have to do a lot of work to understand both the potential amounts -- it is harder to calculate the potential amounts because those people aren't part of the schemes,

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"Any delay to such payments, for instance by arguing that we need to wait for the inquiry to finish, for a new Prime Minister, or for Parliament to return, will sadly almost certainly see more of the victims die before they see justice. Already more than 400 people have died since the inquiry started. With some estimating that one infected person is dying every four days waiting until even the end of the year when the inquiry hearings are concluded would mean another 40 people would die. That number would likely be above 100 if the government waits until the inquiry has reported in full. This is simply unacceptable and will cause yet more harm to a group of exceptionally vulnerable people.

"You have the opportunity to leave a lasting and positive legacy and start to put right a terrible injustice that others before you have failed to do. We urge you to grasp that opportunity before it is too late for yet more victims and their families."

I think you published that with a tweet that read:

"Contaminated blood victims need a decision from @BorisJohnson to authorise immediate payouts. Postponing this will see more victims die without justice. A letter from three former Health Secretaries."

The question therefore, Mr Hunt, is: why isn't that

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the AHOs, in the way that the living infected and the deceased infected are. So there is complexity.

But what I would say just to sort of reassure people who are worried this is being kicked into the long grass by the Government is that this is very much part of our discussions, this is -- you made some very clear recommendations, Chair, and we are going through every single one of those recommendations, trying to understand the potential cost to the taxpayer and the best mechanism to make sure that justice is done.

Q. One practical step that I think was certainly raised in the house by Dame Diana Johnson, and I think has been raised in correspondence from campaign groups with Government, would be the possibility of starting a registration process for those who would fall within the recommendation 12 in the Second Interim Report.

So as to ensure expectations are not dashed it can be clear that the registration process does not mean a decision has been taken to make the payments, but it would have two potential benefits: it would give you, the Government, a clearer idea of potentially the numbers involved; and it would mean that if the Government does decide to make payments to those cohort of people, whether as an interim or final payment, they are already registered and that would minimise any

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1 further delay.
 2 Is that something that the Government has yet
 3 thought about and, if not, is it something that can at
 4 least be -- again, I'm certainly not asking you to
 5 commit to a policy, I understand you can't do that, but
 6 is that something that can be thought about or inquiries
 7 undertaken as to its feasibility?
 8 **A.** I mean, you are very elegantly trying to guide me to
 9 talk more about where our thinking is going on these.
 10 What I would say is in terms of those -- doing
 11 something like that, I mean, that would be one element
 12 of a huge number of new processes that would need to be
 13 set up, new organisations that would need to be set up,
 14 were we to implement the recommendations of the Second
 15 Interim Inquiry[sic] in full. We have to start by
 16 making the full decision as to what we are going to do,
 17 and then we start to make those processes -- set up
 18 whatever processes are set up. But I think it would be
 19 confusing to set up one process and not another when we
 20 are making good progress in trying to make a decision in
 21 its entirety, and that's our objective.
 22 **Q.** Mr Hunt, my final questions to you -- I'm going to ask
 23 you to look at two documents. One is an email you wrote
 24 to a constituent -- not in office, I hasten to add --
 25 and the other is a letter sent, I think, to you by

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1 waiting for a final report is not consistent with that
 2 prioritisation that comes across in your email here, but
 3 also what we have been told by other ministers this week
 4 is the Government's priority to this issue.
 5 Is there anything further you feel able to say in
 6 relation to that?
 7 **A.** To be honest, I don't read that email as being any
 8 different to the position that I'm saying this
 9 afternoon. I think you could read that email and fairly
 10 say that I did want the Inquiry to conclude its work and
 11 publish its recommendations, but I also want to act as
 12 quickly as possible, and I think that -- I can't see the
 13 date of that, but that email looks to me like it was
 14 sent around the same time as I wrote the letter with the
 15 other two former Health Secretaries.
 16 **Q.** No, this is 2019.
 17 **A.** Oh, this is 2019? Okay. So, but -- and it is some time
 18 before, but -- but I think, you know, I would want to do
 19 something to -- well, as everyone knows, I did want
 20 interim payments to be paid as quickly as possible. But
 21 I think that is consistent with my view that I want to
 22 hear the Inquiry make its conclusions.
 23 **Q.** The last document I'm going to put on screen is
 24 Mr Burnham's letter.
 25 HSOC0029912.

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1 Andy Burnham yesterday. I just want to put those on the
 2 screen, read them, and then ask if you have anything
 3 that you are able to say in response.

4 The first document, please, Lawrence, is
 5 MRIC0000001. We can see this is an email dated
 6 18 July 2019. It is to a constituent of yours,
 7 Melanie -- and I name her with her permission, I should
 8 make that clear -- and you say this in the second main
 9 paragraph:

10 "If I am lucky enough to become Prime Minister [this
 11 was obviously the time of the 2019 leadership election]
 12 I will do all I can to ensure appropriate compensation
 13 and other actions to give justice to those who suffered.
 14 However I do think that we should allow the inquiry to
 15 do its work, to tell us what the next steps should be
 16 before we commit to them. One of the reasons I pushed
 17 for a full public inquiry is because it would have the
 18 power to require witnesses to give evidence, and its
 19 findings would carry huge weight. I now think we need
 20 to give Sir Brian Langstaff the freedom to do his work,
 21 and reach his conclusions."

22 It may be said the Inquiry has, through its Second
 23 Interim Report, told you what it thinks the next steps
 24 should be -- obviously it is a matter for Government as
 25 to whether it accepts those recommendations -- and that

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1 It is dated yesterday's date and says this:
 2 "Dear Chancellor,
 3 "Last August we wrote together as former Health
 4 Secretaries to the then Prime Minister calling for
 5 interim compensation payments to be quickly made to
 6 victims of the infected blood scandal. We wrote that
 7 letter along with The Rt Hon Matt Hancock MP because we
 8 all appreciated that a failure to act and act quickly
 9 would continue the injustice thus far handed out by the
 10 state to this group of innocent victims.
 11 "What you appeared on The Today Programme to
 12 discussion the letter you were clear about how important
 13 it was to resolve the question of compensation. As you
 14 said, 'We should do it right away. We've waited far too
 15 long. Successive governments, which I was part of one,
 16 didn't act as quickly as they should have, and we need
 17 to recognise this as a terrible, terrible injustice'.
 18 Your words are as true today as they were last year. At
 19 least another 100 victims have sadly passed away since
 20 we wrote that letter. Like thousands of others, they
 21 decide without the closure that full compensation and
 22 justice can bring:
 23 "You are now back in government. You have the power
 24 to right the wrongs of the past. You will give evidence
 25 again to the inquiry on tomorrow. When you last gave

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evidence, you talked about the shared responsibility that those of us who have served in government have in terms of how long it has taken to resolve the infected blood scandal. Your words now as Chancellor can bring either hope or despair to those whose lives have been so damaged as a result of the what we know is the worst treatment disaster in the history of the NHS.

"I implore you to take this opportunity to let the infected blood community know that they still have you as an ally fighting in their corner. They need to know that you have earmarked funding for compensation. That the present financial situation, which is not their fault, will not be a barrier to them receiving what they deserve. Finally, that you will use your good offices as Chancellor to ensure that the compensation scheme will be in place for when the Inquiry issues its full report later in the year."

Now, Mr Hunt, a number of the themes which Mr Burnham there sets out I have explored with you already in your evidence and you have given your response in relation to that, but is there anything further you feel able to say, with all the constraints you have told us about in terms of collective cabinet responsibility, that would give that hope or that confidence or reassurance about this not being something

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I do believe that the Government's view is different to the many governments that have preceded this, and I do believe that we are closer to justice. But we have to look at all these very, very difficult decisions and go through these processes, and I hope we can resolve them as quickly as possible.

MS RICHARDS: Sir, those are the questions I have for Mr Hunt. We obviously need to take a break in any event for the stenographers, but also if we can take the break now that provides Core Participants with the opportunity to suggest any further questions that they want me to consider asking Mr Hunt.

SIR BRIAN LANGSTAFF: Yes.

You know the process, that the Core Participants will give such questions as they have to counsel to ask you when you come back, and we have to give everyone a chance to have a break, a proper break.

So what do you think, 40 minutes?

MS RICHARDS: If we say 35. It is up to you, sir. It is entirely up to you.

SIR BRIAN LANGSTAFF: We are arguing only about five minutes, so let's say 40 minutes. If it is going to be any longer you will be told, and that means we will come back at 4.15 pm.

So 4.15 pm, please.

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kicked into the long grass, but something that is utterly a priority for this Government?

A. Well, I believe -- you know what I believe, because I gave evidence to this Inquiry a year ago, and I believed then, as I believe today, that this is -- it is not just a terrible injustice, but, you know, politicians need more than words, they need to show with their actions that they are putting into practice what they believe, and I can understand that it is very frustrating for people listening that I can't go into details about discussions that are going on inside Government. But I do believe that the actions of the Government -- and I should also say that I don't know what the decision is going to be because the decision has not been made. So I have to give those provisos. But I would also say that the actions of the Government of which I am part to me demonstrate a seriousness of intent to resolve this issue in a way that finally does justice, and we are doing the work necessary to understand everything that we need to understand, given the potentially large sums of money involved.

I hope that we can avoid any unnecessary delay in resolving this, and I hope that you will see that in the actions the Government takes going forward, but I do appreciate that this is a very frustrating process. But

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Now, remain where you are seated, as we discussed earlier, and the Chancellor will leave and we will see you again at 4.15.

MS RICHARDS: And the usual warnings for the witness.

SIR BRIAN LANGSTAFF: Of course.

You are giving evidence. You may not discuss the substance of your evidence, anything you have been asked or anything you think you may yet be asked, with anyone, whoever that anyone may be.

(3.35 pm)

(A short break)

(4.15 pm)

Questions from CORE PARTICIPANTS

MS RICHARDS: Mr Hunt, just a handful of further questions.

However, the first matter I'm just going to raise is something I'm not going to ask you any particular questions about now but I just want to flag it up.

In the bundle of documents which the Inquiry provided to you there are two letters written by a team within HM Treasury. We will just put them very briefly on screen so that we are talking about the same thing, but I'm not going to go through them.

They are COLL0000026 and then COLL0000027, Lawrence.

Mr Hunt, these are not letters that were sent by you, and the letters to which they respond are

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undoubtedly not letters that were ever seen by you. But just to give context, Mr and Mrs Turton, the parents of a young son who was infected with HIV and died of AIDS, and Lauren Palmer is a young woman both of whose parents were infected with HIV and died of AIDS.

Now I have been asked to ask a number of questions about the way in which these letters were written and what might be said the somewhat soulless and dispassionate tone and language used. But having discussed it further with their representatives, and indeed with your own, it seemed a more sensible way forward, rather than me ask you to analyse these now, is if a letter is sent to you via your legal representatives setting out why it was these letters were seen as so hurtful, whether that could be something that is seen directly by you and sent directly to you.

So that's the way we are going to proceed but, for the benefit of I know what may be Mr and Mrs Turton and Ms Palmer listening I wanted to make that clear.

SIR BRIAN LANGSTAFF: Thank you.

MS RICHARDS: If we could take those down now.

So then the next issue relates to the question I asked you about the possibility of registering those who are not currently registered with the schemes, and I think as part of your answer you pointed to the

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but this is one of a number of the recommendations made in the Second Interim Report that we are still reflecting on carefully and that's why we are not in a position to make any decision or announce any decision today.

Q. I just wanted to be clear that the registration wouldn't require new schemes.

Then if we go back to the paragraph above which I referred to, you will see the recommendation is not an interim payment of £100,000 to every individual relative who falls within the category set out; it is a recommendation of a payment to recognise each death.

I think you referred in your earlier evidence to the uncertainty that there might be about the numbers who might be eligible in that regard, so I just want, if we may, please, to go to INQY0000454. This is the Inquiry's summary of the key findings of its statistical expert group.

If we could go to page 3, please, Lawrence. You will see, bottom half of the page:

"Deaths during 1970-2019 attributable to infected blood or blood products."

Then a number of general matters set out about the statistics expert group's approach.

Then this in the last paragraph:

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possibility that there might need to be new organisations established, and then you referred to some of the complexities involved in relation to that.

Could we look at INQY0000453, please, Lawrence, which is the Chair's Second Interim Report, and if we go to page 61.

So this is part of what is recommendation 12, the recommendation of £100,000 interim payment, and if we pick it up in the second paragraph, it is:

"... to recognise the deaths of people to date unrecognised and thereby alleviate immediate suffering."

Then there's set out parents, children and siblings.

If we could just go to the next paragraph, you will see that the Inquiry's report said:

"These interim payments should be capable of being made through the support schemes after registration and of being achieved reasonably quickly. They can and should be achievable before the compensation scheme itself is operational."

So the Inquiry's recommendation is that in relation to these individuals, this doesn't need a new organisation, this can be done through the existing support schemes. Is that something the Government understands?

A. Yes, and I am sorry if my previous answer wasn't clear,

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"The experts therefore conclude that around 2,900 deaths during 1970-2019 are attributable to infections from blood or blood products in the UK, although there is considerable uncertainty about this estimate."

That is the estimated figure in relation to deaths.

I think you referred to it yourself in your earlier evidence.

Now, there are a number of deaths that have already been recognised by the making of an interim payment; that's the interim payments that were made to bereaved partners, around 900 or so. So that would leave, currently, around 2,000 deaths that have been unrecognised to date through the making of any kind of compensation payment.

So it may not be correct to suggest that there is no sense of how many further interim payments would fall to be made if recommendation 12 is accepted, because it is a recommendation of a payment for each thus far unrecognised death, not for each relative.

Does the Government understand that, do you think?

A. It does, but there are, as I understand it, other recommendations about affected people that we are also being asked to consider, and we want to consider all of those together.

Q. Yes, you are absolutely right there are then broader

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1 recommendations in terms of the structure of a final
2 compensation scheme. I appreciate you have talked about
3 wanting to consider everything together. It really goes
4 back to the point I explored with you earlier, Mr Hunt,
5 about whether there are some decisions that could be
6 taken in advance of others, because, for example,
7 payment in relation to deaths as yet unrecognised would
8 not commit the Government to making payments to a wider
9 category of relatives. That's understood, I hope, by
10 the Government?

11 **A.** It is understood but we do want to take all these
12 decisions together and as quickly as possible.

13 **Q.** Can I then just pick up on the question of arm's length
14 bodies. You talked about it certainly -- I'm not sure
15 whether you said it was unique or just unusual to have
16 an arm's length body that reports directly to
17 Parliament?

18 **A.** Novel, I think I ...

19 **Q.** Yes. I'm asked to point out that there are, for
20 example, two examples: the National Audit Office and the
21 Independent Parliamentary Standards Authority, both of
22 which report directly to Parliament?

23 **A.** Yes, I mean, that is true but I think this would be
24 substantively different to those two bodies.

25 **Q.** Then the ALB model, I mean there are a range of

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1 delays and lack of information is creating an ever
2 greater moral duty?

3 **A.** Every day that we take longer than necessary is a day
4 too long, I absolutely accept that. The refusal to
5 accept that there was any state responsibility in this
6 and, therefore, no moral justification for compensation
7 most certainly puts salt in the wounds of people who
8 were already having an unbelievably tough life as
9 a result of this scandal. I fully accept that.

10 So, yes, I totally agree with Sir Robert that we do
11 have a moral duty to resolve this as quickly as we
12 possibly can.

13 **Q.** The final point I'm asked to point out to ascertain that
14 it is fully understood and taken into account as part of
15 the decision-making process, particularly in terms of
16 timing, is this question of injustice continuing to be
17 compounded.

18 You use a phrase in your statement "historic
19 injustice". Others would say it is not historic, it is
20 still a present and continuing injustice, and that there
21 are many who, even those who received the interim
22 payments, are still in a position of financial
23 uncertainty, of not being able to plan, of not being
24 able to know where they are going to be, and of course
25 those who have received no interim payments have

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1 different ALBs, but Sir Robert, for example, gave
2 examples of the Care Quality Commission, described as
3 fiercely independent but funded by Government. So there
4 is not a single way of doing it.

5 **A.** No, but as I understand his recommendations, this was
6 a body who would decide an amount of compensation. That
7 isn't what the Care Quality Commission do. So there
8 is -- you know, without passing any judgment on the
9 recommendation, we want to give it full thought, but it
10 would be a different constitutional arrangement to one
11 that I think we have got elsewhere.

12 **Q.** The final area for questioning is this: you have said in
13 your evidence you recognise how long this community has
14 been waiting for justice, and I am reminded that the
15 fifth aspect of the moral duty discussed by Sir Robert
16 in his report recognised the specific roller coaster of
17 raised and then dashed expectations with regard to
18 support and recognition of their plight. In other
19 words, part of the moral duty which, as we understand
20 it, the Government has accepted is directly tied to the
21 delays that the community has experienced over the
22 decades; in other words, the injustice upon injustice
23 heaped upon the original infections and their
24 circumstances.

25 Do you accept that the ongoing period of time,

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1 a position of considerable uncertainty.

2 So the injustice that the harm is compounded every
3 day it takes is something which I have been asked to
4 convey to you and ask: is that properly understood by
5 each and every official, each and every minister dealing
6 with this issue?

7 **A.** Well, I believe it is understood by the ministers and
8 officials involved that this has taken far too long to
9 resolve. It is a terrible scandal and we have a moral
10 duty to resolve it as quickly as we possibly can, and
11 not to make the injustice worse by adding in further
12 unnecessary delays.

13 It is very hard to explain to people in this context
14 that there are still things as a Government that we have
15 to do before we can resolve something of this magnitude,
16 but I do believe that the necessary work is happening at
17 the moment in order for the Government to come to
18 a conclusion of this and, you know, that's why we are
19 not waiting until you conclude your Inquiry before doing
20 all this work, and as soon as you have concluded it, we
21 will, I hope, have done enough work to be able to come
22 to a solution and publish that solution as quickly as we
23 possibly can.

24 **MS RICHARDS:** Sir, those are the questions I'm proposing to
25 ask of those put forward by Core Participants. I'm just

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1 going to check -- Mr Skelton for Mr Hunt has no
 2 questions.
 3 Do you have any questions for the Chancellor, sir?
 4 **SIR BRIAN LANGSTAFF:** No, I don't, thank you.
 5 **MS RICHARDS:** Mr Hunt, is there anything you wanted to add?
 6 **A.** I don't think so, thank you.
 7 **SIR BRIAN LANGSTAFF:** There is something I would like to
 8 add, which is to thank you. The first and perhaps the
 9 minor matter, in some respects, for which I would like
 10 to thank you is for being prepared to come at relatively
 11 short notice on a Friday, of all days, in the afternoon,
 12 of all times, to give evidence. But the major part of
 13 is to thank you for the tone in which you have given
 14 your evidence and the way in which that may have helped
 15 to explain to those of us who have been listening, in
 16 a way that has not been clearly explained before, why
 17 the commitment to compensation, what the Prime Minister
 18 described as one of his priorities, has not yet come to
 19 any form of tangible fruition.
 20 I would just like to add, if I may -- this is not
 21 a question, it is really a request -- straight after the
 22 break counsel took you to part of the interim report
 23 where I dealt with the position of people who have died,
 24 leaving bereaved parents or where the child has lost
 25 a parent or both parents, and suggested that in respect

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1 It remains for me to reflect on what has been said,
 2 and I have no doubt you will too, but thank you for your
 3 attendance.
 4 Given what has been said, I shall do everything
 5 I can to make sure that the final report is produced as
 6 quickly as I reasonably can. It won't, I think, be
 7 early in the autumn but I can't say any more about it.
 8 I shall do my best. But thank you.

9 (4.33 pm)

10 (The Inquiry adjourned)

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1 of that death there should be interim payments.
 2 Now, I appreciate it is part of everything that you
 3 put together, you have explained why it is that
 4 Government is taking its time over that. But time is
 5 corrosive, delay is corrosive, and it may be that as
 6 your discussions progress -- you can't say anything
 7 about that, I fully appreciate, but as discussions
 8 progress -- you find yourself in a position to make
 9 interim payments even in advance of seeing the whole
 10 scope of whatever scheme it is that you may have in mind
 11 to give fair and just compensation which people deserve.
 12 So, would you consider at least doing that if the
 13 opportunity arises and, so far as you can, help the
 14 opportunity to emerge to do that?
 15 **A.** Can I say I will reflect on what you have said
 16 carefully, Sir Brian.
 17 **SIR BRIAN LANGSTAFF:** Thank you very much.
 18 **MS RICHARDS:** Sir, that concludes this witness's evidence
 19 and it concludes this week's hearings.
 20 **SIR BRIAN LANGSTAFF:** Well, I think I said at the end of the
 21 last set of hearings that we had that we did not
 22 anticipate having any more hearings. I didn't say
 23 absolutely that we wouldn't and you have seen that we
 24 have this week been exploring the nature, the adequacy
 25 and the timeliness of the Government's response.

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