

1 Friday, 28 July 2023  
 2 (2.00 pm)  
 3 SIR BRIAN LANGSTAFF: Before we start can I just tell you,  
 4 it won't be unexpected, that the same rules, as it were,  
 5 apply today as they did on Wednesday, given the security  
 6 arrangements that naturally apply to someone who  
 7 occupies the position of our witness. So please at any  
 8 break would you remain in your seats until the  
 9 Chancellor has left. Thank you.  
 10 Chancellor, good afternoon. Let me explain the  
 11 arrangements. You probably have an idea what they are.  
 12 But your audience will number in four figures. Many are  
 13 here in front of you, they are participants in the  
 14 Inquiry. At their back there are representatives of the  
 15 press. To your left are lawyers representing various  
 16 different interests in the Inquiry, there is a room  
 17 downstairs, and otherwise people are watching by YouTube  
 18 live stream. So that's your audience.  
 19 In a moment or two Mary will ask you to take the  
 20 oath again. You have been here before. One of the rare  
 21 witnesses to have that privilege.  
 22 And Ms Richards will ask you the questions, I think  
 23 as before.  
 24 Mary.  
 25

1

1 told us about that, at that stage from your perspective  
 2 as someone who had been Secretary of State for Health.  
 3 Lawrence, could we please have INQY1000235.  
 4 This is the transcript of your evidence last summer,  
 5 Mr Hunt.  
 6 If we could go to electronic page 7 I think.  
 7 If we pick it up towards the bottom of the page.  
 8 If we zoom in on the bottom half of the page,  
 9 please, Lawrence.  
 10 I'm going to pick it up at the bottom left-hand  
 11 column, around line 22. You say there:  
 12 "The way the system works in Whitehall is that any  
 13 big spending decision requires Treasury approval, and if  
 14 there's a disagreement with the Treasury, you can go to  
 15 the Prime Minister."  
 16 Then you refer, top of the next column, to the time  
 17 you were then concerned with Number 10 and Number 11  
 18 singing from the same hymn sheet.  
 19 Then you talked about if you:  
 20 "... needed more money than ... was in [the]  
 21 departmental budget, then you would obviously have to go  
 22 to the Treasury ... [you] had a pretty good idea the  
 23 answer would be no, given the overall state of public  
 24 finances."  
 25 Then I don't think we need to go to the further

3

1 MR JEREMY HUNT (sworn)  
 2 Questioned by MS RICHARDS  
 3 MS RICHARDS: Mr Hunt, welcome back.  
 4 In terms of the roles you have held, you have been  
 5 a Member of Parliament since 2005, I understand.  
 6 A. Correct.  
 7 Q. You were Secretary of State for Health and Social Care  
 8 between 2012 and 2018?  
 9 A. Correct.  
 10 Q. It was in that capacity that you gave evidence -- or, in  
 11 that former capacity that you gave evidence to the  
 12 Inquiry last year?  
 13 A. Yes.  
 14 Q. You were then Foreign Secretary between July 2018 and  
 15 July 2019?  
 16 A. Yes.  
 17 Q. You were not then in Government thereafter but you had  
 18 been Chancellor of the Exchequer since 14 October 2022,  
 19 and it is in that capacity that you are giving evidence  
 20 today.  
 21 A. Yes.  
 22 Q. I want to start by asking you some questions about the  
 23 role of the Treasury and the Treasury's decision-making  
 24 processes, in general terms.  
 25 I want to start by looking at what you previously

2

1 references but you told us also, by way of summary,  
 2 about the process of obtaining funding during  
 3 Spending Reviews and the basic rule being no additional  
 4 substantial amounts of funding outside of spending  
 5 reviews. But you also told us, I think, of an occasion  
 6 when you were able to secure an extra £8 billion outside  
 7 of the Spending Review process. You told us also that  
 8 if the Prime Minister was behind something, it was a lot  
 9 easier to get it but that in general terms the  
 10 Treasury's job was to say no to lots and lots of  
 11 spending requests. That was what you told us from your  
 12 perspective as a spending department.  
 13 Does that remain a broadly accurate description of  
 14 the process now from your perspective as Chancellor?  
 15 A. I probably wouldn't use the word "the Treasury's job is  
 16 to say no". The Treasury's job is to balance the  
 17 national accounts and make sure we can pay for the  
 18 things that we choose to pay for and that the taxes that  
 19 we get pay for that and that the economy is as healthy  
 20 as possible. But yes, it is the Treasury's job to make  
 21 sure we spend money within our means.  
 22 Q. Just in terms of Spending Reviews, is this correct,  
 23 the 2021 Spending Review set departmental budgets up  
 24 to 2024, 2025, is that correct?  
 25 A. Correct.

4

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 time, 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.

9

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.

11

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

13

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,

15

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

14

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

16

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

17

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.

19

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

18

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:

20

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

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

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

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

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

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

21

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

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

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

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

23

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

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

22

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

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

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

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

24

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

25

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

27

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."

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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

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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

39

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.

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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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1 suffered such unspeakable losses.  
 2 Can we put up on screen, and you knew I was going to  
 3 ask you this, I am sure, Mr Hunt, the letter you wrote  
 4 last summer when not in Government.  
 5 It is WITN3499035. This is the joint letter that  
 6 you wrote with Andy Burnham and Matt Hancock.  
 7 You say this, 3 August, addressed to the  
 8 Prime Minister:  
 9 "Dear Prime Minister,  
 10 "We are writing to urge you to authorise the making  
 11 of interim payments to all victims and all bereaved  
 12 partners of victims of the infected blood scandal with  
 13 immediate effect. As recommended by the Infected Blood  
 14 Inquiry Chair, Sir Brian Langstaff, on 29th July those  
 15 payments should be worth at least £100,000 per award.  
 16 "As Health Secretaries with a combined period in  
 17 office of 10 years we passionately believe that this is  
 18 the vital next step towards justice for those who have  
 19 suffered dreadfully over the decades as a result of this  
 20 scandal. The victims and their families deserve nothing  
 21 other than the complete and immediate acceptance of  
 22 Sir Brian's recommendation. To refuse to do so would  
 23 simply continue the injustice thus far handed out by the  
 24 state to a group of innocent victims condemned to years  
 25 of suffering and neglect.

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1 same sense of urgency applicable to those who have  
 2 received nothing, no support even from the financial  
 3 assistance schemes, why is that urgency not applicable  
 4 to them and to the specific recommendation in the Second  
 5 Interim Report for interim payments to be made?  
 6 **A.** Well, I think we do need to go as fast as we possibly  
 7 can with those other groups of people. We have now got  
 8 both Sir Robert's recommendation and the Second Interim  
 9 Report, but I don't -- I know this will disappoint  
 10 people listening, but there are some very big  
 11 recommendations, not just in terms of the amount of  
 12 money involved, but, for example, the idea that the  
 13 amount should be decided by an independent arm's length  
 14 body without any reference to ministers. We have to  
 15 think through how the accountability of that would work.  
 16 I'm not aware of that structure ever having happened  
 17 before, but this is obviously taxpayer's money and these  
 18 are potentially very, very large sums of money.  
 19 So the need to see justice for families who are  
 20 affected, bereaved mothers and fathers and people who  
 21 lost their own mother and father, is very much something  
 22 that we recognise is important to do. But we have to do  
 23 a lot of work to understand both the potential  
 24 amounts -- it is harder to calculate the potential  
 25 amounts because those people aren't part of the schemes,

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1 "Any delay to such payments, for instance by arguing  
 2 that we need to wait for the inquiry to finish, for  
 3 a new Prime Minister, or for Parliament to return, will  
 4 sadly almost certainly see more of the victims die  
 5 before they see justice. Already more than 400 people  
 6 have died since the inquiry started. With some  
 7 estimating that one infected person is dying every  
 8 four days waiting until even the end of the year when  
 9 the inquiry hearings are concluded would mean another 40  
 10 people would die. That number would likely be above 100  
 11 if the government waits until the inquiry has reported  
 12 in full. This is simply unacceptable and will cause yet  
 13 more harm to a group of exceptionally vulnerable people.  
 14 "You have the opportunity to leave a lasting and  
 15 positive legacy and start to put right a terrible  
 16 injustice that others before you have failed to do. We  
 17 urge you to grasp that opportunity before it is too late  
 18 for yet more victims and their families."  
 19 I think you published that with a tweet that read:  
 20 "Contaminated blood victims need a decision from  
 21 @BorisJohnson to authorise immediate payouts.  
 22 Postponing this will see more victims die without  
 23 justice. A letter from three former Health  
 24 Secretaries."

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

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1 the AHOs, in the way that the living infected and the  
 2 deceased infected are. So there is complexity.  
 3 But what I would say just to sort of reassure people  
 4 who are worried this is being kicked into the long grass  
 5 by the Government is that this is very much part of our  
 6 discussions, this is -- you made some very clear  
 7 recommendations, Chair, and we are going through every  
 8 single one of those recommendations, trying to  
 9 understand the potential cost to the taxpayer and the  
 10 best mechanism to make sure that justice is done.  
 11 **Q.** One practical step that I think was certainly raised in  
 12 the house by Dame Diana Johnson, and I think has been  
 13 raised in correspondence from campaign groups with  
 14 Government, would be the possibility of starting  
 15 a registration process for those who would fall within  
 16 the recommendation 12 in the Second Interim Report.  
 17 So as to ensure expectations are not dashed it can  
 18 be clear that the registration process does not mean  
 19 a decision has been taken to make the payments, but it  
 20 would have two potential benefits: it would give you,  
 21 the Government, a clearer idea of potentially the  
 22 numbers involved; and it would mean that if the  
 23 Government does decide to make payments to those cohort  
 24 of people, whether as an interim or final payment, they  
 25 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 discuss 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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1 evidence, you talked about the shared responsibility  
2 that those of us who have served in government have in  
3 terms of how long it has taken to resolve the infected  
4 blood scandal. Your words now as Chancellor can bring  
5 either hope or despair to those whose lives have been so  
6 damaged as a result of the what we know is the worst  
7 treatment disaster in the history of the NHS.

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

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

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

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

13 **SIR BRIAN LANGSTAFF:** Yes.

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

18 So what do you think, 40 minutes?

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

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

25 So 4.15 pm, please.

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

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

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

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

4 **MS RICHARDS:** And the usual warnings for the witness.

5 **SIR BRIAN LANGSTAFF:** Of course.

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

10 (3.35 pm)

(A short break)

12 (4.15 pm)

#### Questions from CORE PARTICIPANTS

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

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

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

23 They are COLL0000026 and then COLL0000027, Lawrence.

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

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

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

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

20 **SIR BRIAN LANGSTAFF:** Thank you.

21 **MS RICHARDS:** If we could take those down now.

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

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

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

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

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

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

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

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

25 Then this in the last paragraph:

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

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

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

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

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

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

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

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

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

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

5 That is the estimated figure in relation to deaths.

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

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

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

20 Does the Government understand that, do you think?

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

25 **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

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)

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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(21) answer - calculate

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