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From the Parliamentary Under Secretary of State

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The Rt Hon Sir Patrick Mayhew QC MP

Dear Patrick,

15 MAY 1995

Thank you for your letter of 19 April enclosing one from your constituent Mrs Colette Wintle of
GRO-C about the Haemophilia Society's campaign on behalf of those
patients with haemophilia who have been infected with hepatitis C.

We have great sympathy with those patients who may have become infected with hepatitis C through blood transfusions or blood products.

Most haemophilia patients were infected with hepatitis C before blood products were treated to destroy viruses. These patients received the best treatment available in the light of medical knowledge at the time.

The Health Departments are considering a range of potential initiatives to improve the understanding, treatment and management of hepatitis C. This could include encouragement of research into the condition and guidance to the NHS on best practice where there is a clinical consensus.

The Government does not accept, however, that there has been negligence and we have no plans to make payments to such patients. On the more general issue of compensation, the Government has never accepted the case for a no fault scheme of compensation for medical accidents. It is unfair to others and still requires proof of causation which is often difficult to establish. Every individual case where a medical accident has occurred is a personal tragedy for both the individual concerned and their family. If the NHS is proved negligent in a Court, it accepts its liability to pay damages.

It is the Government's view that the most effective use of resources is to seek to improve the understanding, management and treatment of the condition. Only in this way can the impact of the disease on individual patients and their families be effectively minimised.



This Department is supporting an initiative by the Haemophilia Society to undertake a study into the best way to support its members who are infected with the virus.

I hope that this will reassure you that the Government will do all it can to care for those affected.

GRO-C

GRO-D