

Witness Name: Andrew Evans

Statement No.: WITN1213015

Exhibits: WITN1213016-20

Dated: 5 March 2025

INFECTED BLOOD INQUIRY

FOURTH WRITTEN STATEMENT OF ANDREW EVANS

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 14 January 2025.

I, Andrew Evans, will say as follows:

Response to Question 1: Please describe the nature of the work which you and your colleagues within Tainted Blood, have been undertaking, in relation to the question of compensation, since the publication of the Inquiry's Report in May 2024.

1. I, and my organisation Tainted Blood, have endeavoured to remain in constant contact with both IBCA and the Cabinet Office, since the day of the release of the proposed compensation scheme on May 21st 2024. We have written numerous letters to both organisations, engaged in telephone calls with various employees of both organisations, and engaged in meeting opportunities, both in person and remotely, wherever those arose. The intention of these interactions was, and is, to attempt to correct what we see as numerous failings in the scheme, both as it was first proposed and as it currently stands.

2. Given that the intention under the recommendations of the Inquiry was to involve the scandal's victims, both infected and affected, in decisions surrounding the formulation of a compensation scheme, we were disheartened to learn that the scheme had already been devised well in advance of the announcement on May 21st, with little to no input from the infected blood community. Therefore our efforts have been in part focussed on protest against this fact, and in part attempting to work with the existing compensation scheme setup to improve whatever we could.
3. We very quickly learned that the Expert Group advising the Cabinet Office, headed by Jonathan Montgomery and (as was then) a team of experts whose identities were undisclosed, had not been privy to the testimonies of victims at the Infected Blood Inquiry, nor had they sought to gather information or evidence from them. That these decisions were, in fact, based solely upon the knowledge and opinion of these secret experts, from the perspective of the general population and historic tropes of medical and scientific understanding, without the context of the actual scandal to advise them.
4. We also learned that, in terms of legal input to the expert group, the Cabinet Office had engaged solicitors Browne Jacobson, most notably known for defending the government against lawsuits and accusations of fault. This seemed wholly at odds with government rhetoric at the time, which was that they would do "all it takes" to compensate victims fairly and swiftly.
5. The result as we see it is that, despite protestations to the contrary, the compensation scheme has been devised without reference to the fact that this scandal stands alone in its uniqueness, as one that has claimed more than 3,000 lives and devastated countless others over the course of more than 40 years. The nature of this devastation, as the Inquiry heard, is varied and nuanced, and its impact has created repercussions that will last for generations. In compensating its victims, the true impact suffered by victims both infected and affected must be recognised, and we have consistently called for a supplementary route open to all, and for all heads of loss, to account for this. To date, these calls have fallen on deaf ears.

6. Additionally, we have attempted to point out the exacerbating factors that surround those in receipt of blood products, particularly those with a bleeding disorder, and the constant and repeated exposure to the same, much of which were carried out in infectivity trials without the knowledge of patients. Additionally, when it comes to criteria of proof of infection, we have argued that those infected as children may not show antibodies to relevant viruses, as the juvenile immune system does not react in that way. As such, exposure may not lead to the necessary blood results required to meet the current entry criteria to the compensation scheme.
7. By not engaging with the community or with the breadth of knowledge gained by the Inquiry, we argue that the government has not met its duty to engage at the crucial time that decisions about the compensation scheme were made. This is the seed that has resulted in a compensation scheme that is not fit for purpose.
8. I enclose with this statement a number of Press Releases and formal written communications that we as an organisation, usually signed by me, have sent to both the Cabinet Office and to IBCA. There is a large volume of informal written communication that we have also undertaken with them, which I do not include here, but which can be made available upon request.

Response to Question 2: What if any external support or assistance has been, or is, available to you and your colleagues in undertaking the work described above?

9. There has been no external support or assistance available to my colleagues and me in undertaking the work described above. We are, and always have been, volunteers and victims of the scandal, and seek to do the work necessary to achieve as much of a sense of justice for our fellow sufferers as possible. We had thought, following the Inquiry's reports, that our task to do so was to be made easier, however this has not been the case and, in fact, the onus upon us to understand and challenge the scheme has forced our time input to be

greatly exacerbated. Indeed, many members of the Tainted Blood Steering Committee have faced burn-out and have had to withdraw in order to protect their mental health. I have experienced a significant amount of emotional and cognitive stress over this myself, and have only managed to keep pushing on through sheer determination, and the notion that it's imperative to ensure that the work of the Inquiry was not undertaken in vain. Justice must be served.

10. Whilst there have been some efforts to engage with us by both IBCA and the Cabinet Office, we feel that these engagements are largely tokenistic, to satisfy the appearance of engagement rather than in order to make substantial changes to the scheme based upon our recommendations.

11. Having said that, I do not place IBCA in the same category as the Cabinet Office. IBCA, whilst heavily restricted by policy, appears to be making the right efforts to achieve its remit as designed by the Cabinet Office, and has actively listened to us. However many of their answers to our concerns can be summarised by a deference to the policy team at the Cabinet Office; ergo, these concerns are not within their power or remit to make the necessary changes. To put it simply, there is a significant amount of buck-passing.

Response to Question 3: Please describe the involvement of people infected and affected in the decision-making regarding compensation (whether by Government or IBCA or both) as you and your colleagues within Tainted Blood have experienced it.

12. As a victim-led campaign and support group, all of our activity is naturally based upon the needs of our community. Thus, we can answer this question using our own personal experiences insofar as how we interpret the impact that our work has had in decision-making regarding compensation.

13. In short, our involvement from the perspective of achieving meaningful effect upon decision-making has been negligible. I set out the reason for this in my answer to Question 1, but to recap: the majority of decisions around

compensation had already been made, it seems unalterably, before we even had chance to engage. Engagements past this point have been tokenistic and, at best, tinkering around the edges of a ready-made scheme that appears to all intents and purposes to be set in stone.

Response to Question 4: Please describe the principal concerns (if any) which you and your colleagues within Tainted Blood have in relation to the involvement of people infected and affected in the decision-making regarding compensation (whether by Government or IBCA or both).

14. Please see my response to Question 3, which I believe covers this.

Response to Question 5: Please describe the impact upon you and your colleagues within Tainted Blood of the matters set out in 1-4 above.

15. Here I will reiterate some of my response to Question 2: I cannot recall a time within the past twenty years that Tainted Blood has been active that we have experienced such overwhelming emotional drainage as has been the case since the compensation scheme was first announced on 21st May 2024. It is not an understatement to say that, alongside many members of the community, our Steering Group has been thrown into utter despair, with some members actively withdrawing in order to protect their already fragile mental and physical health, leaving fewer of us to pick up their work. In attempting to engage with both IBCA and the Cabinet Office, we have been forced to, once again, relive the trauma of the past in order to evidence our reasons that the compensation scheme is in many aspects not fit for purpose. To have these efforts apparently fall on deaf ears has led to a sense of complete frustration, desperation and hopelessness. In many cases this has resulted in further exacerbation of physical illness as well as the obvious mental impact.

Response to Question 6: Please describe the impact you perceive the decision-making regarding compensation (by Government, IBCA or both) to be having on people infected and affected, and why.

16. The infected and affected community is largely in turmoil due to the decision-making over the compensation scheme. Large swathes of the community do not feel heard; that their lived experience has not been taken into account at all. The Hepatitis C community in particular feel hugely aggrieved over the tariffs in place being far too low, with some actively attacking the HIV community due to what they see as discrimination. Those affected, particularly widows and bereaved partners, feel that their own losses incurred due to having to leave work to care for their partners, and their resulting mental health issues following the death of their partner causing them to not be able to return to work, have not been recognised at all. Many older affected people, some of whom are dying, see that their compensation claim will die with them, and this is leaving them with a sense that they will never see justice. These are just some examples, but they all have one thing in common: none of them were taken into account during the decision-making process.

17. As a group that supports victims, we have been witness to these effects first-hand. Attempting to keep up morale within the community against such pressures is an immense and, quite frankly, impossible task. People are being driven to the very limits that their mental health can handle, and we have heard that some have, sadly, been pushed past those limits.

Response to Question 7: Are there any particular steps or measures which you consider could be taken by Government, IBCA or both to alleviate any detrimental impact upon you, Tainted Blood and/or the infected and affected communities? If so, please set them out.

18. In answering this question, I now have to be mindful that much time has been lost since the Inquiry's Second Interim Report which, had the recommendations therein been followed, would have ensured that we were much further down the line in terms of the development of a compensation scheme and payment to victims. We are where we are, however aggrieved we may feel about this, and speed of implementation has never been more urgent.

19. Having said that, we would like to see that there is a path ahead whereby decisions on compensation policy for this scandal will be constantly revisited, that inadequacies could be remedied, and that we as victims and supporters of victims will have an active part in that. This does not mean that the scheme as it stands should not go ahead and continue making payments to victims, but rather that the development of the scheme at a policy level should be an ongoing process, and that the effects of any changes made to correct the scheme could be retroactively applied to those who have already claimed.

20. To know that the door is not firmly closed on these issues would be a great comfort to both us and the community as a whole.

21. In addition, since the Inquiry's final report we have been left without any form of legal assistance to advise us on the steps available to us to take in order to attempt to achieve our goals. Without this vital support it has been left to us to attempt to interpret complicated regulations and discover issues with them, without the proper training to do so, and to attempt to challenge these issues alone. We are volunteers, we cannot afford legal support ourselves, and so we go without. To have something in place to alleviate this would be of immense help.

22. We do not seek financial assistance to continue our work; we never have. We do what we do because it is the right thing to do. All we seek from here is an easier path upon which to do it.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed

GRO-C

Dated 5th March 2025

Table of exhibits:

Date	Notes/ Description	Exhibit number
July 2024	Accounts collected from siblings of the infected	WITN1213016
16 Aug 2024	Press Release – Tainted Blood reacts to Government’s final compensation plans	WITN1213017
Sept 2024	Tainted Blood Response to the Infected Blood Compensation Scheme	WITN1213018
24 Oct 2024	Press Release – All parents of Infected Blood victims should receive interim payments	WITN1213019
undated	Presentation to the Non Executive Directors of IBCA	WITN1213020