

Witness Name: Justine Gordon-Smith

Statement No.: WITN2632085

Exhibits: WITN2632086-089

Dated: 10 March 2025

INFECTED BLOOD INQUIRY

EXHIBIT WITN2632087

From: Justine Gordon-Smith <[REDACTED]@GRO-C>
Subject: Re: 241011JG-S RE: Advocacy for infected blood victims
Date: 5 November 2024 at 16:39
To: victims.commissioner victims.commissioner@victimscommissioner.org.uk

JG

Dear Lacey

Thanks for the kind words.. This letter effectively confirms that there is no independent advocate and no regulatory framework. It is completely depressing.

Best wishes

Justine

On 5 Nov 2024, at 15:14, victims.commissioner <victims.commissioner@victimscommissioner.org.uk> wrote:

OFFICIAL

Dear Justine,

Thank you for your email of 11th October to the Victims' Commissioner.

Please find attached a response from Baroness Newlove.

Kind regards,

Lacey
CORRESPONDENCE MANAGER

Office of the Victims' Commissioner for England and Wales,
5th Floor, 70 Petty France,
London SW1H 9EX

w: www.victimscommissioner.org.uk/

t: [@VictimsComm](https://twitter.com/VictimsComm)

<image001.png>

<image002.png>

OFFICIAL

From: Justine Gordon-Smith <[REDACTED]@GRO-C>
Sent: Friday, October 11, 2024 3:29 PM
To: victims.commissioner <victims.commissioner@victimscommissioner.org.uk>
Subject: Advocacy for infected blood victims

Dear Baroness Newlove

I am writing to you as the estate representative and a profoundly affected carer for my late father, Peter who died in 2018 from infected blood products.

We are struggling to access any help and support. The government continues to make statements about statements while people are dying and whilst two thirds of care providers languish in poverty and without support or regard for the impact this scandal has had on their own lives. We are talking about mostly women who are all now over 50 and or are disabled as a result of the distress of caring. It has been established years after the fact that the government is responsible because the DOH knew that NHS consultants were using disabled patients to test and develop Factor Eight. This is now a matter of record. During the last forty years no care or support was provided for those they rendered disabled by infection and or whose lives were destroyed. We are in a situation where while the government drags its feet over setting up the compensation scheme, defers supplementary routes 'until parliamentary time allows' that the majority of care providers have had their health and lives destroyed but receive no support and the government's promise that we could register for interims this month has been deferred and instead we are treated to another statement about a statement. This means that living infected survivors and bereaved spouses receive support whilst everyone else, (2000 families) are disregarded, and in addition victims of HBV victims are also excluded. We need someone to advocate for us within government because most of the excluded are disabled and elderly now and it is hard for them to be their own advocates. Especially while the government is it seems just dragging this out.

I am not sure if you can help us as I recall the debates in the Lords during the Victim and Prisoners Bill progress stating that the Victims Commissioner could only support those prosecuted with a crime. I would just point out that we have tried to ask the PHSO for support who rebuffed our complaints because the government refused to accept them arguing our complaints were 'policy decisions' which was complete tautology because they had already made a policy decision and the Equalities and HRA stipulate that the government should treat all victims equitably and that we have the right not to be discriminated against. I have just heard that the head of the PHSO who rebuffed our complaints has now become a non executive director of IBCA, Sir Robert Behrens, which strikes me as a conflict of interest, because Earl Howe argued that we could make complaints to PHSO instead of the Victims Commissioner and I wrote to him explaining the the PHSO refused to investigate, and now its head is working for the compensation scheme which is already causing us all so much distress.

If we cannot be helped by the Victims Commissioners office please can you signpost us to an institution or organisation who can actually help because the government continues to draw this out and is discriminating against families and infected victims still.

Yours sincerely

Justine Gordon-smith

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<241011JG-S Letter to Justine Gordon-Smith from the Victims' Commissioner.pdf>



Baroness Newlove of Warrington
Victims' Commissioner for England and Wales

Office of the Victims' Commissioner for England and Wales
5th Floor, 70 Petty France
London SW1H 9EX

e: victims.commissioner@victimscommissioner.org.uk

Justine Gordon-Smith

Sent by email: GRO-C

OVC Ref: 241011JG-S

5th November 2024

Dear Justine,

Thank you for your email of 11th October and taking the time to tell me about the challenges victims of the infected blood scandal have faced.

I am very sorry to read of the loss of your father and how this scandal has personally impacted you. I recognise the distress caused to all affected by this, and I extend my condolences to all those who have lost a loved one as a result. I can appreciate your frustrations with the lack of support you and others have received and commend your efforts to be heard.

You enquire if, as Victims' Commissioner, I can act as an advocate for the victims in this case. I am afraid, as you set out in your email, my role comes with restrictions in law. My remit is limited only to issues that relate directly to victims of crime and the criminal Justice system. Unfortunately, this means your particular case falls outside of my remit. In addition, the law also prevents me from taking on individual casework. This means I am prohibited from advocating on specific victims' behalf.

However, I would encourage you to escalate your concerns with your local MP. Your local MP's office has the capacity to take on casework and can liaise with the relevant government bodies and authorities on your behalf.

The [government has recently announced](#) that applications for a £100,000 interim payment to the estates of victims of the Infected Blood Scandal are now open. These applications, which opened on 24 October, will be managed by the [Infected Blood Support Schemes](#). Personal representatives of a deceased person's estate, including partners, parents, siblings and children, are urged to apply by completing a [form available on gov.uk](#).

You can find guidance on how to apply [here](#). You must have probate (or confirmation in Scotland) to claim compensation. For support with the application, the government advises that you [find a legal adviser](#).

I also want to ensure you are aware of the services that offer bereavement and well-being support, as you navigate this process. I have included a list of these agencies at the end of my letter, which I hope you find helpful.

Thank you again for contacting me. I am sorry that I am unable to assist you directly in these matters, but I wish you all the best in the future. I hope you also found the above information helpful.

Yours sincerely,

GRO-C

Baroness Newlove LLD (hc) DCL
Victims' Commissioner for England and Wales

List of support services:

- [Cruse Bereavement Support](#) offers support and information to those grieving for a loved one, no matter how long ago they passed. To contact their helpline, dial 0808 808 1677.
- The [National Bereavement Service](#) provides emotional support, and practical help, including legal advice. To call their helpline dial 0800 0246 121.
- [Scope](#) provides support and information to individuals living with a disability, and those that support them. To call their helpline dial 0808 800 3333.
- If you need someone to speak to you can contact [the Samaritans](#) at 116 123. You can contact them 24 hours, 365 days a year. They are there to listen and will not judge you or tell you what to do.
- [Mind](#) provides ongoing support and advice to people struggling with their mental health. Their local services vary, but support often includes access to counselling, helping you to build your own support network, and signposting you to relevant services. To discuss the local support available, dial 0300 123 3393.