

Witness Name: Susan Gorman

Statement No: WITN2753006

Exhibits: WITN2753007-10

Dated: February 2023

INFECTED BLOOD INQUIRY

THIRD WRITTEN STATEMENT OF SUSAN GORMAN

I, Susan Margaret Gorman, known as Ms Su Gorman, will say as follows:-

1. I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 27 January 2023 concerning the coroner's inquest into my late husband's death.
2. My husband, Stephen James Dymond, who was known as Steve, died on 23 December 2018 aged 62 after being infected with Hepatitis C (HCV) from contaminated Factor VIII blood products.

Inquest into Steve's death

3. The inquest into Steve's death was opened in March 2019 and concluded on 28 October 2022 before Ms Allison Summers KC in the coroner's area for North East Kent. I am pleased that the Coroner recorded the Medical cause of Steve's death as '*1c Hepatitis C Infection Acquired from a contaminated blood product*' on his Record of Inquest, a copy of which I exhibit at WITN2753007.

4. The inquest was held over five days from 24 to 28 October 2022 attended by four Interested Parties (IP's); myself, the family (represented by Ms Thea Wilson, 12KBW); Kings College London (represented by Ms Fawell-Comley, Hill Dickinson Solicitors); Queen Elizabeth Queen Mother Hospital (QEQM) (represented by Mr Turner, Clyde & Co Solicitors); and South East Coast Ambulance Service NHS Foundation Trust (SECAMB) (represented by Mr Shah, Weightmans Solicitors).
5. I am making this statement because I am at a total loss at what interest the questions being asked by Mr Shah about Steve's infection were to the Kent Ambulance Service, that Mr Shah was ostensibly representing. I am also very disturbed by the apparent attempt at an intervention by parties who were not recognised IP's in the Inquest, which I understand is not permitted.

Mr Shah's first intervention

6. Mr Shah's first intervention was at end of my evidence on Steve's death after the other lawyers were invited by the coroner to ask me questions. Mr Shah was the first one to ask questions and after expressing his condolences for my loss he said *"I know that you have just said in your evidence to the learned coroner that Mr Dymond was infected in 1976 following his treatment at the Royal Devon. I know that is a strong suspicion of yours and Mr Dymond, judging from his statement, just to be clear, you know that there isn't, at present, any definitive evidence to demonstrate that he was infected 1976 at Royal Devon"*.
7. I believe that Mr Shah was trying to raise doubt that Steve could have been infected with HCV at the Royal Devon and Exeter Hospital. I answered Mr Shah's question in detail as I knew that Steve only used Factor VIII in 1976, even though there are no medical records from this time.

8. But all I was thinking when giving this answer was, what did this have to do with the Ambulance Service? and I thought I had not paid enough attention at the beginning of the inquest when my barrister, Thea, explained who was representing each IP. I had thought that Thea had said that Mr Shah was for the Ambulance Service, so all the while I was answering Mr Shah's question, I couldn't understand why he was asking about Devon in 1976 and I felt that this destabilised the Inquest.
9. I also feel that Mr Shah's question was part of an attempt to depict me as an emotional crack pot to make anything that I said to be taken less seriously and that he was trying to destabilise me by trying to turn me into an emotional weeping widow. If I was not so constitutionally built, I could have been very destabilised by his comment.

My issue about Mr Shah's first intervention

10. My first question, is why was the date of Steve's HCV infection was of interest to SECAMB? I don't understand why Mr Shah raised this question in the context of representing the Ambulance Service or how Mr Shah's comments were of interest to SECAMB? No one was saying SECAMB had contaminated the blood or were involved in the Scandal. By the time it had got to the final inquest hearing, SECAMB's role had been straightened out, the failure lies with the GPs, so no one was blaming any SECAMB employees, who were just following policy. I believe it is quite reasonable of me to ask this as it felt like an intrusion into Steve's inquest.
11. I also know through other sources that Weightmans Solicitors have vigorously defended legal proceedings on the subject of the scandal. If Mr Shah's comments were not specific instructions from NHS Resolution, I can only wonder whether this was an overzealous young solicitor, who had heard things round the

office coffee machine, who was trying to get Brownie points with the Weightmans bosses by asking this question.

Mr Shah's second intervention

12. Mr Shah's second intervention took place on day four of Steve's inquest, after all the experts had given their evidence. The coroner was commenting on whether '*contaminated Factor VIII product*' was the right term; the important point being it shouldn't have been in there. The coroner was considering whether to use term '*contaminated Blood Product*' or '*contaminated Factor VIII*' in the Record of Inquest.

13. Mr Shah's intervened by saying "... *My understanding is the correct terminology is 'Infected Blood Product'*". The Coroner replied "*No, I am not going to use infected, I actually don't think that that is right. Contamination suggests that this should not have been in there and I think that that is the appropriate term in this context... So he gets the infection from a blood product which is contaminated with HCV, so that is likely to be the phrase that I will use.*"

14. Mr Shah continued "*I understand what you are saying but my understanding, when I have looked at it and spoken to others, is that 'contamination' may inadvertently connote that it is external contamination, whereas what has actually happened is that the blood given to him was already infected. That it was infected blood product that he was given as opposed to contaminated product. Just looking at the note that I had when I was instructed.*"

15. Mr Shah said that he was bound to make the point. The Coroner asked why, as he represented the Ambulance Service? Mr Shah replied he had a wider remit due to manner in which Ambulance Service was funded, from NHS Resolution. However, Mr Turner of Clyde & Co who was acting for QEQM and was also instructed by NHS Resolution advised he had not taken a position on the

terminology and thought that '*contaminated blood products*' was a perfectly reasonable description.

16. Mr Shah again repeated that he thought that the correct term was '*infected blood*'. The Coroner again expressed her view and said that Mr Shah had made the point and he had protected himself. She was not sure what he wanted to say but she had made her decision. Mr Shah said he wanted to put the point on record. At the end of his intervention Mr Shah concluded by saying that he was obliged to say this to the coroner, to which the coroner replied "*No you are not*".

17. I believe that Mr Shah wanted to apply pressure on the coroner to do what he wanted, which was to substitute the word '*contaminated*' with '*infected*' on Steve's Record of Inquest.

18. I was unclear as to who Mr Shah represented, in view of the response from Mr Turner, QEQM solicitor, who was also paid by NHS Resolution. When asked by the coroner if he wanted to make a similar representation on the last day of the inquest. Mr Turner looked honestly shocked and said it wasn't part of his function. Mr Turner explained that even though he was paid by NHS Resolution he was only representing QEQM.

My issue about Mr Shah's second intervention

19. My second question is, why was the Ambulance Service asking Mr Shah to make that point about the term '*contaminated*', which confused everybody? Or who asked Mr Shah to make that point? If Mr Shah was not instructed solely by SECAMB, who were the other parties who instructed Mr Shah?

20. If it is correct that Mr Shah's questions were instructions from NHS Resolution, as he claimed, then was this an attempt by the political branch of government to interfere with legal proceedings, in the context of the Separation of Powers? My

understanding is that NHS Resolution are the NHS's insurer and are funded by the Department of Health and Social Care (DHSC).

21. When Mr Shah was arguing to change the term '*contaminated*' to '*infected*', this reminds me of what happened when the name of the Public Inquiry was suddenly changed. When the Public Inquiry was originally announced by Prime Minister Theresa May she referred to it as the '*Contaminated Blood Inquiry*'. However, when the sponsoring department shifted from DHSC to the Cabinet Office, the name of the Public Inquiry was also changed to the '*Infected Blood Inquiry*'.

22. I do not understand why the name of the Public Inquiry was changed but can only think that this was associated with trying to minimise claims. This is a very important issue to me as the term '*infected*' is seen as more neutral and is to do with whether the blood products were infected by accident or '*contaminated*' which involved a human act.

23. People that I know, who have campaigned for years, were very cross indeed at this change of name. Steve and I asked [GRO-D] and [GRO-D] when the Public Inquiry visited Ramsgate, whether the name could be changed back to '*Contaminated Blood Inquiry*'? when we were all sitting on the terrace of the Bell View Pub in Ramsgate overlooking the mouth of the River Stour. [GRO-D] came back to us in the week afterwards and said it could not be done.

24. I have discussed the difference between the terms '*contaminated*' and '*infected*' with many parties including journalists at the BBC, who continue to refer to it in their reporting as the '*Public Inquiry into the contaminated blood scandal*' rather than the '*Infected Blood Inquiry*'. In every other English speaking country in the world that I know of, it is called the '*contaminated blood scandal*' and it is also called '*Le Sang Contaminé*' in France, which is where Steve and I first heard about it'.

25. What I have heard from Mr Shah during the inquest was phrased in similar language to that I have heard from the DHSC. The term '*contaminated*' might give rise to higher expectations in legal claims, which is talking about compensation at Steve's inquest, which I object to totally. I am hopping furious about this. I have been involved in campaigning for years and I know that Steve and I were thorns in their side but I thought they would have the decency to leave Steve's inquest alone.

26. The inquest was meant to be about the person who is dead, not about political views and Mr Shah had no right to encroach on this unless he can explain to me why SECAMB had a legitimate interest in any of his questions. I am furious they dare bring out the idea of compensation during the inquest. My marriage meant more to me than money.

27. Mr Shah didn't declare that he was also acting outside his scope or remit. If he had said that he was representing the SECAMB and the NHS generally that would have made sense. I am quite robust but believe that other widows in similar circumstances would have been destabilised by the points that he raised.

Following the Conclusion of the Inquest

28. Following the inquest I emailed to the Coroner on 6 November 2022 with my concerns about Mr Shah's two interventions and received her reply on 7 November 2022. The coroner indicated that she thought Mr Shah's interventions had been '*surprising*' and '*misconceived*' but that she didn't intervene the first time because I had handled the answer so well. I exhibit these documents at WITN2753008 and WITN2753009.

29. After the inquest had concluded, I requested a copy of the recording and I have been given permission from the Coroner to share the Inquest recording, in so far as it relates with Mr Shah's interventions. I have already sent copies of these parts of the recording to the Public Inquiry, Dame Diana Johnson, who is Chair of

the All Party Parliamentary Group on Haemophilia and Contaminated Blood, The Haemophilia Society, a Private Eye Journalist and my solicitor. Private Eye have written an article which raises my concerns about Mr Shah's interventions, titled '*TAINTED BLOOD SCANDAL Dymond Legacy*'. This was published on 16 November 2022 and I exhibit a copy at WITN2753010.

30. I have also given permission for Steve's Record of Inquest to be included in Steven Snowden's final oral submission to the Public Inquiry on 17 January 2023 and other people have come up to me asking how death certificates can be changed.

31. I have also just listened to the whole inquest recording again and came across another unexpected question from Mr Shah at the start of the inquest on 24 October 2022, when he interrupted the coroner as she was setting out the purpose of the inquest to ask her to confirm that the inquest was not going to look at the cause or circumstances of Steve's infection. The coroner sounded a bit surprised by that and said inevitably how Steve came to be in the hospital was part of the inquest, as it was ultimately where all the problems stemmed from.

32. Ironically, I saw that I had received the £100,000 interim payment into my bank account on the morning of 28 October 2022, which was the last day of Steve's Inquest.

Statement of Truth

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

Signed GRO-C

Dated

16 February 2023