

Witness Name: Brendan Brown

Statement No.: WITN4496045

Exhibits: WITN4496046

Dated: September 2023

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF BRENDAN BROWN

I, Brendan Brown, Chief Operating Officer of National Health Service Business Services Authority ("NHSBSA"), will say as follows: -

1. I provide this statement in response to the Rule 9 request dated 31 July 2023, following a notification of criticism made by a witness under Rule 13 of the Inquiry Rules dated 26 June 2023. As with my other statements, this statement is based on information available to the NHSBSA from its records of the England Infected Blood Support Scheme ("EIBSS") and the knowledge of members of the EIBSS team. I have made clear where the information is from my own personal knowledge.

Section 1: Introduction

2. My full name is Brendan Craig McMahon-Brown (known as Brendan Brown), and I am the Chief Operating Officer at NHSBSA as from 1 February 2022. Prior to this date, I was the Director of Citizen Services at NHSBSA, and this fact is reflected in my previous statements. My role is based at Stella House, Goldcrest Way, Newburn Riverside, Newcastle Upon Tyne NE15 8NY. Details of my professional background and career are set out in my first statement.

Section 2: Response to Criticism by W7356

3. My attention has been drawn to criticism made by witness W7356 to the Inquiry in relation to their experience with EIBSS. In particular, my attention has been drawn to criticisms of EIBSS made in the witness' statement, I have copied out these comments below for context, along with my response.
4. A senior Manager for EIBSS has investigated the application paperwork relating to the Applicant, to inform my response, including the medical experts' assessment outcomes.
5. Paragraph 101, page 15 of witness statement WITN7356001, states the following:

101. After he passed away, I made an application to the EIBSS. Unfortunately our EIBSS application was rejected on the basis that my father originally went into hospital with a problem that could have been liver related. EIBSS claim this problem was HCV, and as a result, have rejected the application.

6. The application was originally assessed by two medical experts (minimum qualifications/experience are shown later in my response), and they have fully examined all the evidence supplied in support of the submitted application by W7356.
7. Unfortunately, the availability of evidence in support of the application, has been restricted beyond 1 November 1991, due to those records having been deleted prior to this date. Exhibit WITN4496046 - Letter from Primary Care Support England dated 27 July 2022.
8. Due to this restriction, our medical experts have had to consider the information that is available, and base their decision on the full evidence supplied by the Applicant. They then take account of their expert knowledge and experience, to decide on the balance of probabilities whether NHS blood or blood products, used in treatment, were the source of infection.
9. Paragraph 106, page 16 of witness statement WITN7356001, states the following:

106. I found EIBSS' letter rejecting the application quite insulting. It appeared to have been written by a very junior member of staff, and I feel this suggests due care and attention have not been given to our application.

10. The outcome letter W7356 received was written by an EIBSS assessor, based upon the application review outcomes from the two medical experts who assessed their application. This letter has been reviewed for appropriateness to confirm it relays the correct information from the medical experts, I can confirm that the information conveyed is accurate, however I do note a grammatical error in paragraph four, for which I apologise.

11. Paragraph 107, page 16 of witness statement WITN7356001, states the following:

107. I also question whether the staff who have the authority to decline applications at EIBSS really have the relevant expertise to be in a position to be able to do so. It is clear from my section of my father's medical records that we have seen that his doctors believed the HCV came from infected blood, so it seems unfair that a member of staff at EIBSS who is presumably not medically trained is in a position to dispute this and reject our application.

12. The decision as to whether a person meets the eligibility criteria is that of an 'independent medical expert'. EIBSS have five medical experts, who assess medical based applications:

13. A medical expert's qualification and experience requirements are shown below:

- Basic medical qualification e.g. MB BS;
- Postgraduate Membership/Fellowship of Royal College of Physicians of London/Edinburgh;
- Specialist accreditation in either Gastroenterology or Infectious Diseases +/- General Internal Medicine;
- Experience of assessing/managing patients with chronic hepatitis C and/or HIV over a period of time - the longer the better; and
- Evidence of undertaking research in the field of blood borne viruses over a period of time - the longer the better.

14. All medical based applications, such as a 'Hepatitis Stage 1' application will be assessed by a minimum of two medical experts, to ensure consistency of outcome. Where the two experts cannot reach consensus, a third expert will conduct a third assessment to reach a majority outcome.
15. Following the review of the application from W7356, I have noted that they appealed the original application decision, and the Applicant's appeal was assessed in January 2023, the original 'decline' decision was upheld.
16. The appeal panel consists of four members, three medical experts (who meet the same qualification/experience requirements described earlier) and a legally qualified Chair.
17. I can therefore confirm that in the process of assessing the application and full supporting evidence provided by W7356, a total of five medical experts have reached the same outcome.

Statement of Truth

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

Signed

GRO-C

Dated: 7 September 2023

Table of exhibits:

Date	Notes/ Description	Exhibit number
August 2023	Letter from Primary Care Support England dated 27 July 2022.	WITN4496046