

Witness Name: Baroness Gillian
Merron

Statement No.: WITN6603001

Exhibits: WITN6603002-
WITN6603016

Dated: 29/06/2022

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF BARONESS GILLIAN MERRON

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 26 July 2021.

I, Gillian Merron, will say as follows: -

Section 1: Introduction

1. My full name is Baroness Gillian Joanna Merron. My professional address is House of Lords, London SW1A 0PW. My date of birth is GRO-C 1959.
2. I was elected as Member of Parliament for Lincoln in the May 1997 general election. I was re-elected as MP for Lincoln in the 2001 and 2005 general elections.
3. I held various roles in government following my election as MP. I served in the Department for Transport, the Cabinet Office (including as Minister for the East Midlands), the Department for International Development and the Foreign and Commonwealth Office. I also served as a Senior Government Whip.
4. I was appointed as Minister of State for Public Health (MS(PH)) at the Department of Health ('DH'), as the Department was then called, on 9 June 2009 and held that role until 6 May 2010. This statement is concerned with events that took place

during this period as Minister of State. My predecessor in the role of MS(PH) was Dawn Primarolo MP.

5. During the relevant period, from June 2009 to May 2010, Andy Burnham MP was the Secretary of State for Health. The Department had three ministers at Minister of State level. Mike O'Brien MP was Minister of State for Health Services. I was Minister of State for Public Health. Phil Hope MP was Minister of State for Care Services. As Minister of State for Public Health, I was the Minister responsible for blood policy.
6. At junior minister level, Ann Keen MP was Parliamentary Under Secretary of State for Health Services. Lord Darzi was Parliamentary Under Secretary of State for Health in the Lords until July 2009. He was succeeded by Baroness Thornton in February 2010. I understand that Baroness Thornton covered all Department policy (including blood policy) and was the Spokesperson on blood policy in the Lords throughout my time as MS(PH). The Department did not have a Parliamentary Under Secretary of State for Health in the Lords between July 2009 and February 2010. The Permanent Secretary at the Department of Health was Hugh Taylor.
7. I lost my seat at the 2010 general election. I was appointed to the House of Lords in April 2021. I am currently a Shadow Spokesperson on Health and Social Care and on the Department for Digital, Culture, Media and Sport in the Lords as well as an Opposition Whip.

Section 2: Response to criticisms by W1056

8. I am grateful to the Inquiry for giving me notice of criticism contained in the third written statement made by witness W1056. Over 11 years have now passed since I was an MP or a Minister, having lost my seat in 2010. It is difficult to recall details from over 11 years ago and I have been reminded of certain events by documents provided to me by the Department of Health and Social Care to enable me to respond to the criticism.

9. I note from witness W1056's statement that the witness makes two specific criticisms arising from what I said during a local radio broadcast in March 2010. First, the witness says that I lied when I claimed that I was meeting Lord Morris to support the Contaminated Blood Bill. Secondly, the witness says that I '*continued to peddle untruths*' about payments to Irish haemophiliacs.
10. I will set out first the background to how events developed during 2009 and 2010 before responding to the specific criticisms.

The position upon taking office

11. In outline, the position when I took office in June 2009 was as follows:
 - (a) Lord Archer's independent report on NHS supplied contaminated blood and blood products ('the Archer Report') was published in February 2009. The Archer Report recommended, amongst other things, direct financial relief for those infected and for carers prevented from working. Lord Archer further recommended that payments should be equivalent to those payable under the applicable Scheme in Ireland (recommendation 6(h)).
 - (b) On 20 May 2009, my predecessor, Dawn Primarolo, made a written ministerial statement about the Government's response to the Archer Report. The Government published its full response the same day. The response said:

'The Government recognises Lord Archer's concern about financial relief. We therefore intend to increase the funding available to the Macfarlane and Eileen Trusts to allow them to move to a system of annual payments for infected individuals. The current average annual payment is around £6,400. We intend that, in future, payments of £12,800 per annum would be made to each infected individual, thus eliminating the need for them to make repeated detailed applications. We will also increase the funding available to the Trusts so that the Trustees can make higher payments to dependents.'
 - (c) The response also said the Government would review the Skipton Fund in 2014 (I later announced that this review would be brought forward to 2010).

12. As the documents referred to at paragraph 11 above are readily available to the Inquiry and in the public domain, I do not intend to burden the Inquiry with providing further duplicates.
13. I would have received a briefing from civil servants after taking up my role as MS(PH) on 9 June 2009, however I cannot now recall what I was told about issues of contaminated blood and the Archer Report. I cannot say that I was briefed about issues of contaminated blood and the Archer Report immediately on taking up the role of MS(PH), but I would have been briefed on this at some point since this was a live issue and I had no prior knowledge of contaminated blood issues before taking up the role.

Events after taking up role of MS(PH)

14. I have been reminded that on 23 June 2009, two weeks after I came into office, I answered an oral question in the House of Commons from Dr Brian Iddon MP [Hansard: 23.06.2009, Volume 494, Column 656¹]. Dr Iddon asked why the Government rejected the Archer Report's recommendation that patients who contracted hepatitis C from contaminated blood should receive parity of compensation with those in Ireland. In reply, I said: *'I cannot accept the comparison with Ireland, because the Irish blood transfusion service was found to be at fault, and that was not the case here.'*
15. Dr Iddon's question was a 'topical' question, which means that it would not have been tabled in advance. I do not recall being given any advance notice of the question.
16. I can see from correspondence from Douglas Hamilton, Parliamentary Officer for the Parliamentary Relations Unit, dated 17 June 2009 [WITN6603002] that Dr Iddon was listed as having been selected to ask a topical question in the House of Commons on 23 June 2009 [WITN6603003] and that *'briefing will be commissioned separately from Ministers' Private Offices on topical issues'* however I do not recall being made aware of Dr Iddon's question in advance, and

¹ <https://hansard.parliament.uk/Commons/2009-06-23/debates/09062375000027/TopicalQuestions?highlight=blood#contribution-09062375000129>

therefore could not have received specific briefing as the question was unknown until asked.

17. I can see from a briefing document prepared for my predecessor, Dawn Primarolo, in respect of this issue on 2 June 2009, under a heading titled '*Why Ireland is different*', it was noted that '[...] *contrary to the position in the UK, the Irish Blood Transfusion Service (IBTS) was found, by a judicial inquiry, to have been responsible on two occasions (1977 and again in 1991) for failures which resulted in the large-scale contamination with hepatitis C of a blood product used to treat pregnant women*' [DHSC0041219_077, page 2 onwards]. Lord Warner also adopted this line previously in the House of Lords in 2004, stating that his '[...] *understanding of the position in Ireland, which has been corroborated by officials in the Department of Health and Children in Dublin since my last utterances on the subject in the House, is that the Irish Government set up their hepatitis C compensation scheme following evidence of negligence by the Irish Blood Transfusion Service...It is important to stress that the blood services in the UK have not been found to be similarly at fault. Compensation is therefore being given in very different, specific circumstances in Ireland that do not apply in the UK. I do not believe that the Irish scheme creates any precedent for us*' [WITN6603004].

18. My understanding of this issue was likely to have been informed by the stance taken previously by the Government and any briefing that I may have received on the line that I took in my oral answer on 23 June 2009 would likely have adopted the same position.

19. I have been shown a letter dated 24 June 2009 from a DH official to Andrew March [PMOS0000192]. Mr March subsequently brought a judicial review claim challenging the Government's response to the Archer Report, which I refer to further later. The letter said:

'You refer to Lord Archer's recommendation that payments should be at least the equivalent of those under the scheme which applies at any time in the Republic of Ireland. Payments made by the Republic of Ireland are a matter for that country

and were introduced following a judicial inquiry which found failures of responsibility by the Irish Blood Transfusion Service and concluded that wrongful acts were committed. The situation in the UK was different [...]

20. The letter concluded: *'I hope this clarifies the Government's position on this matter.'*
21. While preparing my statement, I have been made aware of two items of correspondence sent to the then Secretary of State, Andy Burnham. I do not believe I have seen these letters before.
22. On 29 June 2009, a campaigner, Carol Grayson, wrote to Andy Burnham saying that the Department was perpetuating misinformation about the situation in Ireland [WITN1055142]. Ms Grayson said the decision of the Irish state to pay compensation to haemophiliacs was on compassionate grounds and not because of liability on the part of the state. Her letter referred to enclosed correspondence on the point from an official in the Irish government. I see Ms Grayson's letter named me as having contributed to the misinformation when I spoke in the House (I assume her letter referred to my answer to Dr Iddon).
23. Also on 29 June 2009, another campaigner, Colette Wintle, wrote to Andy Burnham saying that I had misled the House when I said that the Irish government paid compensation because of wrongdoing on the part of the Irish blood transfusion service [WITN1056101].
24. On 1 July 2009, a debate on the Archer Inquiry took place in Westminster Hall [Hansard: 01.07.2009, Volume 495, Column 130WH²]. Dr Iddon quoted part of the answer that I gave on 23 June 2009 and asked *'will she [i.e. me] admit today that the Irish paid out without liability and before any tribunal had met to discuss the position?'*

² <https://hansard.parliament.uk/Commons/2009-07-01/debates/09070156000004/ArcherInquiry?highlight=blood#contribution-09070156000390>

25. I responded on behalf of the Government, and said:

'I stand by the points that I made. Furthermore, a judicial inquiry in Ireland found failures of responsibility by the Irish blood transfusion service and concluded that wrongful acts had been committed. As a result, the Government of the Republic of Ireland decided to make significant payments to those affected. As I will explain, that was not the case with the blood transfusion service here [...].

I turn to the recommendations on financial relief, our responses to which have come under the closest scrutiny. In the UK, such payments are not compensation but ex gratia payments. That is an important distinction. Lord Archer made recommendations on the payments and made comparisons with Ireland. However, it is important to restate that the position in Ireland is very different. The independent inquiry in Ireland found the transfusion service to be at fault because it had not followed its own official guidelines on protecting the blood supply from contamination. That is not the case in the UK. Comparable levels of payment are therefore not appropriate.'

26. Prior to the Westminster Hall debate, on 24 June 2009, my Assistant Private Secretary, Morven Smith, requested a briefing pack, supplementary questions pack, key points and speech ahead of the debate on the Archer Inquiry from Rowena Jecock, a DH official [WITN6603005]. On 29 June 2009, another DH official, Mark Noterman, provided these documents [WITN6603006]. On the issue of compensation and comparisons with Ireland, the draft speech prepared for me by DH ahead of the Westminster Hall debate provided that:

'Lord Archer recommended that payments be at least equivalent to those in Ireland, where payments are typically much higher – over a million pounds or even as much as £5m. However, the position in Ireland is very different. There, an independent inquiry found the transfusion service to have been at fault because they had not followed their own official guidelines on protecting blood supply from contamination. This is not the case in the UK. And so such high levels of payment would not be appropriate here.' [Iron-Pres-00119405]

27. Equally, in respect of Recommendation 6 of the Archer Report, the briefing pack prepared for me by DH provided that:

'Payments made by the Republic of Ireland are a matter for them and were introduced following a judicial inquiry, which found failures of responsibility by the Irish Blood Transfusion Service. The situation in the UK was different, and Lord Archer has not apportioned blame.' [WITN6603007]

28. In the supplementary questions pack, under the question *'The Republic of Ireland has made significant payments to those affected – why hasn't the United Kingdom done likewise?'*, I was briefed with the following answer:

'The situation in the Republic of Ireland is quite different from the situation here in the UK. A judicial inquiry in Ireland found failures of responsibility by the Irish Blood Transfusion Service, and concluded that "wrongful acts" had been committed. As a result, the government of the Republic of Ireland decided to make significant payments to those affected.'

I would remind the members of this House that the blood services in the UK have not been found to be similarly at fault. Action was taken as soon as possible to introduce testing and safety measures for blood and blood products as these became available.

Because compensation in Ireland is being given in very specific circumstances that do not apply in the UK, the Irish compensation scheme does not establish a precedent for the UK.' [WITN6603008]

29. I understand from the documents made available to me that a briefing meeting was due to take place on 30 June 2009 ahead of the Westminster Hall debate and that Rowena Jecock and Debby Webb of DH were due to attend [WITN6603006] however I do not recall whether I attended this briefing meeting or any details of the meeting.

30. On 22 July 2009, I signed a letter of reply to Ms Wintle's letter to Andy Burnham of 19 June [WITN1056106]. I have not seen a copy of the letter dated 19 June 2009 from Ms Wintle.

31. I have been shown a letter, dated 29 July 2009, from a DH official sent in reply to Ms Wintle's letter to Andy Burnham of 29 June 2009 [WITN1056107]. The letter set out the background to the situation in Ireland and concluded by saying:

'The compensation scheme in the Republic of Ireland was set up in the light of evidence of mistakes by the BTSB [Irish blood transfusion service], a very specific circumstance and one that is unique to the Republic. The payment schemes in the UK had no such history, and were established purely in recognition of the unfortunate position of those who were infected.'

The information provided here has been agreed by officials in the Republic of Ireland's Department of Health and Children.'

32. I see from the documents available to me that on 21 October 2009 I attended a meeting with cross-party MPs regarding the Government's response to the Archer Report.

33. I have been shown an undated note of the meeting titled 'Summary Report: Lord Archer Meeting with Gillian Merron MP (Health Minister)' [HSOC0011278]. I understand that this document was produced by one of the MPs who attended the meeting and was not a DH document. I have seen emails between DH officials in which issue was raised about the accuracy of the note, in particular in relation to a separate issue about Macfarlane Trust payments [WITN6603009; Iron-Pres-00215502]. The unauthorised note was circulated to campaign groups, about which, there was no agreement. I see that it was suggested amongst officials that DH should produce its own note of the meeting, but I would not know if this happened. I see that it was also proposed that a commentary on the points in the meeting note that were in dispute should be prepared for me by officials; I cannot now recall if this was done.

Lord Morris's Contaminated Blood Bill

34. On 19 November 2009, Lord Morris introduced a Private Members' Bill in the Lords called the 'Contaminated Blood (Support for Infected and Bereaved Persons) Bill [HL]' ('the Contaminated Blood Bill'). During the Lords Second Reading Debate on 11 December 2009 Lord Morris addressed the issue of comparison with Ireland. He said:

'Let me first, however, make it absolutely clear that the Government of the Republic did not, as stated in this House by my noble friend Lord Warner, briefed by and speaking for the Department of Health on 25 March 2004,

"set up their hepatitis C compensation scheme following evidence of negligence by the Irish blood transfusion service".-[Official Report, 25/3/04; col. 796].

That is untrue.

Again, it was wrong for the Department of Health to have briefed my honourable friend Gillian Merron MP to tell the House of Commons that,

"a judicial inquiry in Ireland found failures of responsibility by the Irish blood transfusion service",

and had,

"concluded that wrongful acts had been committed",

and that the Government of the Republic,

"decided to make significant payments to those infected". -[Official Report, Commons, 1/7/09; col. 130WH.]

Brian O'Mahony, chief executive of the Irish Haemophilia Society, who was personally involved in the negotiations with the Department of Health and Children in Ireland in 1994 and 1995 which led to the establishment of a Hepatitis C Compensation Tribunal on a statutory basis on 16 December 1995, has written to me to say that my honourable friend's statement to the House of Commons was "misleading and erroneous". He goes on to say that the Compensation Tribunal heard its first cases in early 1996 and that the first award for persons with haemophilia was made in March 1996. He concludes:

"Therefore the establishment of the Hepatitis C Compensation Tribunal, and significant payments by the Tribunal, pre-dated the setting up of both the Finlay Tribunal established in October 1996 and the Lindsay Tribunal of Inquiry set up in September 1999".

I also have a letter also from Kay Maher of the Republic's Department of Health and Children confirming Brian O'Mahony's statement, which concludes:

"I hope this will serve to clarify the sequence of events in Ireland for Ms Merron and I trust that her department will now correct the record".

I look forward to hearing the department's response to that extremely important request.' [Hansard: 11.12.2009, Volume 715, Column 1263³]

35. Baroness Thornton, who was the Government spokesperson on blood policy in the Lords, spoke in reply. She defended the Government's position about why the situation in Ireland was different to that in the UK and the reasons for the Irish payment scheme.

³ [https://hansard.parliament.uk/Lords/2009-12-11/debates/09121131000482/ContaminatedBlood\(SupportForInfectedAndBereavedPersons\)Bill\(HL\)?highlight=blood#contribution-09121131000230](https://hansard.parliament.uk/Lords/2009-12-11/debates/09121131000482/ContaminatedBlood(SupportForInfectedAndBereavedPersons)Bill(HL)?highlight=blood#contribution-09121131000230)

36. On 5 January 2010, Baroness Thornton answered a written parliamentary question from Lord Morris [Hansard: 05.01.2010, Volume 716⁴]. Lord Morris had asked the Government to respond to his remarks on 11 December 2009 about the accuracy of ministers' statements to Parliament about the reasons why Ireland had a more generous compensation scheme. Baroness Thornton's reply was as follows:

'The compensation scheme in the Republic of Ireland was set up in the light of evidence of mistakes by the Irish Blood Transfusion Service Board (BTSB).

The sections of the letters from the Irish Haemophilia Society and the Department of Health and Children which were quoted during the Second Reading [...], do not mention the fact that the Irish Government had set up an expert group to look into the issue of contaminated blood products, which reported in January 1995. The expert group found that wrongful acts had been committed by the BTSB, which led the Irish Government to set up the Hepatitis-C Compensation Tribunal to operate on a non-statutory basis to review claims for compensation arising from the many civil actions pending in the courts. The Irish Government subsequently set up the Finlay tribunal of inquiry, which reported in March 1997. This found that wrongful acts were committed. Following the findings of the Finlay tribunal, the Irish Government placed the Hepatitis-C Compensation Tribunal on a statutory footing.

This information has been agreed with officials in the Republic of Ireland's Department of Health and Children.'

37. On 19 January 2010, in response to a follow up written parliamentary question from Lord Morris, Baroness Thornton said the exchange of information was between the DH blood policy team and the Blood and Tissue Policy Unit in the

⁴ <https://hansard.parliament.uk/Lords/2010-01-05/debates/10010561003003/HealthContaminatedBloodProducts?highlight=blood#contribution-10010561003152>

Irish Department of Health and Children [Hansard: 19.01.2010, Volume 716⁵]. I have seen a briefing note prepared by officials for the purpose of answering Lord Morris's question, which stated:

'There was criticism during Second Reading of Lord Morris's Private Members Bill on 11 December 2009, that DH statements regarding the reasons for the setting up of the Irish compensation scheme were incorrect and misleading. The key fact is that the Irish compensation scheme was established after an expert group set up by the Irish government had found the Irish Blood Transfusion Service board to have been at fault. None of the peers who spoke during the second reading debate made reference to that fact.' [WITN6603010]

38. I understand from the documents that Lord Morris's Bill passed through the Lords on 21 January 2010 and had its first reading in the Commons on the same day.

Correspondence with Lord Morris regarding meeting

39. I see that on 23 February 2010, I wrote to Lord Morris and to Eddie O'Hara MP, who sponsored Lord Morris's Bill in the Commons, about the Contaminated Blood Bill [WITN6603011]. I said that while the Government did not believe the proposed legislation was necessary, I was sympathetic to those infected and invited them both to meet me to discuss possible ways forward.
40. Lord Morris's Secretary replied on 3 March 2010 [DHSC0004118_026]. The letter asked for my response to Lord Morris's speech on 11 December 2009 with respect to Kay Maher's comments about events in Ireland and the suggestion that I needed to correct the parliamentary record over what I said on 1 July 2009. The letter also said Lord Morris would speak to Eddie O'Hara to arrange a meeting. The letter that I have seen includes my handwritten comment to my Assistant Private Secretary asking for an acknowledgement of Lord Morris's letter to be sent.
41. On 9 March 2010, my Assistant Private Secretary acknowledged Lord Morris's letter, emphasising that I was *'very keen to meet with'* Lord Morris and assuring

⁵ <https://hansard.parliament.uk/Lords/2010-01-19/debates/10011981001637/HealthContaminatedBloodProducts?highlight=blood#contribution-10011981001678>

him I would find time in my diary [WITN6603012]. The letter also said that I would respond to the issue of my statement to the Commons on 1 July 2009 shortly.

42. I have seen an email dated 12 March 2010 from my Assistant Private Secretary to a DH official, Rowena Jecock [WITN6603013]. The email referred to a meeting having taken place between me, Eddie O'Hara MP and Sylvia Heal MP regarding the Contaminated Blood Bill. It is reasonable to assume that the meeting took place on or shortly before 12 March 2010.

43. The email dated 12 March 2010 summarised the discussion regarding compensation in Ireland for those infected as follows:

'The MPs asked why the Government did not think that the Irish situation was comparable to the UK. Rowena explained that that the Department had taken pains to check the accuracy of their understanding of the sequence of events in Ireland. In Ireland an expert group had found fault with the Irish Blood service before the judicial inquiry. As a result of the expert group's findings, the Irish Government set up a compensation/payment scheme on a non-statutory basis. This scheme was put on a statutory footing once the judicial inquiry was completed. This was not the understanding of the MPs.'

44. The email from my Assistant Private Secretary to Rowena Jecock dated 12 March 2010 recorded that *'Eddie O'Hara confirmed that they would be going back to discuss the issues presented by MS(PH) with Lord Morris'* suggesting that Lord Morris was not present at the meeting between me, Eddie O'Hara and Sylvia Heal.

45. However, I have also seen an email from my Assistant Private Secretary dated 12 April 2010 which refers to me meeting with Lord Morris on 11 March 2010 [WITN6603014]. I do not now recall who attended the meetings (there may well have been more than one), however I had every intention of meeting Lord Morris to discuss the Contaminated Blood Bill. The initial invitation to meet came from me and the email of 12 April 2010 seems to suggest that I did in fact meet with him.

April 2010: Andrew March judicial review and general election called

46. On 6 April 2010, the then Prime Minister, Gordon Brown MP, called a general election. I understand that the Contaminated Blood Bill had not progressed beyond its first reading in the Commons before parliament was prorogued. Parliament was prorogued on 8 April 2010.
47. On 12 April 2010, Lord Morris's Secretary wrote again to my Assistant Private Secretary saying that Lord Morris had been awaiting my call. The letter repeated the request made in the letter of 3 March 2010 for me to correct the parliamentary record by withdrawing the statement I made in the Commons on 1 July 2010 [DHSC0004118_003]. I see that there is a handwritten comment on the face of the letter which said: '*I spoke to Lord Morris before he left for Manchester on the day in question*' however this is not my handwriting.
48. On 12 April 2010, my Assistant Private Secretary sent an email to me attaching a draft response to Lord Morris approved by lawyers on the subject of correcting the parliamentary record noting that I would write to Lord Morris again once the judgement in the judicial review claim brought by Andrew March was available [WITN6603014].
49. Before the letter prepared to be sent to Lord Morris was sent, on 16 April 2010, judgment was handed down in the judicial review claim brought by Andrew March. The claim sought to challenge Government's response to the Archer Report's recommendation 6(h) that financial support should be at least equal to Ireland. The Government's position was that the Irish scheme was not comparable as it was based on findings of fault. The Judge found the Government's position contained a material error of fact – even though there had been findings of fault in Ireland, the Irish levels of compensation were not set as they were because of liability or fault.
50. As noted in an email from Rowena Jecock to my Assistant Private Secretary dated 16 April 2010, the letter prepared to be sent to Lord Morris was no longer appropriate in light of the judicial review judgement. Ms Jecock advised that '*given the JR judgment, I think it wise that we consult both SOL and Parly before*

providing you with a redraft, as I think it likely there will be a requirement to correct the public record' [WITN6603014].

51. On 27 April 2010, Lord Morris's Secretary sent a further chaser letter to my Assistant Private Secretary [DHSC0004118_002].

52. On 5 May 2010 Ben Cole, a DH official, sent an email to Gloria Thomas, another DH official, attaching a revised draft letter in response to Lord Morris's letter of 3 March 2010, noting that [...] *because of the election and the fact that this is only a holding reply, the response should come from a senior official, with a substantive response from the new Minister after the election'* [WITN6603014]. This position is reiterated in the 'Lord's Oral Questions Briefing Pack' for answer on 2 June 2010 [WITN6603015], which Ben Cole sent to the Assistant Private Secretary to Lord Darzi as Parliamentary Under Secretary of State for Health in the Lords on the same date. The briefing pack provided that:

'Lord Morris's letter was acknowledged, but because Ms Merron's comments were central to the Judicial Review that is the subject to this oral PQ, a substantive response could not be made at that time.'

53. On 6 May 2010, the General Election took place and I lost my seat in the Commons.

54. I see that after I left office officials put a submission to the Parliamentary Under Secretary of State, Anne Milton MP dated 26 May 2010 [DHSC0003623_004]. The submission advised not to appeal the Andrew March judgment but said:

'Statements by then DH ministers during 2009, supported by correspondence between officials, indicated that the Irish scheme was not a model for the UK, because the Irish Blood Transfusion Service had findings of fault, whereas in England and Wales negligence or fault has never been established. The DH position is based on information received from Irish officials.'

[...]

'because of the complex, and to some extent politically sensitive nature of the information officials have received from RoI, we consider that DH statements on

the matter were incomplete in their reporting of the complex detail of the Irish compensation history, rather than incorrect.'

Response to criticism by W1056: alleged lie about meeting Lord Morris

55. In connection with the preparation of this written statement, I have had an opportunity to re-listen to the radio show on 12 March 2010 referred to by witness W1056 [WITN6603016].
56. In relation to the Contaminated Blood Bill, on the radio show I stated that '*I have been meeting with, just this week actually, the people putting forward the Bill to say how can we make improvements for those who very tragically suffered from contaminated blood*' and that '*the government is very sympathetic to the intentions behind the Bill and that is exactly why I have been meeting with Lord Morris who promoted the Bill in the Lords and also Edward O'Hara who promoted it in the Commons to say how can we make improvements for people and, as I say, I am looking at what kind of things we can be talking about.*'
57. From what is set out above, it is clear to me that at the time of the radio show (12 March 2010) I was engaged in correspondence with Lord Morris's office and, although I do not now recall specifically who attended the meeting(s) on the Contaminated Blood Bill, the correspondence indicates that I did in fact meet with Eddie O'Hara, Sylvia Heal and Lord Morris on this issue.
58. I therefore reject the allegation that I in any way lied about meeting Lord Morris. As a Minister, my approach was to always agree to meet with Members of Parliament and Peers who requested to do so.

Response to criticism by W1056: alleged 'untruths' about payments to Irish haemophiliacs

59. As mentioned above, I have re-listened to the radio show on 12 March 2010 referred to by witness W1056. It is not correct that I [...] *continued to peddle the untruths about payments to Irish haemophiliacs*' on the radio show. In fact, I did not once mention payments to Irish haemophiliacs during the course of the radio show.

60. Any statements that I made on this subject more generally would have been reliant upon and guided by advice from officials in relation to the situation in Ireland. It is apparent from the documents set out above that DH officials were in correspondence with their counterparts in Ireland in 2009. As a result of the communications, the Department proceeded on the assumption that the levels of compensation in Ireland were set as they were because of a finding of fault or liability. This Departmental line would have been reflected in what I said in the House of Commons on 23 June and 1 July 2009. The same reasoning can also be seen in letters referred to above sent by officials to campaigners (for example, the letter of 24 June 2009).
61. The Government defended its position on the factual basis of the Irish scheme in the judicial review claim brought by Andrew March. DH's assumption about the basis on which the payments under the Irish scheme were made was found to be factually incorrect by the Judge in April 2010. I of course accept the judgment and so it follows that what I said in the House of Commons, based as it was on the advice that I was given, was inaccurate to the extent that I was commenting about the reasons for the levels of compensation in Ireland.
62. However, those comments were of course made before the judgment. It follows that at the time I said those comments I did so entirely in good faith (and in reliance on advice received) so my comments cannot fairly be characterised as 'untruths'.

Section 3: Response to criticisms by witness W2050

63. I am grateful to the Inquiry for giving me notice of criticism contained in the written statement made witness W2050.
64. I note from witness W2050's statements that the witness says that I '*failed to address the needs of the [haemophilia] community*'.
65. I was the Minister of State for Public Health for around 11 months. In that time, I had responsibility for blood policy, which of course touched upon those with

haemophilia who had suffered infection with HIV and/or hepatitis. It is difficult to respond to the allegation because of the lack of any particulars.

66. In any event, I do not accept the general characterisation. I worked hard on behalf of those haemophiliacs who suffered infection from blood products. As can be seen above, I had meetings with cross-party MPs and responded to correspondence from campaigners and other interested parties. I was the Minister responsible for implementation of the increase in funding for beneficiaries of the MacFarlane Trust and Eileen Trust, which had been announced shortly before I took up the role. This was a highly complex process involving amending the terms of the Trusts, liaising with the Charity Commission and liaising with the Trusts themselves. I was also involved in the policy change to bring forward a review of the Skipton Fund from 2014 to 2010.

Bouquet of flowers

67. Witness W2050 says I refused to accept a bouquet of flowers in memory of those people from the witnesses' community (i.e. those people affected by contaminated blood) who had died. The statement suggests (although is not entirely explicit) that this occurred at a hustings event during the 2010 General Election campaign. The precise date or location is not specified.
68. I recall a particular hustings event in a church hall in my constituency, Lincoln, in 2010. I was due to speak. The event was very well attended. I recall that as I arrived outside the church hall there was a demonstration by a group with banners. I was not aware of the subject matter of the demonstration when I initially approached it, it was only when I was close enough to read the banners that I realised the subject matter. On my way into the church hall, I recall that someone with a bouquet of white lilies came very close to me. I found it a frightening experience and something that had never happened to me before. My team regarded it as a security concern. I do not recall whether I spoke to the individual, but I think I may have declined the offer of flowers. I do remember that the bouquet was taken by a member of my team on my behalf.

Statement of Truth

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

Signed GRO-C

Dated 29th June 2022