

Witness Name: Matthew Brewis

Statement No.: WITN7560001

Exhibit No: WITN7560002-006

Dated: 24 November 2022

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF MATTHEW BREWIS

I provide this statement in response to a request under Rule 9(1) and (2) of the Inquiry Rules 2006 dated 13 July 2022.

I, Matthew Brewis, will say as follows: -

Section 1: Introduction

Please set out your name, address, date of birth and any relevant professional qualifications relevant to the role you currently discharge.

1. I am Matthew Brewis, 12 Endeavour Square, London, E20 1JN. My date of birth is GRO-C 1983.

Please describe, in broad terms, your role and responsibilities at the FCA.

2. I am the Director of Insurance, responsible for the conduct supervision of all insurers and brokers that operate in the UK.

Please set out the FCA's membership, past or present, of any committees, associations, parties, societies or groups relevant to the Inquiry's Terms of Reference, including the dates of your membership and the nature of your involvement.

3. To the best of my knowledge there has been no relevant FCA membership.

Please confirm whether the FCA have provided evidence to, or have been involved in, any other inquiries, investigations or criminal or civil litigation in relation to human immunodeficiency virus (“HIV”) and/or hepatitis B virus (“HBV”) and/or hepatitis C virus (“HCV”) infections and/or variant Creutzfeldt-Jakob disease (“vCJD”) in blood and/or blood products. Please provide details of your involvement and copies of any statements or reports which you provided.

4. To the best of my knowledge the FCA has not provided any evidence to, or been involved in any other inquiries, investigations or criminal or civil litigation in relation to these matters.

Section 2: Mortgages

5. The four questions in the mortgages section of the request for a written statement are being addressed by the written statement of Keith William Hale (FCA) (W7559).

Section 3: Insurance

Please set out whether, as a matter of generality, the following classes of financial products are available to those infected by blood and blood products with HCV and/or HIV:

- a. Life insurance
- b. Travel insurance
- c. Mortgage Protection Insurance

6. The availability of life and general insurance cover depends on the business strategy, risk appetite and underwriting criteria of insurance firms. However, in accordance with equality law we expect firms to treat customers fairly when assessing the underwriting risk posed by customers, deciding whether they are able to provide cover where relevant.

- a. I am aware that the British Insurer's Brokers Association has produced an agreement [WITN7560002] which aims to enhance the availability of protection products to consumers with pre-existing medical conditions. There is also a guide [WITN7560003] for consumers with medical conditions about accessing protection products.

For other life insurance products, firms may offer favourable terms for customers with medical conditions who wish to purchase an annuity to provide an income for life in retirement. For life insurance-based investment products such as long-term savings or pensions accumulation products, a customer's health is unlikely to be considered relevant to the availability of products.

- b. There appear to be travel insurance firms offering travel insurance products to consumers infected by blood and blood products with HCV and/or HIV. However, I have not examined what products are available and the policy terms, including benefits and exclusions.
- c. Mortgage protection insurance products may include limitations and exclusions on whether consumers can claim, for example where there are pre-existing medical conditions. The insurance cover will depend on the terms and conditions of the policy, and firms must ensure that customers are given appropriate information about a policy.

If so, please set out (again, as a matter of generality) the additional premiums such persons can expect to pay compared to those who are not so infected (this can be expressed in percentage terms).

- 7. To the best of my knowledge the FCA does not have information on the additional premiums persons can expect to pay compared to those consumers who are not so infected.

Please provide a written summary of the work being undertaken by the FCA with regard to enabling consumers with more serious pre-existing medical conditions to navigate the travel insurance market.

8. In April 2021 we introduced rules¹ [WITN7560004] to help consumers with more serious pre-existing medical conditions (PEMCs) better navigate the travel insurance market. We introduced signposting rules for firms to signpost, in some circumstances, consumers with PEMCs to a directory of specialist providers. We also introduced guidance to improve information given to consumers about whether and how PEMC exclusions can be removed and reminding firms to assess the risks associated with medical conditions and calculate medical premiums using reliable information that is relevant to the assessment of the risk. There are currently two directories that meet our criteria (BIBA² [WITN7560005] and MoneyHelper³ [WITN7560006]). We are due to conduct our Post Implementation Review of this intervention next year.
9. Decisions about providing capacity and writing risks will ultimately depend on firms in the market and their risk appetites. We recognise that capacity in the market does not remain constant and can be impacted by factors such as when large firms enter or withdraw from the UK market.

Has the FCA received evidence relating to the experience of those infected by blood and blood products with HCV and/or HIV and if so, please provide details.

10. To the best of my knowledge the FCA has not received such evidence.

Statement of Truth

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

¹<https://www.fca.org.uk/publications/policy-statements/ps20-3-signposting-travel-insurance-consumers-medical-conditions>

² https://insurance.biba.org.uk/find-insurance?schemes_61=636#result

³ <https://www.moneyhelper.org.uk/en/everyday-money/insurance/use-our-travel-insurance-directory>

Signed:

GRO-C

Dated: 24 November 2022