



HOUSE OF COMMONS

LONDON SW1A 0AA

Caroline Flint MP  
Parliamentary Under Secretary of State  
Department for Health  
Richmond House  
Whitehall  
London  
SW1A 2NS

DEPT OF HEALTH  
RECEIVED

Our Ref: BR[GRO-C]01015/01060202

11 APR 2006

10 April 2006

CORRESPONDENCE  
PRIVATE

Dear Caroline

**Variant CJD - Compensation Scheme and Associated Legal Costs**

Mr [GRO-A], Glasgow [GRO-A]

I have recently been contacted by the above constituent of mine and have been given written consent from Mr [GRO-A]'s son and daughter to act on their behalf and respond to their father. A copy of the consent form is enclosed.

Please also find enclosed copies of letters to the family from Mr David Body of Irwin Mitchell Solicitors, and from H B M Sayers at Guiti Martin Solicitors. The letter addressed to [GRO-A] was also sent to her brother, [GRO-A].

The letters, and therefore concerns of the [GRO-A] family, are self-explanatory and I believe they have a case. It appears to me that [GRO-A] and [GRO-A] are being unjustly treated given that, as outlined in David Body's letter, since obtaining a Grant of Probate/Letters of Administration/Confirmation was a pre-condition to making a claim for compensation, the Trustees should therefore be responsible for such costs.

Frankly, on the information I have been given from Mr [GRO-A] as to the extent of the involvement in the case from H B M Sayers, I find it astonishing that these children have been charged with legal costs of £1,263.93 at all.

It has also been brought to my attention that this cost is only concerned with the distribution of Estates in Scotland, given our particular legal system. If this is the case it only serves to compound the inequity.

I/...

**Rosemary McKenna CBE**

Working hard for the communities in Cumbernauld, Kilsyth and Kirkintilloch East

Telephone: [GRO-C] Fax: [GRO-C] Email: mckennar@ [GRO-C]  
www.rosemarymckenna.labour.co.uk

CJD/  
VCJD  
Compensation

Clare Walsh

P14



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I would be grateful for your comments on this matter, and an indication if this has been brought to the attention of the Trust, through Ministers, previously.

This is clearly unsettling news for anyone to receive after losing a family member in such circumstances, not to mention the fact that there is the outstanding settlement owed to H B M Sayers, which sooner or later the family will have to respond to. I would, therefore, very much appreciate a quick response if at all possible.

Thank you for your continued assistance, and I look forward to hearing from you.

Yours ever

GRO-C

**Rosemary McKenna CBE MP**

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Telephone: GRO-C Fax: GRO-C Email: mckennar@ GRO-C

[www.rosemarymckenna.labour.co.uk](http://www.rosemarymckenna.labour.co.uk)