

News Release

April 23, 2008

SCOTTISH GOVERNMENT CONFIRMS INQUIRY FOR THOSE INFECTED WITH HEPATITIS C AND HIV THROUGH NHS TREATMENT WITH BLOOD & BLOOD PRODUCTS IN SCOTLAND

A full independent public inquiry into why people were infected with Hepatitis C and HIV, through blood and blood products in the NHS, was announced by Cabinet Secretary for Health and Wellbeing Nicola Sturgeon today.

In a statement to the Scottish Parliament Ms Sturgeon said the decision fulfilled a manifesto commitment and was a victory for campaigners who had spent more than 15 years pursuing an inquiry.

The Right Honourable Lady Cosgrove will chair the inquiry, which will investigate the deaths of Rev. David Black and Mrs Eileen O'Hara and will meet the obligations of Scottish Ministers and the Lord Advocate under Article 2 of the European Convention of Human Rights. This will comply with Lord Mackay's recent determination in relation to those cases.

The inquiry will also investigate more generally the circumstances in which Hepatitis C and HIV were transmitted through NHS treatment with blood and blood products in Scotland.

This is a complex issue with numerous strands which may include:

- The sources of blood and blood products used by the NHS in Scotland at the time
- The demand for blood products in Scotland; including factor Eight for haemophiliacs
- The introduction in Scotland of heat treatment for blood and blood products and whether this could have taken place earlier
- The introduction in Scotland of effective screening of blood donations for the Hepatitis C and HIV viruses and whether relevant tests were put in place
- The Scottish National Blood Transfusion Service's practices at the time.

However, it will be for Lady Cosgrove to develop the shape of the inquiry. The final terms of reference of the inquiry will be announced in due course, following further discussions and agreement between Scottish Ministers and Lady Cosgrove.

Ms Sturgeon said: "The people affected, and their families deserve nothing less than answers to these questions. If they are to achieve any sort of closure, we need to get to the bottom of one of the NHS's most tragic episodes.

"A Scottish inquiry carried out independently by an eminent and highly respected judge is a major milestone for the Scottish Government, and for everyone affected by the transmission of Hepatitis C and HIV.

"Many people in Scotland have suffered or died as a result of the transmission of Hepatitis C and HIV by this route and nothing will ever compensate for that. But they and their families do deserve answers.

"This tragedy has blighted the lives of a number of people in Scotland and we are committed to a thorough inquiry to get to the bottom of what happened. We owe an explanation to patients and the public of what took place. We are determined to provide that. The Scottish Government also has a duty to ensure that lessons have been learned for the future."

NOTES FOR NEWS EDITORS

1. The inquiry will be held under section 28 of the Inquiries Act 2005.
2. It is two years since the Health Committee voted that there should be a Public Inquiry.
3. Lady Cosgrove will have the pivotal role in determining the framework of the inquiry which will have the capacity and resources to carry forward a thorough investigation of the issues. There will be no other appointments to the inquiry panel.
4. Officials are currently looking at putting together an appropriately resourced inquiry team as well as finding suitable premises and ensuring IT support. They will ensure that the venue is accessible for those with restricted mobility, is fully accessible by public transport and will provide appropriate access to information to those who will give evidence to the inquiry in due course.
5. The Scottish Government will endeavour to ensure that papers are released to the inquiry team as quickly as possible.

Contact: Ruth MacLeod: 0131 244 2954/07825 175 222