

Infected Blood Inquiry

[Prof Brian Edwards](#)

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Anger and an alleged cover up

The Inquiry continues to take evidence from campaigners. There are many allegations of misconduct and those identified will be given the opportunity to respond.

A panel of witnesses from Scotland, Wales and Northern Ireland tell their personal stories and their experience with the NHS and government.

There is much criticism of politicians and civil servants as they denied liability for negligence and resisted claims for compensation.

Susan Reid a Scottish minister was described as “bloody patronising”.

Papers later declassified from 2001 showed that Scottish ministers feared having to pay out £20m and face the consequences of an enormous precedent for the future.

A Scottish inquiry led by Lord Ross recommended £50,000 for each living damaged patient but was never implemented. It got lost in the confusion of devolution.

Nicola Sturgeon at the time an opposition MSP fought hard for the patients. The Welsh government seemed interested in sweeping the issue under the carpet and

Northern Ireland followed the lead set by ministers in London. David Cameron’s offer of £25m was an insulting attempt to buy off the patients.

Anna Soubry was just badly informed and un-briefed.

Once or twice, we hear about sympathetic politicians and civil servants. Sue Gray a permanent secretary in Northern Ireland gets particular credit. {She later appears as one of the Cabinet Office sponsors of the Inquiry}.

All witnesses are clear that the UK government must bear the brunt of any compensation.

As one put it at the end “We trusted our health

professionals and ended up victims. We trusted our politicians and ended up victims. This must not happen again”. The anger is palpable.

Our next witness Jason Evans founder of Factor 8, a campaigning group, takes the inquiry through his difficult personal history and his extensive research into the events under review by the Inquiry and his evidence about a cover up.

His father had died of Aids when he was four as a result of contaminated blood. It

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had deeply affected his young life and that of his mother. He started Factor 8 in 2016. It had spurned subgroups such as “The Fatherless Generation” to provide support for affected families and children.

Much of his research was founded on FOI requests. He talks the Inquiry through an email exchange [sent to him by mistake] between the Treasury and the Cabinet Office about the release of papers relating to HIV legislation.

The Treasury argued for release, but Cabinet Office objected on the grounds that ex ministers would be “sore about it”. Sue Gray [again] argued for a managed release with redactions. Jason’s FOI requests were often blocked, records disappeared, and he was now on a Cabinet Office blacklist [The Round Robin list]. He had clearly been labelled as a troublemaker. FOI requests were supposed to be applicant blind so how could a blacklist develop.? [Will Michael Gove be called to give evidence?] Whatever the Act says ministers and civil servants do not like sensitive material entering the public domain.

There is view that civil servants must always be allowed to advise ministers in private. In my view that is yesterday’s world. Civil servants are public servants.

Some records in the National Archive remain closed. As Jason Evans discovered. A potentially important public health file remains blocked on the instructions of the Chief Executive of the National Archive. What could be so sensitive that it needed

such high-level protection ? Civil servants and ministers sometimes actively blocked his access on the basis of internal legal advice. When documents became available, they were often heavily redacted. He pinpoints the role played by a particular medical civil servant working at the DHSC who he thought was at the centre of Departmental actions. I will not name him in this blog until his response becomes available...then I will. When ministers claimed that all records were either in the public domain or had been destroyed, they were telling “a great lie”. He had had some help from members of the House of Lords in challenging some non-disclosure decisions.

The pharma companies operated under an “unspoken rule of silence”. His attempts to unravel what had happened often resulted in veiled threats of legal action.

One unexpected outcome of this inquiry might well be a thorough review of the operation of the Freedom of Information Act. One hopes and expects the Inquiry to review the legal advice on disclosure of records given to ministers and civil servants by government solicitors. If they are found to be part of a coverup one hopes that they will be identified, and appropriate action taken.

We have entered very murky waters as a result of this evidence. Unless the DHSC can mount a powerful defence, on the basis of this evidence at least, a coverup has occurred and much of the government machine is involved. Secret government is bad government.

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