



Our Ref: CDL/3360

Diana Johnson MP
House of Commons
London, SW1A 0AA

15 July 2019

Dear Diana,

Thank you for your letter of 11 July. I am writing to clarify the answer that I gave to you during Cabinet Office questions on 10 July.

The full answer given was as follows:

Diana Johnson (Kingston upon Hull) (Lab)

The Minister is absolutely right, but with one victim dying every 96 hours and compensation still not being paid, I wrote to the Prime Minister, along with seven Opposition party leaders, to ask for compensation to be paid now. The Prime Minister has refused. I then wrote to the two Conservative party leadership candidates on 21 June, because they are making huge spending commitments, but I have not had the courtesy of a response. Perhaps the Minister could help me with that.

Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (David Lidington)

I am happy to try to prompt a response to the hon. Lady's letter. She will know that the Department of Health and Social Care has announced a major uplift in the financial support available to beneficiaries of the infected blood scheme in England, and talks are now going on with the devolved Governments about trying to get a UK-wide agreement. Questions of legal liability fall therefore to compensation and are expressly a matter for the independent inquiry.

The final sentence of my reply lacked clarity. The Inquiry is prevented from determining legal liability itself by section 2(1) Inquiries Act 2005. However, Section 2(2) Inquiries Act 2005 makes clear that an inquiry should not “be inhibited in the discharge of its functions by any likelihood of liability being inferred from facts that it determines or recommendations that it makes.” I intend to correct the final line of my answer to the following:

Any award of compensation will depend on a determination of legal liability to which the Inquiry’s determinations and recommendations, further to its broad Terms of Reference, may be relevant. It is therefore important to wait for the Inquiry’s determinations and recommendations.

I am grateful to the campaigner Jason Evans, Factor 8 - Independent Haemophilia Group, for bringing this to my attention.

This letter will be deposited in the libraries of both Houses. I am writing in similar terms to the Editor of Hansard.

A handwritten signature in black ink, appearing to read "Rt Hon David Lidington".

Rt Hon David Lidington CBE MP