

**TRUST BOARD
SUBMISSION TEMPLATE**

MEETING	Trust Board - Public	Ref No. Item 5.7
DIRECTOR	Cancer & Specialist Services	Date 1 April 2021
Infected Blood Inquiry Update		
Purpose	<ul style="list-style-type: none"> • <i>Update for noting</i> 	
Corporate Objective	<ul style="list-style-type: none"> • <i>Safety Quality & Experience</i> 	
Key areas for consideration	<ul style="list-style-type: none"> • <i>The Inquiry returns to Belfast w/c 29 March 2021 to hear evidence regarding the NI Haemophilia Comprehensive Care Centre based at BCH. Further evidence from the infected and affected and former Legacy Trust employees will be heard</i> • <i>The current NI Haemophilia Centre Director will give live evidence on 1 April 2021.</i> • <i>The hearings may attract media attention.</i> • <i>Psychological support is available to patients, their families and staff as required</i> 	
Recommendations	<ul style="list-style-type: none"> • <i>For noting</i> 	

Infected Blood Inquiry

Update for Trust Board

Introduction

The purpose of this briefing paper is to provide an update on the Infected Blood Inquiry work relating to Belfast Trust completed to date and work ongoing in preparation for further hearings scheduled in Belfast w/c 29 March 2021.

The Infected Blood Inquiry is an independent statutory Inquiry established following the appointment of the Chair, Sir Brian Langstaff, in May 2018. Its focus is to examine the circumstances in which men, women and children treated by the National Health Service in the UK were given infected blood and infected blood products, in particular since 1970.

The Trust is committed to cooperating fully with the Inquiry and to supporting both the infected and affected patients and their families and our present and previous employees. Legal input has been secured via DLS to support the Trust as a core participant to the Inquiry and to support past and present employees, as appropriate, in making responses on an individual and corporate basis.

Since 2018, a range of activity has been undertaken by the Trust in support of the Inquiry as follows:

A Trust IBI Oversight Group was established to oversee the work required in response to the Inquiry. A significant and detailed review of legacy Trust records was undertaken and any and all material of potential relevance to the Inquiry shared therein.

An extensive search of all medical records pertaining to those patients known to have been infected was undertaken in preparedness to support anticipated Subject Access Requests (SARs) from patients and families for same. A total of 56 SARs have been received by the Trust to date from individuals and/or their family/personal representatives. This process is ongoing.

In March 2019 the Inquiry Team visited Core Participants within N Ireland, and as part of the visit met the Trust Oversight Team, viewed the dedicated medical record storage facility created and visited the Regional Haemophilia Comprehensive Care Centre.

The Inquiry visited Belfast and held hearings over a 4 day period in May 2019, hearing from a range of witnesses and statements of individuals both infected and affected as a result of acquiring infected blood and blood products. Further to these hearings, the Inquiry wrote to BHSCT in September 2019 inviting a response to some minor criticisms of the Trust legacy organisations; this is discussed later in this report.

Rule 9 Requests

The Inquiry has made a number of **Rule 9 Requests** to the Trust for response since September 2018. The Trust has responded in the form of affidavits signed by the Director of Surgery & Specialist Services with exhibits as required.

It is important to note that individual Clinicians/Practitioners, both past and present employees of the Trust, have also been issued directly with Rule 9 Requests to be completed during this time. Due to the Inquiries Act 2005 and the terms of confidentiality within the Inquiry regulations, the Trust is not made aware of the detail of these individual requests nor are we sighted on the detail of the response. The Legal team employed by the Trust provides support to these individuals in responding to such Rule 9 requests.

Rule 13 Notices

The Inquiry has issued **Rule 13 Notices** and, in some cases, Rule 9 requests, in respect of criticisms contained in the written statements of some of the infected and affected in N Ireland.

In September 2019 following the May Belfast Hearings, the Inquiry wrote to BHSCT indicating that “minor criticisms” had been noted in the witness testimonies. The Inquiry offered the Trust an opportunity to make a response to minor criticisms levied against the Trust legacy organisations during the May hearings. Common themes from the witness statements were issues regarding consent, retention of blood results/material without the patient being aware of this and terminology used in patient consultations deemed inappropriate. Poor communication and behaviour of staff when breaking bad news/communicating results was also referenced. Treatment experienced at the School of Dentistry during the 1980s/1990s was also an issue of concern for some witnesses.

In January 2021 a similar communication to the ‘Minor Criticisms’ correspondence of September 2019 was received by the Trust as part of a **Rule 13 Notice** from the Inquiry team.

It is understood the Inquiry is continuing to process a substantial number of statements from the Infected and Affected and further criticisms may emerge. Our proposed approach to criticism against the Trust (or its predecessors) would be that responses are better addressed once the nature and full extent of criticisms have been established. Responses prepared with the benefit of as full a picture of the wider context as possible are more likely to assist the Inquiry. However, where it is possible for the Trust to provide a response to specific criticisms within a shorter timescale, it will do so. The Legal team will write to the Inquiry to this effect and the Trust Oversight Group will research and respond to all criticisms in the meantime in preparation for a composite response.

Belfast Hearings March 2021

The Inquiry is conducting a virtual hearing in relation to the Belfast Haemophilia Centre and its activities on 30-31 March and 1 April 2021. Ms Jenny Richards, QC for the Inquiry, presented an overview and history of the NI Haemophilia Comprehensive Care Centre and its activities on 30-31 March, drawing upon the witness statements and documents supplied to the Inquiry of those treated at the centre and that of Dr Elizabeth Mayne, former centre director from 1978-1999. Dr Gary Benson, Consultant Haematologist and present Director of the NI Haemophilia Comprehensive Care Centre is giving oral evidence on 1 April; addressing practice at the centre from 2008 onwards in more detail.

Support for Patients, Families and Staff

The Trust acknowledges that this continues to be a distressing time for the infected and affected patients and their families and is committed to facilitating the Inquiry as fully as possible.

The Trust is providing a dedicated psychological support service to the infected and affected patients and their families; the availability of which was again communicated by letter to all patients registered with the Belfast Haemophilia Centre and local support groups and charities last week in anticipation of the Inquiry hearings.

Measures have also been put into place to support our current and past employees, where they would like to avail of this, before and during this process. This support will be monitored and evaluated to meet the changing needs of all of those involved.

Media Interest

The Corporate Communications Team are kept up to date with any topics or issues that may arise as part of the Inquiry.

It is envisaged that coming closer to the date of the Hearings in Belfast and after the Hearings, that there will be a higher level of media interest and queries coming in from those Infected and Affected and other members of the public.

A television documentary was also aired several weeks ago covering the Inquiry remit and sharing the stories of local individuals and their families.

Caroline Leonard

Director Cancer & Specialist Services

1 April 2021