UK victims of the infected blood scandal denied justice after decades

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The ITV drama *Mr Bates versus the Post Office* has brought enormous public attention to the Horizon scandal and associated public inquiry. More than 900 postmasters and sub-postmasters were prosecuted by the Post Office and Crown Prosecution Service for financial errors produced by faulty accountancy software supplied by Fujitsu.

The issues raised by the drama are even more sharply posed by another, deadly, injustice and coverup: the contaminated blood scandal. Amid the outrage over the Horizon prosecutions, campaigners for the victims of infected blood have called for action in their cases, and the prosecution of those responsible.

During the 1970s and 1980s, major pharmaceutical companies supplied "Factor 8" blood products infected with the hepatitis and HIV viruses, leading to the deaths since of thousands of people in the UK and internationally.

According to the Hepatitis C Trust, around 30,000 people in the UK were infected with hepatitis C and/or HIV after receiving contaminated blood or blood products, including 380 children. At least 3,000 died after contracting HIV or hepatitis C and the rest were left severely ill. The death rate among survivors is extremely high, with roughly one person affected dying every four days, and many having their lives destroyed.

One of the victims, Suresh Vaghela, left with HIV, hepatitis and a serious brain condition, described the horror to ITV last week. He was told he had been infected while studying at university in the 1980s. "I had a phone call saying—pack your bags, you've got two months to live, and don't tell anybody. That was the main thing—don't tell anybody. We don't want any kind of uproar."

His brother, infected with HIV, died when he was 34. "I've lost my brother. I've lost friends who were like brothers," he told ITV. "In a particular year, I went to 70 funerals. It was surreal."

Among those who died were many from Treloar's College, a disabled children's boarding school in Hampshire, England. The latest figures this writer can find show that of the 122 treated at the school in the 70s and 80s, 87 have died, with 72 dying of AIDS or hepatitis.

In her book *Death in the Blood*, Caroline Wheeler, now political editor at the *Sunday Times*—who as an investigative reporter covered the contaminated blood scandal for two decades—concludes pupils at Treloar were unwitting guinea pigs in trials of Factor 8, without prior approval being sought from the children's parents.

Most of the contaminated blood product was sourced from the United States by companies following extremely dangerous practices. Blood was collected by paying donors, often from high-risk groups for HIV and hepatitis C such as drug addicts, sex workers and prisoners, and without any screening in place. Blood was then pooled, allowing a single infected source to contaminate a whole batch.

Among the companies responsible were Bayer Corporation and Baxter International, with revenues in the tens of billions of dollars today.

The UK began to import Factor 8 products from the US because it was unable to produce enough itself and because it was cheaper. In 1975 the then Labour government announced the allocation of funds for the UK to become self-sufficient in blood products, but the resources never materialised.

Warnings were ignored. As early as 1975, a *World in Action* TV programme raised the dangers of contaminated blood being distributed in the National Health Service.

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In June 1983, the Council of Europe warned of AIDS that this "new and severe health hazard" was "transmissible by blood products," urging governments to "take all necessary steps." It specifically warned states to "avoid wherever possible the use of factor products prepared from large plasma pools," especially when imported, and to "inform attending physicians and selected recipients, such as haemophiliacs of the potential health hazards."

The health disaster was international in scale, affecting tens of thousands across the United States, Canada, France, Italy, Japan, Germany, Iran and Iraq.

In France, Health Minister Edmond Hervé was found guilty in a court but given no penalty. Doctors in charge of verifying the safety of the blood were given and served heavy jail sentences.

The German and Japanese governments forced the companies supplying the products to pay around 50 percent of the cost of compensation payments. Three Japanese pharmaceutical company executives were given prison sentences in 2000.

In Britain, stonewalling by successive governments in the face of a long campaign prevented even a public inquiry from being announced until July 2017, as many as four decades after the first infected products were used to treat patients. Tony Blair's Labour government had tried to fob the issue off with a non-statutory inquiry led by Lord Archer in 2007. It lacked the power to subpoena witnesses and apportioned no blame in its totally ineffectual report delivered in 2009.

The opening session of the full Infected Blood Inquiry was held in September 2018. It has since taken evidence from those infected, their relatives and politicians from both major parties whose decisions and policies determined the course of the scandal. The lead counsel for the inquiry described the contaminated blood scandal as "one of the biggest treatment disasters in the history of the NHS."

More than five years later, the inquiry has yet to report. It was scheduled to do so in last autumn, but delayed till March and has now done so again till May 20.

The delay is such that a separate Infected Blood Compensation Framework Study had to be established and recommend "interim" compensation payments to a dwindling group of survivors. Factor 8, the leading infected blood campaign organisations, estimates 71 have died since the call for compensation was made in the inquiry's April 2023 second interim report.

Only £100,000 has been offered in each case, limited to survivors and their partners, not their families. Head of the study Sir Robert Francis QC explained the sum would help "settle their affairs before they die."

Further payouts will not be made at least until the release of the full report, with a much longer wait likely. Speaking in Parliament in December, Paymaster General and Minister for the Cabinet Office John Glen said, "the government is not yet in a position to share any final decisions on compensation… There are a number of technical issues that must be considered that would have a significant impact on public finances."

That thousands of people can be killed as a result of criminal corporate negligence, and the scandal hushed up, without any action taken for decades says everything about governments and political parties, state authorities and the judiciary under capitalism. They all exist to uphold the right of companies to make a profit above all else. When it comes to defending even the basic right to health and life against these businesses, campaigners quickly find the courts and government bodies to be an utterly hostile environment.

Above all, the infected blood scandal is a devasting indictment of the public inquiry mechanism, which has served to delay and deny closure and compensation to workers from Hillsborough to Grenfell. If victims of mass social murder cannot find effective justice this way, and the infected blood scandal is the worst example, then no one can. Only mass social struggles, opposed to all the capitalist parties, can assert the rights of the working class.

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