

UK Infected Blood Inquiry report: “Justice delayed is justice denied”

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The UK’s six-year-long public inquiry into the contaminated blood scandal announced its findings this week, confirming a scale of state criminality against tens of thousands of people that its chair, former High Court judge Sir Brian Langstaff, said caused a “level of suffering which it is difficult to comprehend”.

Without minimising the scale of previous state malfeasance and cover-up, including at Aberfan (1966), Hillsborough football stadium (1989) and Grenfell Tower (2017), the infection of more than 30,000 National Health Service (NHS) patients with blood containing hepatitis C or HIV over a period of three decades, resulting in social murder on a mass scale, is a staggering crime. At least 3,000 died and the rest were left severely ill.

Those infected with hepatitis C and/or HIV by contaminated blood or blood products included 380 children. The death rate among survivors is extremely high, with roughly one person affected dying every four days. Survivors have had their lives destroyed.

Its ongoing impact was on display at Central Hall, in Westminster, where the inquiry’s report was released Monday before an audience of more than 1,000 people impacted by infected blood transfusions. These included the sick and dying, and relatives of the dead who waged a decades-long campaign for justice.

Between 1970 and the early 1990s, thousands of patients treated by the NHS received infected blood and blood products, including an estimated 3,650 people with haemophilia, a condition that affects the blood’s ability to clot. During this period major pharmaceutical companies supplied Factor VIII (“Factor 8”) infected blood products, leading to thousands of deaths in the UK and internationally. The NHS sourced around 50 percent of its blood and blood-derived products from abroad. In the US, donors were paid to give blood, attracting individuals, including drug addicts, more likely to have hepatitis C or HIV. The blood was initially not screened.

Government after government ignored every warning. As the Hep C Trust charity notes, “In 1982 the first warning of the danger of contracting HIV/AIDS from contaminated blood products was published. The following year, *The Lancet* and WHO stated that people with haemophilia should be warned of the risks of using blood products.”

Among the most heinous crimes committed were medical trials involving children with blood clotting disorders—recalling the hideous experiments of the Nazi “Angel of Death” Josef Mengele—who were infected with hepatitis C and HIV over a more than 15-year period. In many cases this was done without parental consent. The majority of the children enrolled in the trials, known about by government, are now dead.

Colin Smith, whose seven-year-old son—also named Colin—died in 1990, spoke for many of the relatives when he told Sky News as the inquiry report was released: “I want justice to be served properly not hypothetically... Let’s see the people who did this—hopefully criminal charges. It is manslaughter at least. I gave my son over to his killers... you know, and I can’t get to grips with that.”

When Colin died, his body was so ravaged by the symptoms of hepatitis

C and AIDS that he weighed just 13 pounds.

Successive Conservative and Labour governments—going back more than 50 years—refused calls to investigate deaths caused by infected blood, engaging in a concerted cover-up. The present inquiry was finally launched in 2017 under pressure from victims and their families.

Langstaff’s 2,500-page report, published over seven volumes, describes a “catalogue of failures” that led to illness and death over decades. “Each [failure] on its own is serious. Taken together they are a calamity... The scale of what happened is horrifying. The most accurate estimate is that more than 3,000 deaths are attributable to infected blood, blood products and tissue.”

He found that patients had died “not as a direct result of the underlying condition or illness that took them to the NHS in the first place, but as a result of the treatment itself.” The death of patients was “catastrophic” and their partners, family, children and friends had also suffered, “some by being themselves infected, some by having to watch loved ones die, some by having to give their lives to caring; and almost every one of them, infected and affected, suffering in almost every aspect of their lives.”

Langstaff found “systemic, collective and individual failures” by government departments and various parts of the NHS that had killed thousands and “destroyed friendships, families [and] finances”. The “disaster was not an accident”, the report concludes. “The infections happened because those in authority—doctors, the blood services and successive governments—did not put patient safety first.”

Langstaff concluded the harm and suffering of victims was compounded by:

- “Repeated and ongoing failures to acknowledge that they should not have been infected”.
- “Repeated use of inaccurate, misleading and defensive lines to take which cruelly told people that they had received the best treatment available”.
- “A lack of openness, transparency and candour, shown by the NHS and government, such that the truth has been hidden for decades”.
- “Deliberate destruction of some documents and the loss of others”.
- “Refusal to provide compensation (on the ground there had been no fault)”.

He noted, “in general I can say that responsibility for much lies with successive governments, even though others may share some of it.”

By 2017, it was no longer possible to continue stalling the inquiry long demanded by campaigners. This was accepted by Conservative Prime Minister Theresa May. Langstaff notes in his report’s summary that the inquiry’s terms of reference included consideration of “whether there was a ‘cover-up’”.

He concluded: “A better expression to convey what happened is ‘hiding the truth’. Hiding the truth includes not only deliberate concealment but also a lack of candour: the retelling of half-truths such as the ‘no conclusive proof’ line; and failing to tell people about the risks inherent in

treatment or the alternatives to that treatment, that they had been tested for infection, or been used in research, or were suffering from a potentially serious and fatal disease.”

Now that the Inquiry is over, the ruling elite are moving to wash their hands of decades of crimes via a compensation scheme that had to be wrung out of them.

Prime Minister Rishi Sunak’s Conservative government immediately announced £210,000 in interim payments will be made to victims, ahead of a collective final settlement that could total £10 billion. None of those responsible will suffer financially, with the cost of the compensation scheme designated as “capital spending” and funded by central government borrowing. Those who have suffered will have to jump through hoops to get payouts which in no way compensate for their loss.

Just as grotesque is the fact that no-one is facing legal prosecution. A few MPs backing calls for 83-year-old former Tory Health Minister, Lord Kenneth Clarke, to lose his peerage is as far as it went.

Langstaff’s inquiry was held under the 2005 Inquiries Act, put in place by Tony Blair’s Labour government of war criminals. It states: “An inquiry panel is not to rule on, and has no power to determine, any person’s civil or criminal liability.” The Act repealed the Tribunals of Inquiry (Evidence) Act 1921 which had allowed Parliament to vote on a resolution establishing a tribunal that had “all such powers, rights, and privileges as are vested in the High Court”. Blair’s 2005 Act placed this power to call inquiries solely under the control of a government minister.

So all-embracing is the power of a sitting government over the public inquiry process that Amnesty International has called on British judges not to serve on an inquiry held under the 2005 Act, as “any inquiry would be controlled by the executive which is empowered to block public scrutiny of state actions”.

A number of individuals are named by Longstaff as having played a key role in the infected blood scandal, including Tory Prime Minister Margaret Thatcher and Clarke.

Clarke was a health minister from 1982 to 1985 and health secretary from 1988 to 1990. In September 1983 he issued a press release asserting, “there is no conclusive proof that Aids is transmitted by blood products”. At the inquiry he stood by the statement as being correct at the time. Yet in May 1983, the director of the Communicable Disease Surveillance Centre in England and Wales had notified the Department of Health and Social Security of the death from AIDS of a haemophiliac who had been given Factor 8 imported from the US.

In his July 27, 2021 testimony to the inquiry, Clarke let rip his irritation at the line of questioning by lead counsel Jenni Richards QC, complaining, “Why do we have to go through such meticulous detail through who said what when, when did he change his mind?”, dismissing the inquisition as “pretty pointless”. Langstaff says of Clarke in his report that his evidence was “disparaging” towards those who have suffered, and that Clarke had played “some part” in that suffering.

Of the “successive governments” involved in the blood scandal, Langstaff specifically criticises the Thatcher and Major Conservative governments of the 80s and 90s, which maintained, contrary to evidence, that haemophiliacs had received the “the best treatment available on the then current medical advice”. Langstaff concludes, “By 1986 the government can have been under no illusion about the scale of what had happened to people with haemophilia.” For example, Thatcher’s government knew there was a much higher incidence of Hepatitis in prisoners, yet “no action” was taken to stop blood donations from them, which “increased the risk of transmission”.

Also criticised is the Blair government which refused to even countenance a public inquiry.

But every government since 1970 bears responsibility for the murders, suffering, and cover-up: the 1970-74 Heath Conservative government; the 1974-76 Wilson Labour governments; the Labour/Labour-Liberal

governments under James Callaghan (1976-79); and the 1979-90 Conservative government under Thatcher. The successive governments overseeing the cover-up and denial of justice were the Major Conservative government (1990-97); the Blair/Brown Labour governments (1997-2010); and Tory governments led by David Cameron, Theresa May, Boris Johnson, Liz Truss and Rishi Sunak.

The prime ministers and most of the key figures in these governments from the 1970s and 80s have escaped prosecution. Heath, Wilson, Callaghan, and Thatcher are all dead; Major is 81-years-old and Blair 71.

Two of the doctors named by Langstaff who carried out the Nazi-like medical trials on children are also dead. A leading haemophiliac specialist Professor Arthur Bloom, said Langstaff, “must bear some of the responsibility for the UK’s slowness in responding to the risks of AIDs to people with haemophilia”. Bloom died in 1992.

Labour Party leader Sir Keir Starmer—expected to enter Downing Street after the July 4 general election—moved swiftly to ensure the criminal role of successive governments will be swept under the carpet once and for all via compensation payouts. The former human rights lawyer has refused calls for criminal prosecutions. As Director of Public Prosecutions at the Crown Prosecution Service between 2008-2013 he did nothing to bring anyone involved in the infected blood scandal to justice. No-one was to blame as “Politics has failed every single one of the victims of the infected blood scandal,” he posted on X.

Intervening several times at this week’s Prime Ministers Questions, Starmer never once raised the question of anyone being prosecuted for their crimes. Despite noting that “Sir Brian identified a number of individual failures, even cover-ups,” all he called on Sunak’s government to do was to implement, as recommended by Langstaff, a “duty of candour” that should “apply to all public servants across the board.” Sunak should also “ensure compensation by the end of the year” and deliver on all the [Inquiry] recommendations in the same timeframe”.

“Justice delayed really is, in this case, justice denied,” said Andy Evans, the chair of the campaign group Tainted Blood, in a press conference as the inquiry report was released. “This has gone on for so long now that people that were around at the time will be very hard to track down if they’re even still alive”.

This is the reality facing all seeking justice from the British ruling class. But while many who organised and carried out hideous crimes against thousands of people are dead, those alive cannot be allowed off the hook. They must be charged with murder, prosecuted and imprisoned.



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