

Witness Name: Ian Green
Statement No.: WITN3075001
Exhibits: WITN3075002 – 6
Dated: 24th April 2019

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF IAN GREEN

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 4 April 2019.

I, Ian Richard Green, will say as follows: -

Section 1: Introduction

1. My name is Ian Richard Green (DOB: GRO-C65), Chief Executive of Terrence Higgins Trust. My work address is 314 – 320 Gray's Inn Road, London WC1X 8DP. I hold a Bachelor of Arts degree, am a Fellow of the Chartered Institute of Management, a Fellow of the Royal Society of Arts and a Justice of the Peace (now on the Supplemental List). I have lived experience of HIV, having been diagnosed in 1996.
2. Terrence Higgins Trust is the UK's leading HIV and sexual health charity focussing on HIV prevention, enabling people to live well with HIV and to amplify the voices of people living with or affected by the virus.

Section 2

3. I have read with great care Ms Walton's witness statement, and in particular those elements relating to me and to Terrence Higgins Trust. In her statement Ms Walton alleges that initially (in December 2018) when she first contacted Terrence Higgins Trust her concerns were met by me with warmth and assurances but subsequent to this (particularly in February 2019) I was stalling, I couldn't find time to meet with her,

I was delaying sorting out the issues relating to the loans and as a result Terrence Higgins Trust had not acted swiftly enough.

4. I refute these allegations and as can be seen from the chronology outlined below I personally, and the charity corporately, have acted professionally, in a timely, thorough and respectful manner to Ms Walton and others whose loans were transferred from the Macfarlane Trust to Terrence Higgins Trust. In refuting these allegations can I make it clear that I completely understand and am sympathetic to Ms Walton's concerns and am very aware of the negative impact that the outstanding loan has on her.

Background

5. In September 2018, Terrence Higgins Trust (THT) received a letter from the then Chief Executive of the Macfarlane Trust (MFT) notifying us that they were in the process of winding down and that, as a result, they were seeking to transfer any remaining assets to another charity with similar charitable objectives. Terrence Higgins Trust is the UK's leading HIV charity and as such the MFT were considering transferring assets to THT on the understanding that the funds would be used on a restricted basis and be used to support MFT beneficiaries. It was also noted that amongst the assets were a number of secured and unsecured loans. It was later discussed that a number of those individuals with loans were seeking to have them written off.
6. Following internal discussions, it was decided that THT was best placed to be gifted the assets of MFT and to continue to provide services to MFT beneficiaries.

Chronology

7. The assets of MFT were transferred to THT by way of a Deed of Gift on 11th December 2018. I am aware that on 11 December 2018 a letter was sent by MFT to all those with outstanding loans advising them that the MFT would be closing and that the assets of MFT including the outstanding loans and charges would be transferred to Terrence Higgins Trust.
8. THT wrote to all the borrowers on, I believe, December 12 notifying them that the loans had been transferred and advising them how they could contact us.

9. As a result of this letter my Executive Assistant received a telephone call from Ms Walton on 14 December asking for some further information. She was encouraged to send me an e-mail.
10. On 15 December (a Saturday) I received an email from Ms Walton requesting a conversation with me.
11. On 17 December 2018 I responded to Ms Walton and advised her that I would be happy to arrange a time for either myself or one of my senior colleagues to have a conversation with her. However, I requested that this conversation takes place after the Christmas break as we were still in the process of receiving all of the relevant documentation from the Macfarlane Trust and we would like to review these first before having a conversation. Ms Walton responded immediately requesting a call before Christmas.
12. As a result of this e-mail I personally called Ms Walton on 17th December where we discussed the reason why the assets of MFT were being transferred to THT. During the course of the call I become aware of the distress that the outstanding loans were causing Ms Walton and how negative MFT was viewed by her. She also requested that her loan be written off. The call lasted approximately 15 minutes and was overall productive. I advised her that we would be in touch in the new year.
13. Following the telephone conversation, I received a further email from Ms Walton. Exhibited hereto and marked with the letters "WITN3075002" is a true copy of the email exchange with Ms Walton between 15 – 17 December 2018.
14. On 21 December 2018, THT received the files from MFT. For Ms Walton, this amounted to two very large lever arch files.
15. I was on annual leave for most of January but I know that Ms Walton spoke to my colleague David Barlow on 17 January who advised her that the files had been received and were in the process of being reviewed.
16. On 25 January 2019 an e-mail was sent to me (and dealt with in my absence) setting out a Subject Access Request for copies of all files in our possession relating to Ms Walton. This was acknowledged and complied with within the regulatory timeframe.

Exhibited hereto and marked with the letters "WITN3075003" is a true copy of this email sent to me on 25 January 2019.

17. On 30 January 2019, the first day back in the office following my holiday, I received an email from Ms Walton requesting a meeting. I responded to say I had just returned from leave and would be in touch shortly.
18. On 4 February the Executive Team of THT met and discussed the MFT loans. During the course of this conversation we agreed that a paper would be submitted to the Board of Trustees of THT at their next meeting providing full details of the loans, notifying them requests had been made to write off the loans and setting out a process for reviewing these. Subsequent to this meeting legal advice was obtained setting out how such a review should be conducted.
19. On 6 February 2019, as promised, I emailed Ms Walton. In the e-mail I asked Ms Walton to suggest a suitable time to meet with me and one or two other senior colleagues. Further, I stated that I was very happy for the meeting to have an open agenda and was keen to listen to her views and opinions. However, in the email, I did note that whilst I was happy to have general discussions regarding the loans, we would not be able to have detailed discussions about individual loans at that stage as we needed to discuss a process first at a meeting which was to take place later in March
20. Later on 6th February 2019, my executive assistant emailed Ms Walton offering a meeting on 7th March.
21. Ms Walton confirmed that she would attend this meeting on 7 February 2019 by email. Exhibited hereto and marked with the letters " WITN3075004 " is a true copy of this email exchange between 6 to 7 February 2019.
22. Later on 7 February a further e-mail was received from Ms Walton. Exhibited hereto and marked with the letters " WITN3075005 " is a true copy of this email.
23. On 8 February I responded to Ms Walton' s e-mail, explaining that it was clear from her correspondence that there was a lack of clarity as to what could or could not be achieved in different timescales. In the email, I endeavoured to make it clear that I have an obligation to ensure that my trustees fully understand the issues that have

been raised with us since the assets of Macfarlane Trust were transferred to us in December, so that they can consider how to proceed. Exhibited hereto and marked with the letters " WITN3075006 " is a true copy of this email.

24. Also on 8 February, immediately after sending this e-mail I received a telephone call from Ms Walton. She advised me that the call was for my executive assistance Mark. He was out of the office and the call was put through to me. During the call she reinforced the comments made in her e-mail. At the end of the telephone call she was quite distressed and I enquired as to what support she was receiving and how we might enable her to access such support.
25. On 9 Feb 2019 I received a further email from Ms Walton recapping the conversation on 8 February. Exhibited hereto and marked with the letters " WITN3075007 " is a true copy of this email.
26. On 6 March 2019, I received an email advising who would be attending the meeting on 7 March.
27. On 7 March 2019 I met Ms Walton for the first time. Ms Walton met with me and my colleague Jim Fielder with two other registrants and a representative of another registrant. Initially Ms Walton attempted, without my prior knowledge, to bring a solicitor to the meeting who I met briefly in the reception of our offices in central London. I stated that I was not comfortable meeting with a legal representative present but was happy to meet as previously agreed.
28. The meeting proceeded. The meeting was very constructive and I agreed to use my best endeavours to ensure that decisions relating to outstanding loans were made by the end of April 2019 if at all possible. A note of the meeting was sent to Ms Walton and others that day.
29. On 14th March the THT Board met. As previously stated this was the first meeting of the trustees since the loans were transferred over to us and since we had received requests to review/write off the loans. A very full and detailed discussion took place following receipt of a paper from me and legal advice from our lawyers Bates, Wells and Braithwaite. Following the meeting on 15 March 2019, I telephoned Ms Walton personally notifying her of the outcome of the meeting. Subsequent to the meeting a

letter was sent to those with loans (on 18 March), including Ms Walton containing the following:-

"We have been contacted by a number of individuals with loans asking us to consider writing these off as they are of the view that they are causing financial hardship and emotional distress.

The Board of Trustees of Terrence Higgins Trust met last week and decided that it is in principle willing to write off your loan provided it is proper and prudent to do so. In order to assess whether we are empowered under regulations outlined by the Charity Commission to write off the loan we will need to undertake a process of review. We are wanting this to be as "light touch" a process as possible and also as unobtrusive as we can make it.

This process will need to consider your current financial circumstances and also understand any adverse emotional impact that the loan may be having on you and your family. The information that we request from you will be treated confidentially and will be designed to determine whether you could comfortably repay the loan without causing additional distress or hardship.

If you would like us to take the next step in considering writing off your loan perhaps you could contact us either in writing or by e-mail to macfarlane@ttht.org.uk. We will then arrange for you to be sent further information. We hope that the information that we require from you can be obtained by a telephone conversation or, if you prefer, in writing."

30. An independent consultant was appointed to oversee this review process and he has been in contact with Ms Walton. This process is on-going and we hope to be in a position to come to a decision on a majority of the loans by the beginning on May.

Conclusion

31. As can be seen from the chronology outlined above I have personally sought, as Chief Executive of Terrence Higgins Trust, to respond to Ms Walton's concerns sympathetically, professionally and in a timely manner. Within four months of the loans being transferred to us we have agreed in principle to write off the loans and

implemented a process to determine whether such a course of action would meet the requirements of the Charity Commission.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed GRO-C

Dated 26th April 2019