



News

Infected Blood Compensation Scheme - your obligations

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We want to remind solicitors and firms of their obligations when engaging clients on claims relating to infected blood. We expect solicitors to make prospective clients aware of the availability of [free legal support \[https://ibca.org.uk/get-support/legal-support-paid-for-by-ibca\]](https://ibca.org.uk/get-support/legal-support-paid-for-by-ibca) from the Infected Blood Compensation Authority (IBCA).

IBCA was established to deliver the Infected Blood Compensation Scheme and pay financial compensation to those impacted by infected blood in the UK. Currently, claims are being processed for living infected people registered with an Infected Blood Support Scheme. Anyone who believes they may be eligible for compensation should [sign up to get community updates by email from IBCA \[https://www.smartsurvey.co.uk/s/Z55REY\]](https://www.smartsurvey.co.uk/s/Z55REY), to ensure they know when they can claim.

As part of the scheme, the IBCA is offering free independent legal support. This is currently being delivered by a panel of five law firms and includes the following legal support:

- Help to confirm the information used to calculate their compensation is correct.
- Advice on whether their compensation offer has been calculated correctly and whether they should ask IBCA to review the decision
- Support with an interview review, if requested
- Offer to share information on their behalf, if requested.

If a person claiming compensation wishes to use legal support from a firm not on the existing panel, IBCA is prepared to discuss making arrangements with that firm on an equivalent basis.

When engaging clients on claims, our [Principles \[https://indemnity.sra.org.uk/solicitors/standards-regulations/principles/\]](https://indemnity.sra.org.uk/solicitors/standards-regulations/principles/) set out that solicitors must act:

- in a way that upholds the constitutional principle of the rule of law, and the proper administration of justice (Principle 1)
- in a way that upholds public trust and confidence in the solicitors' profession and in legal services provided by authorised persons (Principle 2)
- with independence (Principle 3)
- with honesty (Principle 4) · with integrity (Principle 5)



- in a way that encourages equality, diversity and inclusion (Principle 6)
- in the best interests of each client (Principle 7)

To satisfy obligations [under paragraph 8.6 of the Code of Conduct \[https://indemnity.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/#rule-8-6\]](https://indemnity.sra.org.uk/solicitors/standards-regulations/code-conduct-solicitors/#rule-8-6) for individuals, we expect solicitors to make clients aware of the availability of free legal support from the IBCA when they get in touch. This information must be given to clients in a way they can understand, ensuring that they can make informed decisions about the services they need and the options available to them.

Advice given to clients on the Infected Blood Compensation Scheme must be independent, balanced and fair. Consideration must also be given to the personal circumstances of an individual and any vulnerability as set out in C2 of our [statement of solicitor competence \[https://indemnity.sra.org.uk/solicitors/resources/continuing-competence/competence-statement/\]](https://indemnity.sra.org.uk/solicitors/resources/continuing-competence/competence-statement/). You must not abuse your position by misleading or taking unfair advantage of clients. Our [guidance on claims management activity \[https://indemnity.sra.org.uk/solicitors/guidance/claims-management-activity/\]](https://indemnity.sra.org.uk/solicitors/guidance/claims-management-activity/) outlines the responsibilities of solicitors and firms to set out the other routes available to clients to progress their claim, such as an industry ombudsman or public compensation scheme.

We expect solicitors to comply with these obligations and encourage firms to regularly review their communications relating to claims, updating and improving them where necessary. If you have any queries, contact our [Professional Ethics helpline \[https://indemnity.sra.org.uk/contactus/\]](https://indemnity.sra.org.uk/contactus/).