



Kent

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## Covid-19: UK makes first payments to compensate injury or death from vaccines

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The first compensation payments in the UK have been made to families who have been bereaved, or to people who have been injured, as a result of a covid-19 vaccine.

Vikki Spit from Cumbria is believed to be the first person to receive compensation, after her 48 year old partner, Zion, became ill eight days after receiving the AstraZeneca vaccine. Zion, a former rock singer, died at the Royal Victoria Infirmary in Newcastle in May 2021.

A handful of other people have received payments in the past few days under the government's vaccine damage payment scheme (VDPS), which pays out up to a maximum of £120 000 (€140 000; \$150 000).

Sarah Moore, a partner at the Hausfeld law firm, which is representing people seeking compensation, told *The BMJ* it was an important moment. "While the VDPS payments are very modest in amount, and will do very little to alleviate the financial difficulties with which many families are now struggling as a consequence of injury or bereavement, the fact of payment for some will mark a moment of vindication in that it is the clearest statement yet, by the government, that in some rare instances the covid-19 vaccines have caused very significant injury or death."

However, it was "far too little, too late," she said. "With a 60% disability eligibility criteria, a historical acceptance rate of 1.7%, and a maximum cap of £120 000, the inadequacies of the scheme mean that some families will have no choice but to look at litigation in order to access substantive financial support."

Moore added that she believed that most of the payments so far have been made as a result of an individual experiencing vaccine induced immune thrombotic thrombocytopenia (VITT) or cerebral venous sinus thrombosis (CVST) after vaccination. But she said she knew of one payment for someone who had developed Guillain-Barré syndrome after covid-19 vaccination.

The NHS Business Services Authority, the body that handles the VDPS, confirmed that as of 20 May 2022 it had received 1681 claims in relation to covid-19 vaccines. A spokesperson emphasised that the VDPS was not a compensation scheme but one for payments to help ease the financial burden for those people who are severely disabled as a result of vaccination against a specific disease. All claims are medically assessed by an independent, third party medical assessor.

"The covid-19 vaccines are new. Establishing a causal relationship between the vaccines and their potential adverse effects is not a straightforward matter and

has taken time," the spokesperson told *The BMJ*. "It was vital we didn't make assessments before the scientific evidence reached a more settled position, to avoid claims resulting in inconsistent outcomes, or disadvantaging claimants."

"We have to follow due process when progressing claims to ensure they are assessed in a fair and consistent way. As part of this process we must ensure that decisions are made based on all the evidence available. This requires gaining access to people's medical notes and their previous medical history, so that the assessor can, having looked at all the evidence, determine whether there is a causal link and level of disability in each individual claim."

The spokesperson said that the average (non-covid related) claim takes around six months to process from the date a claimant's medical records are requested, because of the need to gather records from the claimants' GPs, medical care providers, local authorities, or other relevant healthcare providers. "This can vary from case to case, and for covid-19 claims it has taken longer. We understand the frustration this is causing for claimants, and we appreciate their continued patience. We have scaled up a dedicated team of caseworkers to help speed up this process, support claimants through the application process, and provide regular updates on the progress of claims."

"Based on current timescales, once medical records have been sent for assessment, we expect to receive an outcome for most cases from the independent medical assessor within 12 weeks."