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BY FAX AND BY POST

Deas Mallen Souter
Solicitors
Eldon Chambers
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Newcastle Upon Tyne
NE1 3DE

Date: Monday 6th March 2000

Dear Sirs,

RE: HEPATITIS C

I write substantively in reply to your letter dated 27th January 2000.

The documents we have disclosed as relevant were selected by a doctor, Dr Rejman, who had extensive experience of discovery procedures. When the Department of Health first received a threat of litigation, he was asked to extract relevant documents from the files. It is those documents I have disclosed. In the light of your helpful comments it is clear there are a number of gaps. We are experiencing real difficulty in locating some of the source documents. They appear to have been destroyed. This is unusual and unsatisfactory.

The Department has consulted Justin Fenwick QC. On his advice and with his assistance, the Department is trying to locate the documents you require and to discover precisely what happened and why. As a result, the Department is not in a position to fill all the gaps completely. We thought it necessary to disclose this to you at an early opportunity. When I come to complete the disclosure list, Schedule 2 will, of necessity, have to be in broad terms until we can be more specific. If you are in a position to tell us what else you think you want, we will endeavour to find them.

I would like to take this opportunity to say that as a result of a thorough search in this office, I have found a number of documents spanning the period which you specified. They were originally thought to attract public interest immunity. They include submissions to Ministers about HCV screening. I include a list and the documents themselves with the hard copy of this letter.

Yours faithfully

> GRO-C

MRS ANITA JAMES
(Head of Litigation)