To: Mr A Barton
AIDS Unit

From: Mr J C Dobson
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cc: Mr Powell SOLC3
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HIV/AIDS LITIGATION

My submission to MS(H) of 26 June described the recent developments in this litigation. MS(H) has not yet responded but in the event the court hearing on 29 June concentrated mainly on the plaintiffs' issues (see attached note).

Since then we have discussed with SOLC3 and Medicines Division what the next steps are likely to be. An early issue will be whether we should voluntarily make available to the plaintiffs whatever relevant documents we have on file. Precedent suggests that we should not volunteer disclosure but wait until a court order is made; however SOLC3 advise that we should already be getting ready for this by identifying and listing all the documents likely to be relevant to the litigation.These would include material showing the state of knowledge of the AIDS virus, the method of transmission and the possible measures top prevent transmission.

We have some of this material on file in HS1, but much of it is likely to be only on your files. I would therefore be grateful if you would arrange for a search to be made of your files for relevant material and a list prepared. (Some items such as advice to Ministers may in the end be withheld, although this would be subject to challenge in Court. It would therefore be helpful to our Counsel to have a <u>complete</u> list of all documents with sufficiently full descriptions to see clearly what we are willing to disclose and what we propose to withhold.)

Ideally, our Counsel would have liked a list before the adjourned hearing on 24 July. However it may be that all we can do by then is to give an indication of the scale of what we have to do, where the records are, an indication of number of pieces of paper and what is their general nature. Nevertheless we will

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need to make an early start and to complete the lists as soon as possible after the 24th.

I am sorry to add to your workload in this way. I would be happy to discuss.

GRO-C

J C DOBSON

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