

**"RE: HIV/HCV"**

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**Roberts Howard LSPG
Sol C4**

<Howard.Roberts@GRO-C>
GRO-C

30/01/2006 17:01

To: Mihailovic Anne LSPG
Sol LIT <Anne.Mihailovic@GRO-C>
cc: Zubeda

Seedat/PH6/DOH/GB@GRO-C

bcc:
Subject: RE: HIV/HCV

Anne

1. The papers which you have sent me raise no FOI issue that can be resolved by legal advice. Of course, if a request is so wide that it cannot be answered within the appropriate limit on costs, our policy colleagues may take that point.
2. Without seeing the files, I cannot form a view on whether they contain personal information which is exempt from disclosure under section 40 of the FOI Act. In general terms, section 40 exempts information from disclosure when it is protected by data protection legislation.
3. I assume that our clients would be interested in whether we have information in our files which can make up for that which is no longer retained by them. You are no doubt aware that there is a separate high profile PO request which is concerned with the disappearance of some of the policy files on HIV/HCV. It seems to me that the reply to our clients should outline the information which Sol lit hold. In that context it may be appropriate to mention the personal information exemption in section 40 of the FOI Act.
4. Happy to discuss the issues. However, I will no be in a position in the foreseeable future to trawl through

individual case files with a view to determining whether individual pieces of information are protected from disclosure by section 40.

Howard

-----Original Message-----

From: Mihailovic Anne LSPG Sol LIT

Sent: 30 January 2006 15:30

To: Roberts Howard LSPG Sol C4

Cc: 'Zubeda.Seedat@[GRO-C]

Subject: FW: HIV/HCV

Dear Howard - is this something which would fall within your FOI remit?The problem from the litigation point of view is that this is all very imprecise.The request is just for 'blood policy documents'. If this means specific documents disclosed in specific cases we would really need to know which specific documents were requested so that we could assess the implicataions as there could be Data protection as well as FOI implications. Perhaps the answer would be for the person to be more precise about what she wants?

Happy to discuss

Anne Mihailovic

Sol Lit

[GRO-C]

-----Original Message-----

From: Zubeda.Seedat@[GRO-C] [mailto:Zubeda.Seedat@[GRO-C]

Sent: 27 January 2006 15:53

To: "Anne.Mihailovic@[GRO-C]"@[GRO-C]

Subject: HIV/HCV

Anne

Can you help with the attached?

Zubeda Seedat

General Health Protection

[GRO-C]

----- Forwarded by Zubeda Seedat/PH6/DOH/GB on 27/01/2006 15:52 -----

Zubeda Seedat

To: "Anita.James@[GRO-C]

26/01/2006 17:25 cc:

bcc:

Subject: HIV/HCV

Anita

I would be very grateful for your advice on the attached correspondence from [GRO-A]

GRO-A has been actively campaigning for a number of years for a public inquiry into the issue of haemophilia patients infected with Hepatitis C. She is seeking access to Departmental documents which we would have made available to lawyers at the time of the HIV and HCV Litigation. Grateful for your advice on this asap as a reply is due before the 8 Feb.

Thanks

Zubeda Seedat
General Health Protection

GRO-C

(See attached file: DE60046 - **GRO-A** .doc)

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