



**"Re: FW: follow up to meeting with Lord Archer"**

Document Type:	Formal
File Title:	GHP - Blood Policy - Haemophilia - Independent Public Enquiry into the supply of contaminated NHS Blood & Blood products - Archer
File Reference:	GHP/005/006/030 Vol 4
Protective Marking:	No Marking
Filed by:	William Connon/PD-PMD/DOH/GB on 09/05/2007 at 16:36
Created by:	William Connon on 09/05/2007 at 14:48

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**Modification History Prior To Moving To Archive:**

Modified Date and Time	Details
22/01/2009 12:08	Modified registered file
18/08/2009 14:49	Modified registered file
07/09/2009 12:06	Modified registered file
08/02/2012 15:48	Refiled from GHP/005/006/030 to GHP/005/006/030 Vol 4

**William Connon**

09/05/2007 14:48

LSPG SOL C4" <Shibani.Rahulan@

To: "Rahulan Shibani

GRO-C

cc:

bcc:

Subject: Re: FW: follow up

to meeting with Lord Archer

Shibani,

Yes, we have already heard from Sir Joseph Smith and advised him that the department will not be appearing before the inquiry and is not officially taking part. I explained that we are offering assistance to the inquiry team, at SofS's request and will provide Sir Joseph with any reasonable assistance we can. I have spoken to Sir Joseph and explained that as the inquiry is non-statutory he is not compelled to appear. I also suggested that he is free to consider any legal advice he chooses to take and/or contact the MHRA for further guidance. He seemed content with this. As a former Chair of an official committee I have no desire to see Sir Joseph being "left out to dry!".

It is precisely because of this type of approach that I initially advised ministers that the department should stand

back from the inquiry and not take part. As we have been asked by minsters to be as helpful as possible we are inevitably becoming more involved than I would have wished.

William G Connon  
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GRO-C

"Rahulan Shibani LSPG SOL C4" <Shibani.Rahulan@GRO-C

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09/05/2007 14:23

To: Connon/PD-PMD/DOH/GB@GRO-C  
cc:  
bcc:  
Subject: meeting with Lord Archer

William

FW: follow up to

William

To see query below from SOLC5 who advise the MHRA.

Have you heard about this before? Do you have any views on this?

Shibani

Shibani Rahulan  
SOLC4  
Room 531, New Court  
GRO-C

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

From: Paskin Anne LSPG SOL C5  
Sent: 09 May 2007 14:20  
To: Rahulan Shibani LSPG SOL C4; Rogers Simon LSPG SOL C5  
Cc: Arnold Karen LSPG SOL C7; Gunn Libby LSPG SOL C5  
Subject: RE: follow up to meeting with Lord Archer

Shibani,

Sir Joseph Smith, a former Chairman of an Expert Committee which advises SoS on licensing matters, has already expressed concern that he may be called as a witness. He has already been identified by the Inquiry (I think) as a possible witness through the minutes of meetings released to the Inquiry. He is seeking legal advice from SOL (via the MHRA) on how he should deal with any such request.

How should this be handled? As a former Chair, the MHRA are very keen that Sir Joseph is given appropriate support and not left out to dry!

Anne

\*\*\*\*\*

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----- Message from "Rahulan Shibani LSPG SOL C4" <SHIBANI.RAHULAN@GRO-C> on Wed, 9 May 2007 13:35:14 +0100 -----

**To:** "Rogers Simon LSPG SOL C5" <SIMON.ROGERS@GRO-C>  
"Arnold Karen LSPG SOL C7" <KAREN.ARNOLD1@GRO-C>, "Gunn  
**cc:** Libby LSPG SOL C5" <LIBBY.GUNN@GRO-C>, "Paskin Anne LSPG  
SOL C5" <ANNE.PASKIN@GRO-C>

**Subject:** RE: follow up to meeting with Lord Archer

Simon

Thanks. I will keep you updated on developments as requested.

In answer to your question, I confirm that I am the SOL contact on this but that could of course change in the future, as you have identified.

Also, I omitted to mention in my previous email that DH, although they are cooperating with the inquiry, so far have no intention of sending along witnesses to the inquiry. DH is aware that the inquiry could request civil servants and Ministers to attend but that, as a non-statutory inquiry, it would have no powers of compulsion.

When the inquiry asked DH about DH witnesses at the meeting, DH said that they would struggle to find appropriate people because the events are historic and consequently there is hardly anyone around who would have first-hand knowledge of the events.

Thanks

Shibani

Shibani Rahulan  
SOLC4

Room 531, New Court

**GRO-C**

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

From: Rogers Simon LSPG SOL C5

Sent: 09 May 2007 13:16

To: Rahulan Shibani LSPG SOL C4

Cc: Arnold Karen LSPG SOL C7; Gunn Libby LSPG SOL C5; Paskin Anne LSPG SOL C5

Subject: RE: follow up to meeting with Lord Archer

Shibani

SOLC5 deal with the Blood Directives & UK Blood Regulations which govern testing since 2005, but the note deals past history, so is outside our field.

Please keep us informed of developments on the inquiry however. There may be read across to the Blood Regulations at some point (I have copied Libby Gunn in my team, who deals with blood for us).

Also, MHRA and its predecessors (the MCA and the Medicines Division of DHSS) have been involved in the licensing of blood products and blood product manufacturing sites, including during the period covered by the inquiry. We have already received one query from a former member of one of the medicines advisory committees who has been approached by the inquiry. DH are co-ordinating the Department's response, but they are presumably also considering the position of ex-civil servants and committee members who may be asked to give evidence to the inquiry. Those individuals may seek guidance from the Dept on how to respond to the inquiry - and possibly seek advice on the legal position, in which case DH & SOL will need to consider whether to provide the necessary advice (by way of example, SOLC5 recently provided advice to ex-MHRA employees in respect of a Canadian criminal prosecution relating to the withdrawal of infected blood products in the mid-1980's). SOL and DH may need to consider the level of legal support that would be provided to potential witnesses.

To avoid duplication, it would obviously be helpful to have agree a single SOL contact point for advice relating to the inquiry - is that you (at least for now)?

Simon

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

From: Rahulan Shibani LSPG SOL C4

Sent: 09 May 2007 10:28

To: Arnold Karen LSPG SOL C7; Rogers Simon LSPG SOL C5

Subject: FW: follow up to meeting with Lord Archer

Importance: High

Karen, Simon

I wasn't sure who this would be more for, perhaps Karen as you have had some involvement in this previously I think.

This is about Lord Archer's non-government independent public inquiry

into the infection of haemophiliacs with contaminated blood products resulting in their contracting Hep C.

DH has decided to cooperate with the inquiry. In particular DH has conducted a review of all documentation held within DH in connection with the matter and have produced a report on their contents, which they will share with the inquiry.

DH also recently met with the inquiry to see what further assistance they could provide. The inquiry panel indicated that at this stage they were interested in background information i.e. the whole set up in relation to blood products, including the process of purchase, testing, regulation etc. DH promised to let the inquiry team have a document setting out the process in detail.

Attached is something which DH has produced and which they intend to send to the inquiry panel along with a referral to NHSBT's website for further information.

If this is within your area I would be grateful for comments as I do not deal substantively with blood products - my only interest in this is from an inquiries angle.

The deadline for comments is close of play today.

Thanks very much.

Shibani

Shibani Rahulan  
SOLC4  
Room 531, New Court  
**GRO-C**

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

From: Cannon William DOH GSI

Sent: 09 May 2007 09:44

To: Wight Ailsa DOH GSI

Cc: Woodeson Elizabeth DOH GSI; Nicholas Hugh DOH GSI; Rahulan Shibani

LSPG SOL C4; Page Linda DOH GSI; Seedat Zubeda DOH GSI

Subject: RE: follow up to meeting with Lord Archer

Importance: High

Following our meeting with the Lord Archer and Turnberg and the inquiry team, the NBS has produced the attached short background note on chronology of safety procedures on testing of blood for both Hep A, B & C and HIV ie when tests were actually introduced.

Whilst this note is not as extensive as I had requested, I have looked on the NHSBT website which contains extensive background on blood services including the history of the service, BPL and when it was set up and has evolved over the years. I think therefore that we should send the chronology with a covering letter, directing the inquiry to the website. I would clearly say in the letter that they should come back to me if there is further background information which the website does not contain.

I would be grateful for your thoughts on this by close today so that I can send the attached to the inquiry secretary, Mr Mehan tomorrow. If I do not hear then I will assume you are content.

Regards

William G Connon  
Department of Health  
5th Floor  
Wellington House  
Waterloo Road  
London  
SE1 8EG

**GRO-C** (See attached file: Testing of blood donors for evidence of transfusion1.doc)

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