


Zubeda Seedat

19/12/2005 15:16

To: John Chan/PR-OFF/DOH/GB@DOH
 cc: William Connon/PD-PMD/DOH/GB@DOH, Ailsa
 Wight/PH6/DOH/GB@DOH
 Subject: Re: PQ05774 - Lord Morris of Manchester

John,

The reply we have provided refers only to Lord Jenkin's enquiries, as it is likely that the question was tabled in order to ascertain details about the enquiries by Lord Jenkin. For example part of the question states ".....and what further responses, if any, they have received from former Ministers". This relates to the letter Lord Jenkin sent to Perm Sec on 25 October. In addition there have been a couple of PO's which refer only to Lord Jenkin's recent enquiries.

With regards to Lord Owen, we understand that he wrote to John Moore (then SoS) in 1987 raising concerns about what happened to the extra money he provided in 1975 and why this did not result in self-sufficiency in blood products. We do not have a copy of the John Moore reply but Lord Owen is quoted as saying that he was told that papers had been destroyed. This issue of self-sufficiency in blood products resurfaced in 2002 and Lord Owen has not been in touch with the Department since then. In view of this we have not referred to Lord Owen's enquiries/concerns.

Hope this helps.

Zubeda Seedat
 General Health Protection
GRO-C
 John Chan

John Chan
 19/12/2005 10:08

To: Zubeda Seedat/PH6/DOH/GB@DOH
 cc:
 bcc:
 Subject: PQ05774 - Lord Morris of Manchester

Zubeda

Lord Warner has raised query to reply you provided - "Wasn't Lord Owen also involved in this and shouldn't we cover in answer?"

Please advise.

Thanks.

John



○ See below
~~Lord Warner~~

Opposite is a suggested
 reply for your approval
 and signature.

Ms Flint has agreed
 the answer - see Flag A.

Are you content,
 please?

I've signed the answer
 but wasn't Lord Owen
 also involved in this
 and should we
 we cover in
 answer?



(DH) Department
 of Health

GRO-C

16/12

15/12

J Chan
 Parliamentary
 Room 301
 Richmond House
 Extension

GRO-C

PQ05774

Background

1. We believe this question has been prompted by members of the haemophilia lobby group, who would like a public inquiry into the issue of haemophilia patients infected with hepatitis C through contaminated blood products.

Lord Jenkin's request for access to papers

2. In December last year we received correspondence from Lord Patrick Jenkin who asked for access to papers going back to the period when he was Secretary of State for the DHSS (May 1979 - Sept 1981) on the issue of haemophilia patients infected with Hepatitis C through contaminated blood products. This letter was prompted by a letter Lord Jenkin received from **GRO-B** a haemophilia patient infected with hepatitis C and HIV through blood products. Under Civil Service Guidance, former Ministers are allowed reasonable access to the papers of the papers of the period then they were in office. Lord Jenkin received two replies from Lord Warner on 27 January and 10 March 2005 about the issue of haemophilia patients infected with hepatitis C and DH record keeping.

3. Following a meeting with Sir Nigel Crisp on 13 April 2005, we were asked to identify files on this issue so that Lord Jenkin could go through the papers. We contacted both the Departmental Records Office and the National Archives to retrieve files for the period 1979 - 1981. There were a limited number of files going back to this period, unfortunately many of the files from that period have been destroyed. However, we made available those files which were held, and agreed to releasing some documents which Lord Jenkin indicated that he would like to make available to **GRO-B**.

4. Lord Jenkin has now released these documents to **GRO-B** but has notified him about the fact that a number of files have been destroyed. This has generated some media interest, accusing officials of a "cover up".

5. Lord Jenkin has written again, to Sir Nigel Crisp (on 25 October 2005), indicating that he would like a further meeting to explore why files for the 1970's and 1980's were destroyed. Sir Nigel replied on 1 December, declining his request for a meeting, however the response set out fully our understanding of why papers had been destroyed.

Destruction of papers

6. During the HIV litigation in the 1990's many papers from that period were recalled. We understand that papers were not adequately archived and were unfortunately destroyed in the early 1990's. In addition, we have established that many other important documents, mostly papers and minutes of the Advisory Committee on Virological Safety of Blood were destroyed in the 1990's. This should not have happened. During the discovery exercise for the Hepatitis C litigation in 2000 it emerged that many files were missing. A low key internal investigation was undertaken, by colleagues in Internal Audit, to establish why files were destroyed. We have managed to obtain the report by Internal Audit. This concludes

← See over

"The decision to mark the files for destruction was taken at a time of major organisational change in the Department, ie: the implementation of the Functions and Manpower Review (FMR), which resulted in two experienced members of staff leaving the relevant section. We believe that the upheavals of the FMR process probably resulted in either

- a delegation of responsibilities without proper instruction, or
- an assumption of responsibility without proper authorisation.

Either occurrence, likely given the organisational context, is the most probable explanation for the decision to mark the files for destruction, and the short destruction dates assigned".

PQ05774 2005/2006

Written Answer

Han Ref: Vol

Col

LORD MORRIS OF MANCHESTER (LABOUR):

The Lord Morris of Manchester - To ask Her Majesty's Government what inquiries the Department of Health has received from former Health Ministers to examine files dating from their years at the department relating to contaminated National Health Service blood products; what replies they have given to those inquiries; and what further responses, if any, they have received from the former Ministers. (HL2783)

SUGGESTED REPLY

In December last year, Lord Jenkin of Roding contacted Ministers about access to papers on the treatment of haemophilia patients and blood safety dating back to the period when he was Secretary of State for the Department of Health and Social Security. Lord Jenkin has also been in touch with the Chief Executive and officials in the Department of Health.

Lord Jenkin has received several letters from the Department and met with the Chief Executive on 13 April 2005. In addition, he visited the Department of Health on two occasions to inspect files dating back to his period in office. A number of papers were released at his request. However, we acknowledged early on in Lord Jenkin's enquiries that many papers from the 1970's and 1980's have been destroyed in error.

a number of papers

William, 12/12
 12/12

can you please

clear the attached

AQ. thanks

GRO-C

9/12

AUSA,

I attach a

PA for you

to clear.

thanks

GRO-C:
Zubeda

12/12

PARLIAMENTARY RELATIONS UNIT FINAL MINUTE

1. Reply approved by:

Name	<i>Ailsa Wight</i>	Building	<i>Wel Hse</i>
		Room	<i>520</i>
Branch	<i>General Health Protection</i>	Ext	GRO-C
		Date	<i>13 December 2005</i>

2. Reply composed by:

Name	<i>Zubeda Seedat</i>	Ext	GRO-C
Room	<i>530</i>	Building	<i>Wel Hse</i>

3. The following special points should be noted:

PARLIAMENTARY QUESTION

DEPARTMENT OF HEALTH

PQ05774	2005/2006
Lords Written	

The Lord Morris of Manchester - To ask Her Majesty's Government what inquiries the Department of Health has received from former Health Ministers to examine files dating from their years at the department relating to contaminated National Health Service blood products; what replies they have given to those inquiries; and what further responses, if any, they have received from the former Ministers. (HL2783)

For Answer on:	12/12/2005
Notice Paper Date:	05/12/2005
Notice Paper Page:	1518
MP (Party):	MORRIS OF MANCHESTER, LORD (LABOUR)

DRAFT REPLY TO REACH PARLIAMENTARY BRANCH BY

12:00 Thursday 8 December 2005