



## Falconer S (Sandra)

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**From:** Henderson RM (Richard)  
**Sent:** 03 April 2001 18:00  
**To:** Dora C (Christine); Gibson M (Mairi); Keel A (Aileen); Marr G (Gerry); McCroskie J (John); Naldrett CA (Chris); Aldridge JS (John)  
**Cc:** Falconer S (Sandra); Layden P (Patrick)  
**Subject:** RE: HEP C ENGLISH COURT CASE JUDGEMENT

Christine

I have tried on return this pm to contact DH Legal, so far without success. I will contact DH Solicitor tomorrow am I hope and ask for up date on

- the consultation between DH, NBA and Counsel, including
- the assessment of the issues and prospects for appeal together with reasons the concession on blood as a product at trial
- the extent to which wider considerations have been identified and considered in fixing DH attitude to appeal

I have noted the provisional timing for a meeting with the Minister and have noted in my diary.

I have spoken briefly with Patrick Layden at the Lord Advocate's office. It may be that the Lord Advocate might get in touch with the Attorney General to discuss the issues. However I think that that should await consideration tomorrow.

Richard

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

**From:** Dora C (Christine)  
**Sent:** 03 April 2001 16:54  
**To:** Gibson M (Mairi); Keel A (Aileen); Marr G (Gerry); McCroskie J (John); Naldrett CA (Chris); Aldridge JS (John); Henderson RM (Richard)  
**Cc:** Falconer S (Sandra)  
**Subject:** HEP C ENGLISH COURT CASE JUDGEMENT  
**Importance:** High

Dear all

Thanks for your contributions to this morning's meeting. Just to update you -

Charles Lister DH has confirmed:

- there was and would be no written opinion on counsel about the prospects of an appeal, since they had had a meeting face to face;
- he would be advising his Ministers against an appeal;
- he would acknowledge that this was not the SE view (but I couldn't get him to say he would relay our views in the form I had given him);
- he expected to put up a submission with advice today (but I haven't seen it yet at 4.55 p.m.)

I sounded out the "Celtic fringe" but could kindle no burning desire to join with me in a crusade for an appeal - Wales (Sue Paterson) told me that they were taking a hands-off approach and leaving it up to the Trust. I explained our own position, which they acknowledged, but it did not change their view. Northern Ireland (Gerry Dorrian) told me that they were in theory interested in this case but had not had their solicitors' views back about it yet.

As you will have seen, I did indeed put a submission up to the Minister asking her to ring up Lord Hunt

pronto.

I am going to revert to my normal part-time working pattern (days off - Tuesday and Wednesday). Private Office have my home number - you might as well have it too, I see this as quite a decent alternative to my having to come in 5 days a week in the current circumstances! For use only when you can't get what you need from Sandra Falconer (ext GRO-C) and can't wait till I get back to the office - it's GRO-C.

I have a provisional slot for a meeting with the Minister at 1 p.m. on Thursday for an hour, during which I would propose to update her as much as we can and answer any questions she had about the judgement and issues arising. Are you able/willing to attend? Please let me know. If there is nothing further to tell her, I would simply cancel.

I have still to make arrangements for the "doorstepping" meeting with DoH in London suggested by Mr Henderson. This would include Mr Henderson, Mrs Gibson and myself - does Dr Keel wish to come too? And can they give me an idea of their availability next week?

Thanks

Christine