

Witness Name: JAMES SINCLAIR TAYLOR

Statement No: WITN5678003

Exhibits: WITN5678004 - WITN5678013

Dated: 31 August 2021

## INFECTED BLOOD INQUIRY

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### WRITTEN STATEMENT OF JAMES SINCLAIR-TAYLOR

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I provide this statement in response to a Rule 9 Request dated 3 February 2020 made under the Inquiries Act 2005.

I, James Sinclair Taylor, will say as follows: -

#### **Section 1: Introduction**

1. For clarification, the Directors of the Skipton Fund are Andrew Studd and myself, James Sinclair Taylor who are both partners in the firm of Russell-Cooke LLP. Russell-Cooke is contracted as provider of services to Skipton. I refer to the above request received on 3 February 2020 and set out my response below:-

#### **Section 2: Response to Rule 9 Request dated 3 February 2020**

2. *Prior to the closure of the Macfarlane Trust in February 2019, the transfer of its "electronic records on encrypted storage devices" to the Skipton Fund was to take place, as confirmed by Interim CEO Gill Edelman [WITN5678004]. Please can you confirm:*

*(i) whether these electronic records on such devices have been received by Russell Cooke and passed to Iron Mountain and if so, when;*

- 2.1. Following on from Gill Edelman's email attached to your request, Victoria Prouse sent the attached email on 19 February 2019 [WITN5678005] confirming that the server containing data for all the Alliance House organisations was backed up to an encrypted disc. The final storage boxes were sent for storage with and collected by Iron Mountain from the Alliance House organisations on 20 February 2019. I attach the schedules of contents to these final boxes [WITN5678006]. For completeness, I also attach the schedules of contents in relation to the final Caxton, Eileen and MFET storage boxes which include the USB sticks for these organisations [WITN5678007, WITN5678008 and WITN5678009].

*(ii) in the event of a positive response to 2(i), whether the electronic records Russell Cooke received include the contents of the Macfarlane email server eg. Outlook, or whichever MFT used;*

2.2. I attach the schedules referred to in Victoria Prouse's email of 19 February 2019 [WITN5678010]. From my review of these schedules it does not appear that there is a back-up of the MFT email server. The current Directors of Skipton and Russell-Cooke have never had cause to look at the electronic information referred to in this email and so cannot say whether or not the contents of the MFT email server was preserved.

*(iii) and in the event of a negative response to 2(ii), please confirm to the best of your knowledge the whereabouts of the Macfarlane email server and whether it can be viewed by the Inquiry.*

2.3. If a back-up of the MFT email server is not contained in the electronic information stored at Iron Mountain, the Directors have no knowledge of the whereabouts of the MFT email server and whether it can be viewed by the Inquiry. The email of 19 February 2019 refers to an intention of Macfarlane to destroy the computers [WITN5678005].

3. *In your written response dated 17 September 2018 to the Inquiries Rule 9 Requests no.1 and no.2 [WITN5678001], you state that information from Skipton Trust, the Caxton Fund, the Eileen Trust, and Eileen Trust is boxed and stored with Iron Mountain in hard copy, and that the "information has not been retained electronically." Please confirm to the best of your understanding:*

*(i) if this means the electronic information of each entity was printed out in hard copy before being disposed of, or only existed in hard copy;*

3.1. The Directors initial understanding was that only hard copy files were to be retained by each of the Alliance House organisations and that these would be what were transferred to the Skipton Fund. However, subsequent to the Inquiry team's visit to the Alliance House Organisations it was decided to back up some electronic information and we were told in the email of 19 February 2019 that the disc and USB sticks would be stored with the hard copies at Iron Mountain [WITN5678005].

*(ii) which representative from each above AH Organization confirmed to Russell Cooke that their organizations' information had not been retained electronically, and on what date this was communicated to you;*

3.2. The Directors were informed by Macfarlane Trust that all beneficiary files were in hard copy. We were subsequently told that certain other information had been recorded on a disc and a USB stick for each Alliance House organisation. This disc and the USB sticks were sent directly to Iron Mountain by the Macfarlane Trust. Macfarlane Trust delivered the key to the petty cash

tin in which the USB storage device is locked to Russell-Cooke. We have not accessed or reviewed the content of the disc or the USB sticks. The content is set out in the spreadsheet attachments to the email of Victoria Prouse dated 19 February 2019 [WITN5678010]. We do not know which, if any, of the documents stored electronically were also in hard copy.

*(iii) what happened to the communications held on the email servers belonging to each entity and whether any computers containing this information still exist or if there is another way to access their emails;*

3.3. The Directors have no knowledge other than the attached email of 19 February 2019 of what was held on the Alliance House email servers for each entity, whether any computers containing this information still exist or if there is another way to access their emails. The Directors believe that the servers would have been destroyed [WITN5678005]. Insofar as it was downloaded, it would appear from this email that the information can be accessed in the manner set out in that email.

*(iv) please provide copies of all and any correspondence (email or otherwise) Russell Cooke has relating to this issue.*

3.4. To the best of our knowledge the Directors have no correspondence (email or otherwise) relating to the Alliance House email servers other than Victoria Prouse's email of 19 February 2019 and attachments [WITN5678005 and WITN5678010].

4. *In relation to the transfer of the Macfarlane Trust's residual assets to the Terrence Higgins Trust in December 2018:*

*(i) please confirm if Russell Cooke, in its role as legal advisor to the AHO's since September 2016, was consulted in the discussions between the two trusts prior to the transfer taking place, or subsequently;*

*(ii) and if yes, please provide copies of any correspondence (email or otherwise) or advices Russell Cooke has relating to this issue.*

4.1. Russell-Cooke LLP provided advice to Macfarlane Trust on the possible routes to closure in July 2017 and again to the Interim CEO in October 2018 [WITN5678011 and WITN5678012]. Once the Trustees of the Macfarlane Trust had taken the decision to transfer funds to Terrence Higgins Trust, Russell-Cooke prepared the Deed of Gift to implement the transfer [WITN5678013].

**Statement of Truth**

I believe that the facts stated in this witness statement are true.

Signed **GRO-C**

Dated 31 August 2021

**Table of exhibits:**

<b>Date</b>	<b>Description</b>	<b>Exhibit number</b>
21.01.2019	Email from Gill Edelman to Infected Blood Inquiry	WITN5678004
19.02.2019	Email from Victoria Prouse to Russell Cooke	WITN5678005
20.02.2019	Schedule of contents of Macfarlane Trust storage boxes	WITN5678006
Undated	Schedule of contents of Caxton Foundation storage boxes	WITN5678007
Undated	Schedule of contents of Eileen Trust storage boxes	WITN5678008
Undated	Schedule of contents of MFET storage boxes	WITN5678009
Undated	Schedules of contents of Alliance House storage boxes collected on 20 February 2019	WITN5678010
July 2017	Advice from Russell Cooke to Macfarlane Trust on "Transition and Closure Issues"	WITN5678011
22 October 2018	Advice from Russell Cooke to the Macfarlane Trust on "Data Protection and transfer of beneficiary information"	WITN5678012
Undated	Deed of Gift between the Macfarlane Trust and the Terrence Higgins Trust	WITN5678013