

Witness Name: CHRISTOPHER ANDREW ERIC STUDD

Statement No: WITN5679001

Exhibits: WITN5679002

Dated: 17 September 2018

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF CHRISTOPHER ANDREW ERIC STUDD

I, **CHRISTOPHER ANDREW ERIC STUDD** of Russell-Cooke LLP, 2 Putney Hill, London, SW15 6AB will say as follows: -

1. I am a solicitor employed by Russell-Cooke LLP working within its charity team. I am now a director of Skipton Fund Limited. I make this witness statement in response to two requests for information from the Infected Blood Enquiry dated 2nd August 2018.
2. The facts and matters set out in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where the information is outside of my own knowledge, I have set out the source of my knowledge or belief.
3. Attached to this witness statement is a paginated exhibit marked "WITN5679002" to which I will refer.

1. **Response to the letter entitled request no.1**

We set out below *in italics* the specific requests made by the Inquiry below for ease of reference:

A complete account of the schemes' archiving systems, including a summary of any referencing system.

- 1.1 I am informed by the former Chief Executive of the Caxton Foundation (Jan Barlow) that all relevant data has been boxed up and stored with Iron Mountain. Boxes have been numbered and are cross-referred to in transmittal sheets. There is one transmittal sheet for each of MFET Limited, Caxton Foundation, Eileen Trust and Skipton Fund Limited. The transmittal sheets provide details of the relevant box numbers and barcodes and summarise where different information can be found.
- 1.2 As much of the data is personal data and often special category data for the purposes of data protection law the transmittal sheets are pseudonymised and do not refer to any individuals by name. Instead, when referring to beneficiaries/registrants, they do so by number. These numbers can then be cross-referenced against a spreadsheet for each applicable organisation. The spreadsheets include the name and allocated number (for the purposes of the archiving system) of each beneficiary/registrant. These spreadsheets are held securely by Russell-Cooke and have been password protected.

A list of all scheme repositories, including those storing documents and information in hard copy, electronic format, and any other form, together with an indication of the quantity of documents and information stored at each facility.

- 1.3 I am informed by the former Chief Executive of the Caxton Foundation (Jan Barlow) that all data retained by Skipton Fund Limited relating to the Alliance House Organisations (with the exceptions of the spreadsheets referred to above) has been stored with Iron Mountain. I am informed by the former Chief Executive of the Caxton Foundation (Jan Barlow) that all relevant information is stored in hard copy as opposed to electronically – the information has not been retained electronically.

The following number of archive boxes are stored in relation to information held for each organisation:

- MFET Limited – 6 boxes
- Eileen Trust – 8 boxes
- Skipton Fund Limited – 81 boxes
- The Caxton Foundation – 82 boxes

A schedule of all documents and information held by, or on behalf of, the schemes.

1.4 Please find the transmittal sheets attached as [WITN5679002].

2. Response to the letter entitled request no.2

We have set out below *in italics* the specific requests made by the Inquiry below for ease of reference.

An account of who, or what entity, had, and now retains, control of decisions in respect of the schemes including any involvement or communications to you from NHS bodies or the Department of Health. This should also include a breakdown and chronology of the status of the schemes.

An account of how Mr Rowse¹ and Mr Studd came to be directors of the Skipton Fund and a history and reasons of why and when the schemes have been “wound down” or closed. Further, the statement should cover why the schemes have their documents archived under the control of the Skipton Fund.

2.1 As you are probably aware, the following organisations provided grants and support to persons historically infected with hepatitis C and/or HIV from NHS blood or blood products (and family members of such persons). Funding for these organisations came exclusively from Government and was provided in accordance with agreements between the below organisations and The Secretary of State for Health.

¹ Mr Rowse was originally to be appointed as a director of Skipton Fund Limited but he has been replaced by Robin James Sinclair Taylor.

- Skipton Fund Limited (a company limited by guarantee with company number 5084964)
- MFET Limited (a company limited by guarantee with company number 7121661)
- The Caxton Foundation (a charitable trust with charity number 1142529)
- Eileen Trust (a charitable trust with charity number 1028027)
- The Macfarlane Trust (a charitable trust with charity number 298863)

2.2 The organisations were collectively referred to as the "Alliance House Organisations". Russell-Cooke began advising the Alliance House Organisations in September 2016. The Chairs of the Alliance House Organisations, along with Jan Barlow (formerly Chief Executive of The Caxton Foundation and The Macfarlane Trust and now Chief Executive of The Macfarlane Trust), were informed in a meeting on 6 March 2017 with the then Minister, Lord O'Shaughnessy, that the Alliance House Organisations would no longer be required to provide support to affected persons. Instead, individuals would be supported by public bodies in England, Wales, Northern Ireland and Scotland. In England, the relevant public body is the NHS Business Services Authority. From 1 November 2017, the Alliance House Organisations ceased providing support to eligible persons.

2.3 Following the announcement on 6 March 2017, Jan Barlow received an email from Brian Stanton, Solicitor to the Infected Blood Inquiry on 4 April 2018, informing her that the Alliance House Organisations should refrain from *"destroying and deleting information over the period of transition to the NHS organisations."*

2.4 The Alliance House Organisations sought advice in relation to how to best proceed, given that their original reason to exist was being removed, but they needed to retain information for a period of time, for the purposes of the Infected Blood Inquiry. The trustees and directors of the Alliance House Organisations were reluctant to remain in post for

an indefinite period of time, particularly given the organisations sole source of funding was being removed.


- 2.5 Taking the above into account, the Alliance House Organisations decided to proceed by agreeing a transfer of all relevant data from each Alliance House Organisation to Skipton Fund Limited. The intention was that Skipton Fund Limited would then control this data and respond to requests of the Infected Blood Inquiry in relation to it. The other Alliance House Organisations would close.
- 2.6 A data transfer deed has been entered into between Skipton Fund Limited and each of the Alliance House Organisations, with the exception of The Macfarlane Trust, which will, as far as I understand it, be remaining open until early 2019. The signed data transfer deeds become effective on the date on which the relevant closing entity receives confirmation from its independent auditor that the final review of its accounts has been completed satisfactorily. I understand that this is likely to happen within a matter of weeks.
- 2.7 Once this happens, the relevant information will be in the control of Skipton Fund Limited. Until 5th September 2018 the sole director of Skipton Fund Limited was Peter Roger Stevens. On 5th September 2018, two partners of Russell-Cooke LLP, C. Andrew E. Studd and Robin James Sinclair Taylor took up posts as directors. Peter Stevens to resign in due course. This service is being provided by Russell-Cooke LLP because no directors wished to remain in post after the organisation had ceased distributing grants.
- 2.8 The data being transferred from the Alliance House Organisations to Skipton Fund Limited has been filed under the supervision of the previous CEO of the Caxton Foundation Jan Barlow and will be stored with Iron Mountain (a private storage provider). If the Infected Blood Inquiry requires any of this information, the intention is for Skipton Fund Limited to refer to the records compiled in spreadsheets prepared under the supervision of Jan Barlow to locate the information and

request for Iron Mountain to retrieve the relevant information which can then be provided to the Inquiry.

- 2.9 Skipton Fund Limited has entered into correspondence with the Department of Health in order to manage the transition and inform the Department of Health of the plan to keep Skipton Fund Limited open for the purpose of managing data. In due course a Memorandum of Understanding will be entered into.

Statement of Truth

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

Signed  GRO-C

Dated 17/09/18