

Witness Name: CHRISTOPHER ANDREW ERIC STUDD

Statement No: WITN5679003

Exhibits: NONE

Dated: 22 March 2021

INFECTED BLOOD INQUIRY

SECOND WRITTEN STATEMENT OF CHRISTOPHER ANDREW ERIC STUDD

I provide this statement in response to a notice under subsection 21(2)(b) of the Inquiries Act 2005, dated 1 March 2021.

I, CHRISTOPHER ANDREW ERIC STUDD, will say as follows: -

1. I am a solicitor and partner in Russell-Cooke LLP. I am also a director of Skipton Fund Limited. I make this statement on behalf of Skipton Fund Limited and confirm that this statement is a joint response to the Section 21 Notice by me and the other director, James Sinclair Taylor.
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 of outside of my own knowledge, I have identified the source of my knowledge or belief.

Background and previous Rule 9 requests

3. Before addressing the requests set out in the Section 21 Notice, I will briefly set out the background of Skipton Fund's role and the responses to the previous Rule 9 requests received from the Inquiry to which the Section 21 Notice refers.
4. I refer to my first written statement to the Inquiry dated 17 September 2018, in response to a Rule 9 request dated 2 August 2018.

5. In that statement, I explained the arrangements made on the closure of the Alliance House Organisations to transfer all of the remaining information and documents of each organisation to Skipton Fund Limited pursuant to data transfer deeds between each of the organisations and Skipton Fund Limited. In particular, I explained that the data had been filed under the supervision of Jan Barlow, the former Chief Executive of the Caxton Foundation and the location of data recorded in spreadsheets which Skipton Fund would use to locate information requested by the Inquiry or beneficiaries/registrants. Given the special category data involved, pseudonymised “transmittal sheets” were prepared listing the contents of each box and referring to beneficiaries/registrants by number. Spreadsheets held securely by Russell-Cooke can be used to identify the names of the individuals to which the numbers relate.
6. I explained that the information and documents are physically stored by Iron Mountain, a storage provider, in a series of archive boxes. My first statement exhibited the transmittal sheets in respect of the information and documents held by Skipton Fund at that time [WITN5679002].
7. Further material was archived on the closure of the Macfarlane Trust in 2019. In total 328 boxes are now stored with Iron Mountain:
 - 151 boxes relating to Macfarlane Trust
 - 81 boxes relating to Skipton Fund
 - 8 boxes relating to Eileen Trust
 - 82 boxes relating to Caxton Foundation
 - 6 boxes relating to MFET
8. Given the circumstances of my appointment as a director of Skipton Fund Limited and Skipton Fund’s role as a custodian of archived files, I have no direct knowledge of the contents of the archive boxes.
9. With Skipton Fund’s agreement, the Inquiry Team visited Iron Mountain’s premises on 20 – 21 November 2018 during which time all of the Skipton Fund archive boxes were made available. Skipton Fund then received a Rule 9 Request dated 27 November 2018 in response to which 42 archive boxes from Iron Mountain were delivered to the Inquiry to enable documents in these boxes to be scanned for use by the Inquiry.

10. Skipton Fund received a Rule 9 Request dated 3 February 2020 requesting information in respect of the Alliance House Organisations' electronic records. James Sinclair Taylor responded by letter dated 20 February 2020, attaching various correspondence and schedules detailing the contents of archive boxes.
11. On 24 February 2020, the Inquiry requested delivery of a further 23 archive boxes and this was arranged. A further request for additional boxes was received on 28 February 2020 and delivery of these additional boxes was arranged.
12. Skipton Fund received a further Rule 9 Request dated 8 December 2020, requesting various documents in relation to applications and appeals considered by Skipton Fund.
13. I contacted the Inquiry to explain that significant work would be required to answer some aspects of the request, particularly in respect of applicant files that were reviewed by the Independent Appeals Panel, which were not identifiable from the transmittal sheets and would have required manual review of a large volume of files.
14. It was agreed with the Inquiry's solicitor to provide files relating to two beneficiaries identified by name and in addition to send the Inquiry the "master spreadsheet" enabling the names of beneficiaries/registrants to be cross-referenced against the numbers identifying them in the transmittal sheets.
15. On 27 January 2021, a further Rule 9 request was received for the provision of 30 archive boxes, delivery of which was arranged. On 2 February 2021, a further Rule 9 request was received for the provision of an additional 28 archive boxes, delivery of which was arranged.

Response to Section 21 Notice

16. Against that background, I address the Section 21 Notice dated 1 March 2021.
17. The Section 21 Notice states:
 - "13. *The above mentioned Rule 9 Requests for Information include the following categories of application;*
 - a. declined where no appeal was heard;*
 - b. declined, where an appeal was heard and that appeal was successful;*

- c. declined, where an appeal was heard and that appeal was unsuccessful;*
- and,*
- d. unresolved.*

14. *Annexed to the Notice is a list of 389 applicants whose applications fall within these four categories, but whose application files have not been provided to the Inquiry.”*
18. The Notice requires Skipton Fund to provide (a) the application file for each of the applicants named in the list annexed to the Notice; and/or (b) a written statement detailing the reasons why applicant files for applications submitted to the Skipton Fund cannot be produced to the Inquiry, and my knowledge of and involvement in the applicant file retention process.
19. The Inquiry has been provided with the 58 Skipton Fund boxes (numbered 13 – 72) in response to requests on 27 January 2021 and 2 February 2020 which, according to the transmittal sheets, should contain the files relating to the applicants named in the Annex. The Inquiry was also previously provided with the remainder of the Skipton Fund boxes (numbered 1 – 12 and 72 – 81) in March 2020. I infer that having reviewed the contents of those boxes, the application files for each of the applicants named in the Annex was not included as expected. This suggests that either (a) the documents have been misfiled in another location within the archive boxes which is not identifiable from the transmittal sheets; or (b) the documents are missing.
20. Since neither I nor any of my colleagues have any detailed knowledge of the contents of the boxes or the way in which the documents were filed beyond that set out in the transmittal sheets, a manual review would be required of all 81 Skipton Fund archive boxes to search for the application file for each of the applicants named in the list annexed to the Section 21 Notice. This would enable Skipton Fund to either locate the additional files or be in a position to confirm that they are missing.
21. Given that the boxes are stored with Iron Mountain, they would either need to be delivered to a location where they could be reviewed or someone would need to attend at Iron Mountain’s premises in London to review the documents. This review could be undertaken by Inquiry staff or potentially Russell-Cooke staff.

22. When boxes have been retrieved to deal with subject access requests from beneficiaries/registrants, my experience and that of my colleagues has been that the documents are not always neatly filed in labelled files. There is often loose paper which would take a considerable time to sift through to check that it does not relate to any of the applicants listed in the Annex to the Section 21 Notice. I anticipate that such an exercise would take several weeks of effort (which could be condensed if multiple individuals conducted the review) and if Russell-Cooke were to undertake it would involve considerable expense which would deplete the limited funds retained by Skipton Fund to perform its remaining functions under its agreement with the Department for Health and Social Care.
23. The on-going Covid-19 pandemic creates additional challenges in arranging such a manual review of paper files, since most of Russell-Cooke's staff are still working remotely and Covid-secure arrangements would need to be put in place.
24. I have set out above my very limited knowledge of and involvement in the applicant file retention process. If the Inquiry has further questions in that regard, it may be that Ms Barlow or the other staff involved can assist.

Statement of Truth

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

Signed:

GRO-C

Dated:

22 March 2021