

CD-15.5

Mr Powell SOLB3

From: J Canavan

EHF1A

Date: 15 May 1991

Copy: Mr Dobson EHF1

Dr Rejman MEDISP

Mr Aitken SOLC3

**HIV INFECTIONS : BLOOD TRANSFUSION CASES : LISA MARINA MASSARELLA**

1. Thank you for your minute of 10 May about the request from Deas Mallen Soater to use information from the HIV haemophilia litigation in connection with blood transfusion cases.

2. I have discussed this with Mr Dobson and Dr Rejman and we agree with you that there would be nothing to be gained by objecting to Mr Mallen using the information. Indeed, we might receive public criticism for obstructing the blood transfusion plaintiffs in their legal action while also refusing them an ex gratia payment.

3. It is not stated explicitly in the DMS letter, but presumably the information they wish to use includes papers already discovered in the haemophilia litigation. I think, though, DMS should return or destroy any documents unrelated to the blood transfusion issues in so far as they relate to HIV and let us know which they have retained. DMS are covered by confidentiality undertakings relating to the haemophilia case but will a new one be required in relation to the blood transfusion case? If DMS are to share information with other solicitors will those others need to give us undertakings?

4. Incidentally, we are continuing to brief Ministers that we are not aware of any blood transfusion writs having been served on the Department. Have we now received the one mentioned in the DMS letter?

GRO-C

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EH