INFECTED BLOOD INQUIRY

DETERMINATION OF APPLICATION MADE UNDER SECTION 21(4) OF THE INQUIRIES ACT 2005

The Haemophilia Society ("the Society")

1. The Infected Blood Inquiry has Terms of Reference which were made by the Minister. He made a statement to Parliament on 2nd July 2018 setting them out.

2. The Terms include examining "..to what extent people given infected blood or infected blood products were warned beforehand of the risk that they might thereby be exposed to infection..." (1(d)); "..the actions of Government...NHS bodies, the medical profession, and other organisations or individuals involved in decision making in relation to the use of blood and blood products..."(1(g)); "..the nature, adequacy and timeliness of the response of Government...the medical profession, ...and other organisations (including the Haemophilia Society) to the use of infected blood or infected blood products to treat NHS patients" (5(a)); "..the adequacy of information provided to people who were infected and affected, including: (a) the nature, adequacy and timeliness of the information provided to those infected about their condition(s)" (7); ".. whether (a) there have been attempts to conceal details of what happened (whether by destroying documents or withholding information or failing to include accurate information in medical records or otherwise) and if so the extent to which those attempts were deliberate...(9); and "to identify...any individual responsibilities as well as organisational and systemic failures" (10).

3. In examining these questions amongst others the Inquiry has the power under the Inquiries Act 2005 to require information to be given to it, and to require the production of documents. The Act provides, inter alia, by section 21 as follows:

> "Powers of chairman to require production of evidence etc
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> (1)The chairman of an inquiry may by notice require a person to attend at a time and place stated in the notice—
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> (a)to give evidence;
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> (b)to produce any documents in his custody or under his control that relate to a matter in question at the inquiry;
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> (c)to produce any other thing in his custody or under his control for inspection,examination or testing by or on behalf of the inquiry panel.
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> (2)The chairman may by notice require a person, within such period as appears to the inquiry panel to be reasonable—
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> (a)to provide evidence to the inquiry panel in the form of a written statement;
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> (b)to provide any documents in his custody or under his control that relate to a matter in question at the inquiry;
>
> (c)to produce any other thing in his custody or under his control for inspection, examination or testing by or on behalf of the inquiry panel.

(3)A notice under subsection (1) or (2) must—

(a)explain the possible consequences of not complying with the notice;

(b)indicate what the recipient of the notice should do if he wishes to make a claim within subsection (4).

(4)A claim by a person that—

(a)he is unable to comply with a notice under this section, or

(b)it is not reasonable in all the circumstances to require him to comply with such a notice,

is to be determined by the chairman of the inquiry, who may revoke or vary the notice on that ground.

(5)In deciding whether to revoke or vary a notice on the ground mentioned in subsection (4)(b), the chairman must consider the public interest in the information in question being obtained by the inquiry, having regard to the likely importance of the information.

(6)For the purposes of this section a thing is under a person's control if it is in his possession or if he has a right to possession of it."

4. If a person fails without reasonable excuse to do anything he is required to do by a notice under section 21 he commits an offence (section 35(1)), for which proceedings may be instituted (only) by the Chairman of the Inquiry.

5. Subject to those provisions (and any other specific provision) the procedure and conduct of an Inquiry are to be such as the Chair may direct. This in my view gives a Chair a right (subject only to specific contrary provision) to do such as to extend time for compliance with an Order under section 21.

The Current Application

6. I have before me two applications under section 21(4) made on behalf of the Haemophilia Society ("the Society") in response to two section 21 notices served on the Society: the first required Ms Elizabeth Carroll, who is the current CEO of the Society, to produce documents; the second, required Ms Elizabeth Carroll "...whether by yourself or acting by a person or persons with the appropriate knowledge, experience and seniority..." to provide a written statement on behalf of the Society. In each case the date for compliance with the notice was 18th January 2019.

7. On 17th January 2019 Malcomson Law UK Limited ("MLaw"), who are recognised by the Inquiry as the legal representative of the Society for the purposes of the Inquiry, sent a letter by email to the Inquiry arguing that the notices were deficient and should be revoked. There were two reasons for this: first, that Ms Carroll was unable to comply with a notice under the section; second, it was not reasonable in all the circumstances to require her to comply with such a notice.

8. I shall deal with these reasons in turn, dealing first with the notice requiring the disclosure of documentation.

The Relevant History

9. It is necessary for me first to set out something of the history leading to the notice.

10. When a statutory inquiry wishes to receive documents rule 9(2) of the Inquiry Rules 2006 provides that "The inquiry panel must send a written request to any person that it wishes to produce any document or any other thing."

11. On 19th July 2018, less than three weeks after the Inquiry had formally been set up, the Solicitor to the Inquiry sent a request under rule 9 to the Society asking for a copy of all scanned documents within 3 days. The response (the same day) was made by Raymond Bradley (the solicitor in MLaw who has in general conducted matters on behalf of the Society). He emailed to say that the Society was not in a position to comply, since it needed to check documents against the Terms of Reference, and for legal professional privilege.

12. Following further contacts between the Inquiry and Mr Bradley, the original rule 9 request was withdrawn, and a second fresh request under rule 9(2) was issued on 2nd August 2018, requiring a schedule of all documents of potential relevance to the Terms of Reference to be supplied within 21 days.

13. On 27th August 2018, (25 days later), MLaw answered the request, providing a schedule of documents.

14. On 18th October (sent on 19th October 2018) the Inquiry issued a further rule 9 request, addressed to Ms Carroll, seeking the production of the documents listed in the schedule. The request required the documents no later than 16th November 2018.

15. On 16th November 2018, at the invitation of the Trustees of the Society, the Secretary to the Inquiry and Leading Counsel to the Inquiry met Ms Carroll together with Clive Smith, who was about to be elected Chairman and had been chairing the Trustees' subgroup for the Inquiry, Barry Flynn, about to be immediate past Chairman, and Debra Morgan, who it was understood was taking a leading role in respect of the Inquiry. Cora Heagney, a note-taker from MLaw, attended. The notes taken at that meeting by the Secretary to the Inquiry record that during its course Leading Counsel noted that two rule 9 deadlines expired that day. Ms Carroll said she had not received the rule 9 requests from MLaw and was at pains to stress that she would respond. Cora Heagney was asked to find out what had happened. Leading Counsel explained that the Inquiry had to take a similar approach with all organisations: it asked that any requests for extensions were made in good time, and that if there were obstacles the Inquiry would compel disclosure.

16. Late that same day an email was received from Cathy Power, Practice Manager for MLaw, requesting an extension of time to comply with the rule 9 requests. No timeframe was specified, and by return email on 19th November 2019 the Inquiry requested MLaw to say how long of an extension was sought. No response was received. Accordingly, on 21 November 2018 a follow-up email chasing the same information was sent requesting a response by the end of the day. A response was received, also on 21 November 2018. However it stated that MLaw had not had opportunity to take instructions, and would be

in a position to revert within the next 7 to 10 days. An interim extension to 23 November 2018 was granted so that instructions could be sought.

17. On 24th November 2018 (after the date for compliance had passed) MLaw wrote a letter stating that Ms Carroll could not provide the documents as she was an employee. The letter was emailed to the Inquiry on 26th November 2018. The letter said that Ms Carroll was an employee of the Society and it was "..inappropriate that she should receive a rule 9(2) request as she does not have the capacity in any right to respond to that request as an employee". It went on to say:

> "It should be noted that the correct entity upon whom any rule 9(2) request is to be delivered is The Haemophilia Society. It is, as the Infected Blood Inquiry is aware, a legal entity in its own right. Also, it is an entity that has Charitable Status. Furthermore, it is an entity that has received Core Participant entitlement at The Inquiry pursuant to The Inquiry's determination on the 30th day of July 2018. Accordingly, if the Infected Blood Inquiry is seeking documentation from The Haemophilia Society, it should be addressed to The Secretary, The Haemophilia Society, who is the legally designated Officer."

18. The Haemophilia Society is a corporate entity, as well as a Charity. As such Companies House holds details of the name of the Secretary. The records there showed, as at November 2018, that the Secretary to the Society was Ms Carroll. From what MLaw was saying, therefore, it is indisputable that the notice was addressed to the correct individual. Unless some obscure point was being taken to the effect that though the individual was indeed the responsible person, but had been addressed by the wrong appellation - relying on the fact that the notice had not been addressed to Ms Carroll using the title "Secretary", but instead calling her "CEO" – it was therefore properly addressed. I should say here that no claim in precisely these terms has been made, but if it had it would be to take a profoundly unattractive, formalistic, unrealistic and obstructive approach.

19. The Inquiry therefore wrote to MLaw saying that Ms Carroll was the Secretary, and as such should produce the documents. If no request for an extension of time were received by 10th December 2018, a notice pursuant to section 21 would follow.

20. Accordingly, on 11th December the section 21 notice to which the present application relates was issued. It had a date for compliance of 18th January 2019.

21. It is now 23rd January 2019. No documents have yet been received, though they were said as far back as 27th August 2018 to be of potential relevance.

The Reasons for the Application

22. Mr Bradley for MLaw submits that Ms Carroll acted in good faith and attempted to assist the Inquiry in any event to the best of her knowledge and belief.

23. He argues that she did not come within section 21(6), and as an employee of the Society was not "the person who had possession, power or procurement over the documentation so sought".

24. In relation to the fact that she is shown as Secretary of the Society in Companies House he said: "Ms Carroll, for administrative reasons, as an employee of the Society, assisted the Trustees ...by providing the secretarial support to the entity known as The Haemophilia Society. Ms Carroll has now resigned as secretary as a result of the notices. She has absolutely no power, possession or procurement over the documentation so sought."

25. He went on to say: "The Society has nominated Mr Barry Flynn to be the recipient of any request for documents through this firm, a rule 9 or indeed, any further notices. It should always have been the situation that one or all of the Trustees of the Society or The Haemophilia Society itself, which is a legal entity, should have been the recipients of the notices. To impose that obligation upon an employee is unreasonable, unfair and heavy handed."

26. The letter does not say when Ms Carroll resigned as Secretary. However, there is some indication of the likely date afforded by a further complaint made in Mr Bradley's letter. He says: "For the Inquiry to contact that employee directly, without reference to the Solicitors on record for the Society, is equally inappropriate to the extent this has resulted in her resignation as Secretary".

27. I take this to be a reference to the fact that the Secretary to the Inquiry attempted to make contact with Ms Carroll during the course of last week, as the deadline for compliance approached, because she had said on 16th November 2018 (see paragraph 15 above) that she had not been made aware of the rule 9 requests despite the approach of the deadlines, and it had been said previously by MLaw that Ms Carroll wished to co-operate fully with the Inquiry (as indeed was and is to be expected of those acting on behalf of a core participant). The Inquiry Secretary wished to remind Ms Carroll of the deadline, to help ensure compliance, and avoid Ms Carroll being subject to criminal proceedings. Contact between the Secretariat and the officers of the Society had been actively sought by the Society at the meeting of 16th November 2018. As it happened, the Inquiry Secretary's calls were unanswered. If this is so, then I observe it would appear that Ms Carroll waited until almost the last moment before expiry of the deadline before resigning. This tends to be confirmed by the fact that in the morning of 18th January 2019 Ms Carroll was listed as the Secretary to the Society, but a resignation notice appeared around 11am.

28. The second ground for seeking to rescind the notice is that it is unreasonable to require her to comply with it. Beyond the point that she is an employee, who occupied the position of Secretary in a facilitative role, with no power over nor possession of the documents of the Society of which she was CEO, the arguments are these:

    a. The request includes requests for "third party documentation" which the Inquiry has already received from those third party sources (UKHCDO and the Penrose Inquiry). "It is incumbent on the Inquiry to access such documentation from the primary sources... rather than put a charity charged with providing support and

care to victims of HIV and Hepatitis C infection to unnecessary costs and obligations".

b. The request for documentation provided by the Society to the Lindsay Tribunal and the Finlay Tribunal (both held in the Republic of Ireland) was in relation to inquiries in which the Society was not a participant, nor subject to any discovery orders.

c. The Society has not been provided with any allocation of funds: unlike other jurisdictions, where similar representative bodies have received a floating fund to discharge ongoing outlay and costs, no such provision had been made by the Inquiry in this jurisdiction. Nor had the Inquiry made any formal allocation of costs for the work involved in discovery.

d. The Society needs to review the documents for legal professional privilege: it has chosen not to waive it.

29. The letter, helpfully, adds that in December 2018 the Society had obtained seven additional bankers' boxes of documents from former Trustees or "other persons" who might have documentation relevant to the Terms of Reference of the Inquiry, which it has provided to document managing agents, engaged by the Society, to scan. It speaks of there being in excess of 47,000 pages now scanned. It says that the Society is actively working towards disclosure, and intends to be compliant in every respect with its legal obligations in relation to the Inquiry's investigation.

Discussion and Conclusions

30. I am grateful for the assurance that the Society is actively working towards disclosure, and intends to honour its obligations to the Inquiry. It has also helpfully and unequivocally nominated Mr Barry Flynn by name as a person who has power over or possession of the relevant documentation. These considerations enable me to take a course which, absent those assurances, I might not have done.

31. I regard the powers I have under section 21 of the Act, coupled with the threat of criminal sanction if information or documentation required by such a notice is not forthcoming, as important. For the Inquiry to answer its Terms of Reference in the public interest requires it to obtain documents which are of potential relevance, and consider them with the help of core participants. The principal purpose of section 21 is not to criminalise behaviour: it is, rather, the method by which compliance with a not unreasonable request for documents is secured. It is to help to obtain relevant documents.

32. I accept that on the information now given to the Inquiry the Society made no documentary contribution to, nor did it provide information to, either of the Lindsay or Finlay Tribunals. To that extent, the section 21 notice sought too much – as now appears.

33. It is, however, highly regrettable that the Society did not do what it could so easily have done at any time after 27th August 2018, and provide copies of all the documentation

MLaw listed as of potential relevance. As I understand what is said, they were scanned in and ready to be supplied, subject only to any justified claim for legal professional privilege. It is also a pity that it was not told before now in clear terms that no documents were given to Finlay or Lindsay.

34. Waiting until notices were on the cusp of the deadline before suggesting that they had been addressed to Ms Carroll in error, because she was an employee, rather than the Secretary to whom such requests should have been made, and then when it was pointed out that she was the Secretary arguing (again, just on the cusp of a deadline) that nonetheless she was not the appropriate recipient of a notice, but instead either the Society or Mr Flynn should be, smacks of game playing. It does nothing to further the objective of securing available documentation as soon as possible for an Inquiry in which speed is highly important. This is an Inquiry during which deaths will continue and it is important for the people affected to have an answer as soon as reasonable thoroughness permits. Nearly 5 months have already passed since the Society, through MLaw, identified a schedule of potentially relevant documentation. Were it not for the assurances set out at paragraph 29 I would have been driven to the conclusion that the Society was deliberately doing what it could to avoid disclosing relevant documentation, though there would appear to be no proper motive for doing so.

35. As to whether Ms Carroll herself had custody or control in respect of the documents, this is a factual question. It would usually be expected that the CEO and Secretary of a company would have the power to deal with the documents of the company. The fact that, for instance, the Board of Trustees, or Trustees individually, had the possession of or right to possess documents does not exclude a CEO or Secretary herself having possession, under those powers which are normally delegated by a Board to the CEO of a corporate body. To enquire further into whether what is normally to be expected was indeed the factual position here however strikes me as a sterile exercise, since it will take time and achieve no more than can be achieved by revoking the existing notice and issuing a fresh notice under section 21 addressed both to the Haemophilia Society itself (which is a legal person) and to Mr Barry Flynn as nominated. I do not think it appropriate to address the notice merely to Mr Flynn alone given the history which I have set out, and in case there should be any legitimate reason why Mr Flynn personally cannot comply within the deadline I shall set.

36. I still have to deal with the second ground. It has three aspects to it. The starting point for any discussion is that the documents are said by the Society itself to be of potential relevance. I accept that it may seem, without explanation, that to ask for documents provided by the Society to the Penrose Inquiry and the Archer Inquiry may be duplicative. However (a) the Penrose Archive is a selection of some only of the documents that were before the Inquiry – those that it thought most relevant. The full documentation was not. Documents supplied by the Society help therefore to complete as full a picture of the material and the events it describes as can be gained; (b) the documents may well (as many others offered from various sources to the Inquiry have proved) be subject to marginal notes or annotations, or exist in an original and amplified form; (c) the Inquiry does not have an archive from Archer: to seek the documents offered to the Archer Inquiry is a convenient short-hand way of identifying documents likely to be of particular

relevance to the current Inquiry. It is not unreasonable to require the Society to comply with the requirement on this aspect of the ground.

37. A second aspect is that of finance. It is inaccurate to say, as MLaw do, that there is no "floating fund": those core participants who are infected or affected and represented by solicitors are given a monthly award in respect of "General Inquiry Work" without a need to make a specific application for such an award. Although MLaw at present represents only one core participant it has been awarded the appropriate sums since such awards were first made to the representatives of those core participants entitled to public funding. The "award" is in the nature of a budget which may not be exceeded, but against which work covered by the award may be claimed by submitting a bill. In the case of awards for general Inquiry work, if not spent in any month, the award may be rolled over to the next. As it happens, no bill has been submitted for payment out of these funds though MLaw remains entitled to submit one. Of greater importance, perhaps, is the suggestion that the Society has no access to particular funding for such as disclosure of documents. This is a misunderstanding. The Inquiry's approach to funding has been made clear in its Statement of Approach to Legal Representation at Public Expense, which was published as its approach on the very day the Inquiry was formally set up, and has been followed since. Paragraph 8(a) provides for the cost of advising a client in relation to the making of witness statements and/or otherwise providing evidence to the Inquiry under rule 9. The Statement makes it clear that for an award to be made, such an award must first be applied for, and paragraph 23 makes it a precondition of payment that there has first been an award made prospectively for it to be done. It is a matter of fact that although invitations have been made to MLaw to make such applications on their client's behalf none has been, save one made effectively at the door of the Preliminary Hearings in respect of the attendance of MLaw at those hearings. Three observations arise. First, if there has been no funding for the work which MLaw contemplate as necessary before providing documents to the Inquiry that is the failure of the Society, through MLaw, to ask for it. MLaw has had the opportunity open to it throughout to make such an application. Second, it should not in any event now be too expensive for material which has already been scanned to be provided electronically to the Inquiry. Third, in order to identify the documents listed to the letter of 27th August 2018 as potentially relevant, MLaw must have seen sufficient of the documents to identify that fact, which is (save for any point of privilege) all that is needed before producing the documents themselves. I reject this aspect of the argument as unworthy.

38. A third aspect is that the documents need to be reviewed for legal professional privilege. No claim has been made for this as yet in respect of any document or particular class of documents. I do not accept that this is a particularly onerous or expensive task in relation to documents already seen and identified as of potential relevance, which have already been scanned. Moreover, it is not an argument against disclosing those documents not covered by such privilege: it can be asserted in respect of documents yet to be supplied, and the issue which arises is one of the time allowed for compliance with the notice rather than holding the request unreasonable in other respects.

39. None of the aspects relied on by MLaw for saying that the request is one with which it is unreasonable to comply thus holds water, in my view.

40. I do however consider that, so far as those documents recently scanned, which have come from past Trustees and form part of the 7 banker's boxes, the time point has some validity. I would not wish to provide an unreasonably short length of time to determine any claims of privilege that might be made in respect of those documents, which have come to light in the course of the last 6 weeks.

Conclusion as to Documents

41. In reaching my conclusion I have to consider the public interest in the information in question being obtained by the Inquiry, having regard to its likely importance. This strongly favours the Inquiry obtaining the information. The Society has played a significant role especially during the early years of the 1980s. It is believed to be at fault by some in relation to what took place – hence the need to investigate the role it played as part of the Terms of Reference which make express reference to the Society.

42. The conclusion to which I have come is thus that neither principal ground is a ground for revoking or varying the notice .

43. However, as I have already indicated, the most effective and expeditious way of obtaining the material from a core participant which tells me it wishes to assist the Inquiry is to revoke the existing notice, and in its place issue a fresh notice. This will be in exactly the same terms as that sent on 11 December 2018 to the Society, save as to (a) eliminating the requirement to provide documents given to the two Irish Inquiries, as set out above; (b) including a requirement to provide the documents in the 7 boxes mentioned by Mr Bradley; and (c) as to the time for compliance.

44. As to time, there is no good reason why – with the exception only of documents contained in the 7 boxes –all the documents should not be supplied on or before close of business next Monday, 28th January 2019. The documents are said to have been scanned. Electronic transfer takes no significant time. There has been ample time to consider whether to make a focused claim for legal professional privilege: at least 5 months will have passed since the letter of 27th August 2018, and the documents were plainly seen in order to be identified generally before that date. There is no proper basis to accommodate more delay.

45. As to the documents in the "7 boxes" I am prepared for the time allowed to be a little more generous. In that case, decisions may need to be made in respect of legal professional privilege which the Society is fully entitled to assert in a proper case. They have had much less time to consider this in the case of these documents than the others. However, for the plea to be upheld it will be necessary for document specific applications to be made, identifying with sufficient detail why the claim is being made. The date for compliance in this case is close of business on 11th February 2019.

Notice as to Written Statement

46. The notice requiring a written statement was addressed differently to that in respect of documents (see paragraph 6). To the extent that Ms Carroll felt unable to answer it herself, then as CEO of the Society she could have ensured that another with the requisite knowledge did so.

47. The history is much the same, although the focus throughout was on the request for documents rather than on the requirement that Ms Carroll (or someone else appropriate) made a written statement on the Society's behalf.

48. The notice required amongst other matters:

> (a) that a list be exhibited to the statement detailing all of the documents and information within the Society's custody or control with potential relevance to the Inquiry's Terms of Reference, including detailed descriptions of the documents and information so as to enable the Inquiry to determine their relevance to the Terms of Reference, the nature of the document or information listed (e.g. document, file, box and its volume or size), and the source of the documents and information, including the names of the persons who provided the documents and information to the Society, and
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> (b) there be an account of the Society's corporate organisation and structure from its inception to date, including a list of all persons past and present who held or hold the positions of President, Chair, Vice-Chair and Board Member and the dates they were or are in post, and a list of all individuals who held or hold senior management positions with the Society, past and present, together with a description of their role and dates of their involvement.

49. On 17th January 2019 Ms Carroll signed a statement which contained, amongst other statements, an assertion that she was not "..the person in possession or with the power or indeed the procurement to be legally capable of disclosing the documentation requested by the Inquiry from me..", and records that she had been advised that as she was not in control or possession "..and have no authority to deliver the documentation requested.." that the rule 9 and section 21 notices ought to have been directed to the Society Board as governing body. It did not contain the list of documents and information as required.

50. For the reasons articulated above in respect of the power to produce documents, I have some difficulty in accepting the first assertion as accurate. Given the reference subsequently to advice she had been given, I am prepared to infer that the statement reflected the quality of the advice she received rather than an independent assertion of her own, and take the matter no further. As to the advice she records as having been given, as CEO of the Society, it is surprising: but as I have indicated above it would be a disproportionate waste of resources to attempt to resolve the matter definitively. However, in both those statements she stops short of saying that she could not produce a list of the documents as required (see paragraph 48(a) above).

51. In other respects, the written statement represents sufficient compliance with the request.

52. The application made to me by MLaw refers to "notices" in the plural. The natural reading of this, in the context of the legislation, is that MLaw took objection to both the notice in respect of the production of documents and that in respect of the production of a written statement. It may have been that it was intended to refer just to the two notices (that under rule 9 and that under section 21) which dealt with production of documents alone.

53. If, as I have primarily read it, it is an application to revoke the section 21 notice in respect of a written statement (and thereby relieve Ms Carroll, or another appropriate person, of the duty to produce the list of documents and information amongst other matters) then the primary ground must be that it was wrongly addressed – for no developed submission is otherwise made to the effect that it is unreasonable for Ms Carroll to provide a statement. I reject this, since the description within the document of the persons to whom it is addressed does not limit it to Ms Carroll whether as CEO, Secretary or otherwise, and is capable (for instance) of including Mr Flynn.

Discussion and Conclusion

54. Ms Carroll has in all respects save one essentially complied with the notice. The one matter which remains is one of importance. It is the production of the list as asked. This should not be an onerous task. I suspect it may have been overlooked when compiling her statement. The appropriate course is thus not to take any action against her (she has attempted to comply, and is not personally to be faulted for following such advice as she received) but to take steps to ensure that compliance is made fully with the notice as issued. To this end, I shall extend the time for compliance until close of business Thursday 31st January 2019. I should make it clear that if, by virtue of her resignation as Secretary on 18th January 2019, it is said that she is no longer in a position to compile the list as required, then the Society should make good the omission by producing a statement exhibiting such a list "whether by [Ms Carroll herself] or acting by a person or persons with the appropriate knowledge, experience and seniority". To that end, a further section 21 notice will issue, against the Society, requiring this, but it will be sufficient compliance with both notices – the present one, as varied, and the fresh one as issued – that the omission from the earlier witness statement be made good. I am issuing a further section 21 to avoid sterile argument over purely technical points causing unnecessary delay to the Inquiry processes.

Sir Brian Langstaff 23 January 2019

Chair of the Infected Blood Inquiry