

Witness Name: Professor Marc Turner

Statement No.: WITN3530107

Exhibits: WITN3530108-115

Dated: 20/04/2023

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF PROFESSOR TURNER

I provide this statement on behalf of Scottish National Blood Transfusion Service in response to the request under Rule 9 of the Inquiry Rules 2006 dated 13 January 2023.

I, Marc Turner, will say as follows: -

Section 1: Introduction

1. **Name:** Marc Leighton Turner
2. **Date of birth:** GRO-C 1959
3. **Address:** Scottish National Blood Transfusion Service, The Jack Copland Centre, 52 Research Avenue North, Heriot-Watt Research Park, Edinburgh.
4. **Qualifications:**
 - Bachelor of Medicine, Bachelor of Surgery, University of Manchester
 - Doctor of Philosophy, University of Edinburgh
 - Master in Business Administration (Life Sciences), Open University
 - Fellow of the Royal College of Physicians of Edinburgh
 - Fellow of the Royal College of Physicians of London
 - Fellow of the Royal College of Pathologists
 - Fellow of the Royal Society of Edinburgh
5. **Occupation:** Clinical Academic Haematologist

6. Employment History:

April 1997 – July 2007 Senior Lecturer in Immunohaematology, University of Edinburgh

Aug 2007 – March 2011: Professor of Cellular Therapy, University of Edinburgh

April 2011 – March 2022: SNBTS Medical Director

April 2022 – date: SNBTS Director

Section 2: Response to Criticism by Witness W5274

7. At page 4 paragraph 14 of Witness W5274's statement, the Witness states that he received a letter from SNBTS that completely contradicted the information he had previously received about blood.
8. SNBTS would like to apologise to Witness W5274 for the recurring confusion around the results of follow up testing of donor samples from some of the blood transfusions he received. After further investigation we now have a clearer understanding of the series of events which occurred that resulted in Witness W5274 receiving contradictory information from SNBTS on two occasions. The timeline of events is clarified below.
9. We understand that the Witness developed polyarteritis nodosa in 1988 and underwent gastrointestinal surgery. The Witness received 3 units of whole blood and 3 units of red cell concentrate on 3rd December 1988 (Unit numbers 8297029, 8277118, 8725543, 8293309, 8293708 and 8293724).
10. We further understand that the Witness was treated with prednisolone and cyclophosphamide for polyarteritis nodosa and became anaemic requiring further transfusion of 3 units of red cell concentrate on 21st June 1991 (Unit numbers 1048228, 1048368 and 1049240) and a further 3 units of red cell concentrate on 16th October 1991 (Unit numbers 1174606, 1175289 and 1218840).
11. So far as we can tell none of these transfusions were tested for CMV at that time.
12. In June 1991 the Witness developed problems with his eyesight which was diagnosed as due to Cytomegalovirus (CMV) retinitis on 9th March 1992. A blood sample taken on 16th October 1991 was retrospectively tested and found to be weakly positive for CMV antibody.

13. On 18th December 1995 Dr Stan Urbaniak (WITN3530108), the Regional Director of Aberdeen and North East Scotland Blood Transfusion Service at the time, wrote to the Witness stating that the library samples relating to three of the donations transfused in 1991 (1049240, 1175289 and 1218840) had given a positive test for CMV antibody.
14. Unfortunately, for reasons that are unclear to us, the positive results to which Dr Urbaniak referred were not entered into the relevant donor records on the SNBTS "DOBBIN" IT System (which was in use at the time) nor in the "Progesa" IT system which superseded it in 1997/98.
15. The other three donations (1048228, 1048368 and 1174606) tested negative for CMV between May 1993 and September 1995 and were recorded in DOBBIN.
16. In December 2003 an investigation was carried out by Dr Henry Hambley, the Clinical Director at the Aberdeen and NE Scotland Regional Transfusion Centre (Dr Urbaniak's successor) which confirmed that samples 1048228, 1048368 and 1174606 had been tested for CMV antibody between May 1993 and September 1995 (presumably at the time of Dr Urbaniak's earlier investigation) and were negative for CMV antibody (WITN3530109). Within this report it was noted that samples 1049240, 1175289 and 1218840 were recorded as not tested.
17. In October 2004 Witness W5274 wrote to Central Legal Office (WITN3530110) and provided the letter he was sent in 1995 from Dr Urbaniak stating that three of the donations had provided CMV positive results. This led to a further investigation by SNBTS and in February 2005 Central Legal Office responded to Witness W5274 (WITN3530111) and explained that as the letter from 1995 was not included in the investigations file there was no other information to indicate this testing had taken place. This letter helped SNBTS to confirm that the samples from donations that samples 1049240, 1175289 and 1218840 had tested positive and apologise for the confusion.
18. Following further correspondence between the Witness, Mr Mark MacDonald MSP (on his behalf) and NHS Grampian in August 2015 (WITN3530112) the investigation from 2003 was reopened in order to try to establish why there was a discrepancy between Dr Urbaniak's letter of 1995 and the information in the DOBBIN and eProgesa donor databases.

19. We arranged for the archives to be searched for the original samples of all 6 donations in 1991 and for them to be re-tested where possible both by serology and nucleic acid testing. This process took several months because of the difficulty in finding the archive samples; however we did manage to retrieve samples from donations 1048228, 1048368, 1174606, 1049240, 1175289 and 1218840. Samples for nucleic acid testing had to be sent to NHS Blood and Transplant because SNBTS did not have a validated nucleic acid test for CMV at the time.
20. Five of the six donations could not be linked to the original donors because of deficiencies in the legacy IT system (DOBBIN) and therefore it was not possible to find other archive samples from the same donors to test for CMV.
21. Of these, one had insufficient volume to carry out any further testing, though for this sample there was the historic CMV antibody test result carried out on 25/05/1994 (1048368) which was negative. On this occasion we believed (erroneously in retrospect) that we had found all five of the other samples and therefore re-tested them using CMV antibody tests all of which were all negative. In addition, the three from October 1991 had sufficient residual volume to use a modern nucleic acid test which detects the virus itself rather than the immune response to the virus (an antibody test). These samples were also negative by nucleic acid testing (WITN3530113). This information was communicated to the Witness via letter in October 2016 (WITN3530114) where it was concluded that the letter from Dr Stan Urbaniak in 1995 must have been incorrect.
22. The investigations from 2005 and 2016 were then reopened again in response to the Rule 13 issued by the Infected Blood Inquiry on the 15th of September 2022.
23. In 2022 the actual test results from 1995 (WITN3530115 first page) resurfaced as part of the litigation file and the positive CMV results contradicted those produced in 2016. This discrepancy led to a review of the sample request procedures used in 2016.
24. The outcome of the review highlighted that the root cause of the discrepancy was that at the time in which the original donations were donated SNBTS was using a regional IT system (DOBBIN). Apparently (and unknown to the current management and staff of SNBTS) donation numbers could be duplicated or recycled in different Regional Centres at that time. Thus, the donation numbers retrieved in 2016 were not from the correct donations and therefore the wrong samples were tested in 2016.

25. To confirm the results we have for the 1991 donations in question are as follows:

Donation Number	Date Tested	Anti-CMV Result
1048228	30 MAY 1993	Negative
1048368	25 MAY 1994	Negative
1049240	13 DEC 1995	Positive
1174606	24 SEP 1995	Negative
1175289	13 DEC 1995	Positive
1218840	13 DEC 1995	Positive

26. SNBTS would like to apologise to the Witness for the unacceptable confusion in the information communicated to him over the last 20 years relating to inadequacies in record keeping and for the additional pain and distress that this has caused him.

Section 3: Other Issues

27. SNBTS holds no further evidence which we would consider to be relevant to the Inquiry's investigation of the matters set out in its Terms of Reference.

Statement of Truth

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

Signed GRO-C

Dated 20th April 2023

Table of exhibits:

Date	Notes/ Description	Exhibit number
18 DEC 1995	Letter from Stan Urbaniak.	WITN3530108
15 DEC 2003	Letter and Report from Henry Hambley	WITN3530109
29 OCT 2004	Letter to Central Legal Office	WITN3530110

15 FEB 2005	Letter from Central Legal Office	WITN3530111
07 AUG 2015	Letter to NHS Grampian	WITN3530112
11 AUG 2016	Letter and Table of Results	WITN3530113
27 OCT 2016	Letter from SNBTS	WITN3530114
13 DEC 1995	Batch Report	WITN3530115