

Witness Name: Lois Evelyn Howell

Witness Number: W4188

Statement No.: 1

Exhibits: 2

Dated: 22<sup>nd</sup> December 2020

### **INFECTED BLOOD INQUIRY**

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### **FIRST WRITTEN STATEMENT OF LOIS EVELYN HOWELL**

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I, Lois Evelyn Howell, will say as follows: -

I make this statement in my capacity as Director of Governance and Risk for Portsmouth Hospitals NHS Trust in response to the letter of 13th February 2020 from GRO-D paralegal for the Infected Blood Inquiry, addressed to Mark Cubbon, Chief Executive of Portsmouth Hospitals NHS Trust and the further request of GRO-D dated 30<sup>th</sup> April 2020.

In response to the questions set out in the aforementioned letters and using the numbering adopted therein, I would respond as follows:

1. The Trust has not conducted a search of its centrally controlled electronic systems for the purposes of the Inquiry. The organisation holds approximately 203TB of data on its shared drives and 2.5TB in its exchange mailboxes. It is not known how much data is held in its mailbox archives. It is estimated that such a data search would take many months or longer to complete and the Trust does not have the resources or technology to do this.

The Trust's approach to carrying out large scale searching is limited to the searching of mailboxes in respect of Subject Access Requests from employees and also searching the unstructured data that is formed from staff personal drives and departmental directories. The 4 most recent searches performed on mailboxes alone took on average 80 working hours each to complete and included a very limited number of specific search terms (mostly names e.g. Joe Public or Jane Doe). To perform an open search of mailboxes and file structures against a general search term such as "blood" or "haemophilia" would result in performance degradation of systems being searched and unmanageable amounts of data being returned. There would then be no way to refine the data to ascertain its relevance to the inquiry.

If the inquiry is able to provide precise terms it requires the Trust to search against we would be able to advise further on the feasibility of such a search. Alternatively, the Trust could also support the use of 3rd party software that could be used to search the Trust's data if such software is purchased or provided by the inquiry.

In addition to those electronic systems centrally controlled, there are a number of separate systems which are departmentally controlled. These include pathology, radiology and radiotherapy systems. The Trust's pathology systems store laboratory tests carried out on individuals so would include hepatitis tests, full blood counts and any blood components or products we have used or issued to patients but only dates back to 1996 and only contains patient specific data. The Trust's radiology systems contain textual reports dating back from 1997. Digital imaging is available from December 2002, initially for plain film only, increasing to most imaging types from 2011 onwards. The data held on this system is patient specific. The Oncology team have a number of databases, some of which contain chemotherapy and radiotherapy data only and have not been searched, as they contain only patient related data. There is also an oncology database that some historical documents have been scanned onto but as they were scanned they are just images, so searching against a keyword would not be possible.

Portsmouth Hospitals NHS Trust has already provided a significant volume of documentation to the inquiry which was obtained from the National Haemophilia Database (NHD), the Haemophilia Clinical Information System (HCIS) and the Oxford

annual/quarterly returns, which were paper held documents. The Trust also searched the filing cabinets in the offices of the retired Haemophiliac Centre Director.

Searches were made of patient names on the haemophilia databases against the trust's electronic medical records systems in order to assist in compiling a list of those patients who were known to have received infected blood products and whose medical records therefore needed to be retained.

Enquiries were made of the genito-urinary, hepatology, microbiology and blood transfusion teams as to whether they maintained any databases of patients who were known to have received infected blood products, no databases were found.

2. Portsmouth Hospitals NHS Trust has documents deposited with the National Archives, Portsmouth, which were stored rather than destroyed in line with relevant retention policies as they were considered to be documents of historic importance. The index of documents held is kept by the staff of the National Archives.

The Trust's Medical Records Department stores the vast majority of patient records held by the Trust and has taken measures to preserve the records of those patients within the haemophilia centre who were believed to have received infected blood. The Trust uses various document storage facilities both on and off site, for the storage of various types of records including the following:

- Human Resources records
- Equipment logs
- Research study files
- X ray scans, reports and log books
- Medical physics patient referrals
- Medical photography records
- Occupational therapy records

- Pharmacy documents including, but not limited to archived orders, prescriptions, invoices, batch sheets, clinical trials and drugs studies, staff reflections and medicines involved in incidents
- Physiotherapy notes
- Speech and language therapy notes
- Therapy services
- Pain records
- Radiotherapy and nuclear medicine records
- Eye notes
- Renal records
- Obstetric notes

None of the categories of records stored were considered to be of relevance to the inquiry and therefore have not been manually searched.

Attached as Exhibit 2 is a list of all the repositories and places of deposit where the Trust stores documents which it has any responsibility for, oversight of, or control over.

The Trust also holds tape backups for specific areas of the electronic files system. None of this data is indexed in a way that key word or phrase searches would be possible. In addition there are 3rd party owned devices used for departmental specific IT systems such as Pathology, Radiology, Radiotherapy, etc.

3. No repositories or archives were searched. The documents produced to the inquiry were kept within the haemophilia centre.
4. Any records held which were not disclosed in response to the Rule 9 request dated 15th August 2018 should have been destroyed in line with the Portsmouth Hospitals NHS Trust "Records Retention, Disposal and Destruction Policy" Exhibit 1 and its

predecessor policies. However as can be seen from paragraph 6.5 of the current policy, which is the 7<sup>th</sup> version of that policy, records should be kept beyond the recommended retention period if required for specific purposes, such as the Infected Blood Inquiry. A copy of the current policy is attached hereto as Exhibit 1. Version 7 was ratified on 4<sup>th</sup> November 2019 and issued on 23<sup>rd</sup> December 2019. Previous versions of the policy did not include reference to the need to retain documents longer than the retention period for the purposes of the inquiry and therefore prior to version 7 being issued, documents will have been destroyed in line with the requirements of previous policies.

**Statement of Truth**

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

Signed

GRO-C

Dated

22.12.20