

Witness Name: Professor Peter Hayes

Statement No.: **WITN4479003**

Exhibits: **WITN4479004-007**

Dated:

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF PROFESSOR PETER HAYES

I provide this statement in response to the request under Rule 9 of the Inquiry Rules 2006 dated 3rd April 2023.

I, Professor Peter Hayes will say as follows: -

Section 1: Introduction

- 1. Introductory paragraph to include your date of birth, address, occupation and employment history.**

Name: Professor Peter Hayes

Date of Birth: **GRO-C** 1957

Address: C/O Liver Unit, Royal Infirmary of Edinburgh, Little France,
EH16 4SA

Qualifications: BMSc, MBChB, MD, PhD, FRCPE

I was Professor of Hepatology at the time I saw the patient W2679 with a special interest in hepatitis C. I worked for the University of Edinburgh and had an honorary NHS consultant position.

Section 2: Responses to criticism(s) by W2679

2. The criticisms I have been asked to address are:

Paragraph 12

One week later I attended to have the laparoscopy. I was prepared for the procedure when Dr Hayes and another doctor walked into the room. This other doctor asked me if I knew who he was. I didn't. He said that he had been in the room the previous week during the second half of my colonoscopy. He explained that things had gone wrong during it. Both doctors then proceeded to say that they had not been aware of my previous operations in 1971 and 1973 which wasn't true. I had discussed it with Dr Hayes during my diagnosis appointment. I exhibit a letter dated 31st May 2001 as [WITN4479007] describing these events. I complained about how this was handled and Professor Hayes phoned me up and apologised.

Paragraph 13

Part of me thinks that the reason they did not do the laparoscopy was because they had discovered that I had bowel cancer around the same time and they knew they were going to have to treat me for this. How everything has unfolded has left me with this thought going through my mind.

I saw the patient on behalf of Prof Ludlam on 17th May 2000 ([WITN4479004]). We discussed having a liver biopsy to stage her hepatitis C liver problem. We noted she was antibody positive for hepatitis C although liver function tests were normal and PCR negative for the virus. In those days we considered that some virus in these patients might be present in the liver. The patient was happy to go ahead but we waited for the new Scottish fibrinogen to become available.

I saw her 7th May 2001 (date of my letter [WITN4479005]) was 7th May but handwritten note ([WITN4479007]) is 8th May). I saw her at the time she came in for laparoscopic liver biopsy. I wrote 'she is persistently PCR negative for hepatitis C and I think increasingly we are recognising that in most of these patients this

represents clearance of the virus'. I added in the letter of 7th May 2001 that because she had a hysterectomy which reduces the chance of laparoscopy giving good views and the fact that her serum hyaluronic acid was absolutely normal and therefore pretty much excludes cirrhosis. We decided not to go ahead with the biopsy. Liver biopsy is not without risk and I obviously thought this the right thing to do. I explained these to her and said in my letter at the time, she seems quite happy with them. She contacted the unit it says in a hand written note (WITN4479007) on the 9th of May about the cancellation yesterday (ie 8th May from hand written notes) and it reads at the end of the note that 'Prof Hayes will telephone Mrs GRO-B'.

Her colon cancer was diagnosed in early June 2001 - letter from Dr Bathgate 5th June 2001 (WITN4479006). This is clearly after the decision to not proceed with the laparoscopic liver biopsy. However the date of her colonoscopy was 1st May 2001.

Section 3: Other Issues

3. If you hold evidence you consider may be relevant to the Inquiry's investigation of the matters set out in its Terms of Reference, please insert here

None.

Statement of Truth

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

Signed

GRO-C

Dated

6/9/23

Table of exhibits:

Date	Notes/ Description	Exhibit number
17/05/2000	Letter from Prof Hayes to Prof Ludlam	WITN4479004
07/05/2001	Letter from Prof Hayes to Prof Ludlam	WITN4479005
05/06/2001	Letter from Dr Bathgate to GP	WITN4479006
May 2001	Handwritten Notes	WITN4479007