

Witness Name: Wendy Mitchell

Statement No.: WITN6869001

Exhibits: WITN6869002

Dated: 29th September 2021

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF WENDY MITCHELL

I provide this statement in response to the request under Rule 9 of the Inquiry Rules 2006 dated 25 August 2021.

I, Wendy Mitchell, will say as follows: -

Section 1: Introduction

1. Name: Wendy Mitchell

Date of Birth: GRO-C 967

Address: GRO-C

GRO-C

GRO-C

2. Occupation and employment history:

I am currently employed by NHS Forth Valley Public Health Department as the Blood Borne Virus (BBV) Community Champion, working directly with the Sexual Health and BBV Managed Care Network.

3. I began working for NHS Forth Valley in 1997 as a relief Medical Secretary, taking up a permanent post as Medical Secretary to Dr Peter Bramley in mid-1998 and continued to work in this role until his retirement. I continued to work

within the Hepatology & BBV Treatment service until taking up my current post in mid-2019.

4. In my role as medical secretary to Dr Bramley, I assisted with the set up and development of the Hepatitis C Treatment Service and have been the main point of contact for patients, their relatives and other healthcare professionals throughout this time.

Section 2: Responses to criticism of witness W2181

At paragraph 35 of witness W2181's statement, the witness states that in 2019 she was contacted by you and informed that two of her late husband's medical records "had turned up in a draw". Witness 2181 states that you refused to send her the records and told her they were "not great" for her compensation claim, as they discuss a history of IV drug use. These letters are exhibited at WITN2181004.

5. In May 2019, I was copied into an email from Dr Pete Bramley, Strategic Lead for NHS Forth Valley Sexual Health and Blood Borne Virus Managed Care Network, who retired as Consultant Hepatologist from NHS Forth Valley in March 2017. A copy of this e-mail correspondence is attached to my statement [WITN6869002]. The email was in reply to Lisa Scammell who works at the Scottish Infected Blood Scheme, in which she requested an address to forward an application to the scheme for completion by a medical professional. The application was being made by Mrs Leila Law in respect of her late husband, Mr. Hugh Law, who had been under the care of Dr Bramley from 1997. Dr Bramley advised Ms. Scammell that he was no longer employed by NHS Forth Valley in a clinical role and as such did not have access to clinical notes or medical records. He advised that by copying myself into this, I could forward any relevant information onto the Consultant Hepatologist who had replaced Dr Bramley, namely Dr Tim Heron. Ms Scammell replied to Dr Bramley on 7th May 2019 stating that she had contacted Stirling Community Hospital Hepatology Department and told she should advise Mrs Law to forward her application to myself, Wendy Mitchell, to arrange for the form to be completed.

6. I have no recollection of receiving the application form from the Scottish Infected Blood Scheme, but the process at that time was to forward any such requests to Dr Heron, together with any medical records which were on file, for him to complete the medical professional section before returning to the applicant for submission to the SIBSS. I was made aware at that time that no such medical case notes existed and would have been destroyed given the date of Mr Law's death and NHS Forth Valley's medical records destruction policy. However, I knew of the ring-binder, labelled "Hepatitis C File" which contained duplicates of a number of patients' clinical letters and believed there might be information within this relating to Mr Law which could have proved helpful in the application. There were 2 such letters in this "file" relating specifically to Mr Law's clinic consultations with Dr Bramley. I explain the "Hepatitis C File" further in my response at Paragraph 2.
7. I am unable to precisely say at which point the witness initiated contact with me by phoning me directly as I do not keep records of telephone conversations to refer to. However, given the information contained in the e-mails, I believe there must have been some telephone contact with the witness at the same time as the application to the Scottish Infected Blood Support Scheme.
8. As Dr Heron was the clinical consultant responsible for completing these applications and as any decision regarding the sharing of such clinical information was beyond the remit of my administrative role, I sought his advice and guidance regarding the witness's enquiry. I raised the witness's enquiry at our weekly team meeting with the Nurse Specialists and Dr Heron and made him aware that no formal medical records existed and that all GP records were also likely to have been destroyed, but that I had copies of 2 letters relating to clinical consultations, between
9. Dr Bramley and Mr Law, from 1997/1998. These letters were copies of correspondence sent to Mr Law's GP, which had been kept in the ring-binder labelled "Hepatitis C File" , in a locked filing cabinet in our offices. At the team meeting, I remember there being some concern about the sensitivity of

the content of the letters and whether they could be shared directly with the witness. Dr Heron advised me to inform the witness that her husband may not be eligible for payment. I am not entirely sure why I mentioned in the email that I had suggested to the witness that she speak to SIBSS and ask them to contact Dr Heron directly regarding the letters, but it is likely that this was what was recommended at the team meeting. I have no recollection of this telephone call that would help to clarify this further. I do not remember all the phone calls relating to this case. I can only assume that this recommendation was felt to be the most appropriate and sensitive way for Dr Heron to share the content of the letters.

10. On 16th July 2019, Dr Heron was contacted directly by Ms Scammell to request copies of the letters which I had suggested contained information relating to the possible source of Mr Law's infection. Ms Scammell asked Dr Heron to share this information in order that the Scottish Infected Blood Scheme could make a decision. Dr Heron emailed me on 25th July asking for Mr Law's date of birth and CHI. I forwarded scanned copies of the 2 letters relating to Mr Law to Dr Heron by email on Monday 19th August for him to decide on whether sharing the letters was appropriate.
11. I recall a further telephone conversation when the witness contacted me directly with regard to information relating to her late husband and his treatment within the Hepatology Service, although I cannot exactly recall when this was. However, I do recollect the witness informing me that a solicitor had approached her and offered to support her with her claim. The witness told me that no medical records existed for her husband either in Forth Valley or at the hospital where Mr Law had been treated following a road traffic accident. My recollection is that I informed the witness that we had copies of letters, which had been kept in a filing drawer and that these letters contained information which was unlikely to support her claim, however, if she wished to have copies, as per NHS FV information governance policy, she should submit this request in writing. I believe this conversation happened sometime after the SIBSS application. The fact that the witness informed me that she had been approached by solicitors in N. Ireland who wanted to take up her case, makes

me think it would have been after the SIBSS application had been turned down. I would not have refused access to the letters, but would have informed the witness of the NHS Forth Valley correct procedure with regard to releasing this information.

12. It has been some time since these events occurred and I have tried my best, with the aid of the emails , to answer as truthfully and openly as my recollections permit, although I do acknowledge, given the time that has elapsed, that there may be some variances between the sequence of events in the e-mails and my personal recollection.

At paragraph 37, witness W2181 states that she finds it hard to believe that the records were genuine, as she had initially been told that no records existed, and records which “went against [her] case for compensation” were “suddenly” found.

13. The 2 letters which are included in the witness statement are from an historic Hepatitis C File (a ring-binder) which contains duplicate clinic consultation letters relating to all patients with chronic Hepatitis C in between 1995 and 1998. This folder pre-dates the National Hepatitis C database and was used as a tool to ensure all patients had appropriate follow up. This folder was retained in the department as it was felt it might prove useful in tracing people “lost to follow up” who may still require treatment for chronic Hepatitis C. The Hepatitis C folder was created and populated by Caroline Wheatley, Dr Peter Bramley’s secretary at that time. She left her post in 1998. The letters, contained in the witness statement, are on Stirling Royal Infirmary headed paper, which was removed from circulation at the end of 2001. The “Hepatitis C File” remains in a locked cabinet within the Hepatology Department within Stirling Community Hospital.

At paragraph 38, witness W2181 states that as the “mysterious” records state her husband used IV drugs and there are no other available records “to prove otherwise”, she believes the records to be fake.

14. I have nothing further to add and have covered this above.

Statement of Truth

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

Signed GRO-C

Dated 29/09/2021.

Table of exhibits:

Date	Notes/ Description	Exhibit number
May-August 2019	E-mail correspondence re Scottish Infected Blood Support Scheme application	WITN6869002