

Witness Name: Kathrine EC Mackie

Statement No.: WITN7666001

Exhibits: None

Dated: 05/04/2023

## **INFECTED BLOOD INQUIRY**

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### **WRITTEN STATEMENT OF KATHRINE EC MACKIE**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 13 March 2023.

I, KATHRINE EC MACKIE, will say as follows: -

#### **Section 1: Introduction**

1. My full name is Kathrine Ellen Clark Mackie. My date of birth is GRO-C 1953. I hold the degrees of Bachelor of Arts and Bachelor of Laws from the University of Edinburgh. I was admitted as a Solicitor by the Law Society of Scotland in 1978. I practised principally in the field of civil litigation and was accredited by the Law Society of Scotland as a specialist in Medical Negligence. In May 2000 I was appointed a Sheriff. I held that office until March 2018 when I retired. I now hold a commission as a retired Sheriff and sit within the Sheriffdom of Lothian and Borders when required.

#### **Section 2: Scottish Hepatitis Litigation**

2. Immediately prior to my appointment as a Sheriff I was a partner in the firm of Fyfe Ireland WS, Edinburgh. The late Brian G Donald was a Consultant in that firm until his appointment as a Sheriff in 1999. I was aware that he chaired the

Solicitors' Hepatitis Group (Scotland) and endeavoured to co-ordinate claims by those in Scotland who had been infected with hepatitis B or C as a result of NHS treatment. I was also aware that he encountered grave difficulty in his attempts to secure public funds to progress the claims. When he was appointed a Sheriff and required to stand down as chair I was asked to take on that role.

3. Unfortunately I have now an insufficient recollection of my involvement with the Group to be able to answer the questions posed. When I left the firm of Fyfe Ireland WS, in accordance with usual practice, my clients' correspondence files and relative papers would either be retained by the firm or passed to other agents as instructed by those clients. It is likely that any such files and papers, if the cases to which they relate were no longer active, would have been destroyed in accordance with the Law Society's recommended retention periods. Accordingly I have no aide memoire.
4. I have reviewed the documents which have been produced to me. I note that none of the documents produced were either written by or sent to me and thus do not assist me in recalling my involvement with the Group. I believe that I chaired the Group for only a matter of months. During that time I believe that I continued Mr Donald's attempts to persuade the Scottish Legal Aid Board to provide funding to advance the claims. It is clear from the terms of the letters from Dominic Harrison, my former Associate at Fyfe Ireland WS, which have been produced to me that those attempts were unsuccessful.

### **Section 3: General Questions**

5. I have nothing further to add which would be of assistance to the Inquiry.

**Statement of Truth**

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

Signed:

GRO-C

Dated: 05.04.2023