

faxed at 12.50pm 21/7/89 to Mr Powell

GRO-C

1. Mr J Canavan
2. Mr R Powell - SOLC3

From: Mr M H Arthur
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Date: 21 July 1989

cc: Dr A Rejman - MEDSEB
Mr Gutowski - MB1B
Ms P Wilson - AIDS Unit

HIV HAEMOPHILIAC LITIGATION

DOCUMENT DISCLOSURE: Michael Hansford

Your minute of 17 July refers. We estimate that in HS1 we will need to examine/hold available 205 files of A4 size, ^{each} containing approximately 200 sheets of paper. Say 40,000 items. The documents will range from reports and periodicals to individual letters. Many of these files will have to be obtained from file store at Nelson. Medicines Division, MEDSEB and AIDS Unit are responding to you separately.

In general we agree with your suggested comments in reply to the questions raised in the Treasury Solicitors letter of 13 July. However, in respect of item (i) in your minute, we cannot yet give categorical assurance that the Dept holds (or has held) ^{all} classes of documents mentioned at para 9 of Fisher Meredith's letter of 5 May.

Until we examine the documentation we will not know whether specific items exist, eg guidance on the use of Factor VIII for patients with a compromised liver function - para 9(j) refers. We do not recall issuing any such guidance but a search of the papers may bring it to light.

At para 9(i), we would not necessarily be aware of advice issued by Ministers' political advisers and could not carry out a tracing exercise with Private Offices at this stage. We wonder if such documents are Departmental ones for the purposes of discovery.

I should also mention that while we think we know the report that is being referred to in 9(a) of Fisher Meredith's letter, we cannot trace the letter from Dr E Harris supposedly in the BMJ of 19 September 1987. Therefore we cannot be absolutely sure that the report we have in mind is the one the plaintiffs also have

in mind.

In view of these qualifications we could not give blanket assurance that all classes of documents have been in the Department's possession. We need to add a rider that we cannot be sure of having had certain classes until documents have been examined.

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MR M H ARTHUR