

**THE
PENROSE
INQUIRY**

44 Drumsheugh Gardens • Edinburgh EH3 7SW
Tel: 0131 528 5221
www.penroseinquiry.org.uk

To: The Common Services Agency for the Scottish Health Service
Anderson House
Breadalbane Street
Bonnington Road
Edinburgh
EH6 5JR

1st October 2009

To be sent by e-mail to:



1. Notice is given in terms of section 21(2)(b) of the Inquiries Act 2005 ("the Act") that you are required by Lord Penrose ("the Chairman") to provide at the above address not later than by Friday 30th October 2009 all documents (as defined in section 43 of the Act) in your custody or under your control contained within the Scottish National Blood Transfusion Service folders and files listed in the appendix to this notice.

2. In terms of section 36 of the Act, where a person fails to comply with, or acts in breach of, this notice, or threatens to do so, the Chairman may certify the matter to the Court of Session which, after hearing any evidence or representations, may make such order by way of enforcement or otherwise as it could make if the matter had arisen in proceedings before it. In terms of section 35(1) of the Act a person is guilty of an offence if he fails without reasonable excuse to do anything that he is required to do by a notice under section 21 of the Act. A person who is guilty of such an offence is liable on summary conviction to a fine not exceeding £1000 or to imprisonment for a term not exceeding six months, or to both.

3. If you wish to make a claim in terms of section 21(4) of the Act:

(a) that you are unable to comply with this notice, or

(b) that it is not reasonable in all the circumstances to require you to comply with it,

and that it should be revoked or varied, you should apply in writing to the Chairman no later than by the end of the period within which production is required. When so applying you should:

(a) identify in so far as possible identify any particular document in relation to which the claim is being made;

(b) state whether you seek revocation or variation of the Notice and in the latter case specify the variation sought;

(c) give reasons for your claim; and

(d) where it is claimed that it is not reasonable in all the circumstances to require compliance with the notice the reasons for the claim should address the public interest test in section 21(5) of the Act.

4. Your attention is drawn to the terms of the Inquiry Procedure Direction No 1 – Production of documents to the Inquiry, of which a copy is available at the Inquiry website.



The Right Hon Lord Penrose

Chairman of the Inquiry