



Department of Health
Wellington House
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Lindsey Robertson
The Penrose Inquiry
4 Drumsheugh Gardens
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14 October 2010

Dear Lindsey

I am responding to your letter of 5 October to Charlotte Mirrielees. I will be leading for DH on supply of information to the Penrose Inquiry from now on.

I am not able to respond to your request in full, as the Department is not able to release all personal data held on official documents, as may be required by our duties under the Data Protection Act and the common law of confidentiality (as it applies in England). However, in line with the view of the Information Commissioner's Office in relation to disclosure under FOI in balancing the need to protect personal data and the duty to inform the public, we can disclose the names of Ministers, officials in the senior civil service and other experts that we have been able to advise of this disclosure.

I hope that, within these guidelines, the following information will be helpful to the Inquiry.

The document marked 2959.1 was sent by a middle-ranking official in Health Services Division HS1A, who was also a member of the secretariat to the Advisory Committee on the National Blood Transfusion Service. "AJW" was another middle-ranking official in HS1A, and "AS" was Dr. Alison Smithies.

The note beginning 'Have you seen...' on the document marked 2842.1 was written by the same official in HS1A who sent document 2959.1 to Dr. Smithies. The note in return, 'Thanks. Yes it is ok.', was written by Dr. Diana Walford. Dr. Walford was the medical member of the secretariat to the ACNBTS at this time.

I have been unable to find any DH documents between these dates that refer directly to this advice, although items such as published medical articles and replies to PQs do show that opinion began to change in these months. The following official documents are relevant to the issue in general terms:

Document 2852 in HIM 22/1 vol. 32 is headed "Briefing on AIDS for the CMO" and dated 4 November 1983. It says that the recorded incidence of AIDS in haemophilia patients in Europe and the US is less than 1 per 1000.

Document 2861 in HIM 22/1 vol. 33 is a copy of a written answer on 14 November 1983 to a PQ from Edwina Currie MP on possible contamination of factor VIII. Minister of Health Kenneth Clarke replies that "there is no conclusive evidence that acquired immune deficiency syndrome (AIDS) is transmitted by blood products" and refers to "possible risks of AIDS from this material". (This is referred to in the Inquiry's Preliminary Report, para. 8.64.)

Document 2891 in vol. 33 is a letter of 5 January 1984 from Lord Glenarthur (Health Minister in the Lords) to Clive Jenkins, General Secretary of the ASTMS trade union. It says "it remains the case that there is no conclusive evidence of the transmission of AIDS through blood products, although the circumstantial evidence is strong" (emphasis as in document).

These are with other documents held by this Department that are relevant to the safety of blood and blood products from 1970 up to the end of 1985, and which have been released on the DH website, with a full inventory, at: http://www.dh.gov.uk/en/FreedomOfInformation/Freedomofinformationpublicationschemefeedback/FOIreleases/DH_076693#_1

I am not aware of any further papers held at DH that may be relevant.

With best wishes,

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cc. Graham Kent, DH Legal Service
Rowena Jecock, Infectious Diseases and Blood Safety Branch