

Witness Name: **GRO-B**

Statement No.: WITN2137004

Exhibits: **WITN2137005 – 015**

Dated: 1st July 2019

INFECTED BLOOD INQUIRY

SECOND WRITTEN STATEMENT OF **GRO-B**

I provide this further statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 28 June 2019.

I, **GRO-B** will say as follows: -

1. My name is **GRO-B** My date of birth and address are known to the Inquiry. I have provided a written statement to the Inquiry, dated 21 March 2019. I am providing this further written statement in order to add some further evidence to my previous statement which relate to the questions asked in the additional request under Rule 9 of the Inquiry Rules 2006 dated 28 June 2019. I have been asked (a) to clarify, as far as I

am able, any references in my medical records that might suggest my infection with Hepatitis C was not through transfusion but through alternative means of infection and (b) to address any discrepancies between the information in my medical records and my first witness statement, in particular paragraphs 6, 9, 12 and 30. I respond to this request as follows:

2. I have located certain entries in my medical records relating to the time when I found out that I had been infected with hepatitis C in 1997. As I said in my first statement at paragraph 8, I had been experiencing some unusual ill health that year which prompted me to go to my GP, where I saw a junior GP called Dr [GRO-D]. At paragraph 9 of my first statement I have talked about returning to see Dr [GRO-D] and having blood taken for testing. I have now been able to look at my medical records in some detail. This is not the first time I have seen my medical records but they run to over 1,400 pages. I first accessed my records in around 2002. At that time I was alarmed to find that there were certain entries in the records which I considered to be inaccurate. As a result I attended at my then GP (Dr Dobson) and went through these inaccuracies with him. As a result both he and I recorded the inaccuracies in the records and signed the entries in order to indicate what the inaccuracies were. Some of the entries containing the inaccuracies therefore contain handwritten entries made by Dr Dobson and myself dated 2002 recording the inaccuracies – I explain this below. These inaccuracies are the reason why I have been asked to provide clarification of my position with regard to the content of my records, which I will now explain.

3. I also made inquiries with my liver clinic nurse at the Royal Infirmary of Edinburgh (“RIE”) about whether my hospital records also contained similar such inaccuracies. I attach a

letter in which I raised this issue with my consultant there, Professor Peter Hayes on 3 September 2003, in which I asked him to make similar changes to any inaccurate entries in my hospital records, as exhibit **WITN2137005**. In 2004, I required to ask my GP to allow me access to my GP records again as I was seeking records of my transfusion in Dumfries in 1976. At that time, I also sought clarification from my GP (by letter of 2 August 2004) about whether the changes he and I had agreed in my GP records had been communicated to the RIE, as I had requested as it did not appear that the equivalent changes had been made by the staff at the RIE at that time. I exhibit this letter as **WITN2137006**. I have been trying to get these inaccuracies in my records rectified as best I can for some time.

4. The first entry in my records which is inaccurate is a handwritten entry made by Dr **GRO-D** in my clinical GP notes. I exhibit this note as **WITN2137007**. She records there that I attended there on 3 December 1996, which I believe I did. She records the medical problems which I was having at that time. The entry then says "*Enquired re risk of Hep C – previous partner has it. Will check Hep C status in future if decides*". I do not recall there having been any specific mention of Hepatitis C in my conversation with Dr **GRO-D** at around this time. In any event, what she records there is not and cannot be accurate. I did not tell her what she records me as having told her. At that time I did know a lady who had contracted Hepatitis C. She was my landlady when I lived in **GRO-B** when I was at horticultural college there in around 1978. She was never my partner. I never had any sexual relationship with her. In fact when I lived in digs in her house, she was living there with her husband. I stayed in touch with her after I left **GRO-B** and found out later that she had somehow contracted Hepatitis C. It is possible that there was a conversation with Dr **GRO-D** on 3 December 1996 about Hepatitis C and that I mentioned this lady, although I

do not recall it. I certainly did not say that she was ever my partner as she was my landlady, as I have described. I never had any sexual contact with her and cannot think of any way she could have infected me with Hepatitis C.

5. When I noticed this entry on inspection of my notes in 2002, I highlighted this inaccuracy to Dr Dobson. As a result, he and I made the entry which you can see on the left of the original note from 3 December 1997. The entry Dr Dobson and I made was on 25 November 2002 and states *"Never had SI [sexual intercourse] with lady concerned. Never used IVDs [intra venous drugs]."* The content of the entry from 25 November 2002 is true. I made this entry with Dr Dobson having explained the inaccuracy to him, because the note suggests that I had had a sexual relationship with my landlady from **GRO-B** and due to the contents of the letters which Dr **GRO-D** wrote in 1997, which are discussed below.

6. I would also note that this entry appears to suggest that the outcome was that I would have my Hepatitis C status checked in future if I decided to do that. As I said in my first statement, I did not decide to have my status checked when my blood was taken for testing. I was unaware that I was being tested for that condition. I note from my records that the positive test which I had was done on a blood sample which was taken from me on 11 December 1996. I exhibit these notes as **WITN2137008** and **WITN2137009**. The note for 11 December 1996 does not say that I was asked further about whether I wanted to be tested for Hepatitis C. I was not. This would tend to suggest that the test was in fact done despite the fact that I had said that I would only wish to be checked for Hepatitis C if I decided on that course at some point after 3 December 1996. The entry for 11 December 1996 (when the blood was taken which tested positive) does not say that I

was asked whether I had so decided. As I have said, I did not know my blood was to be tested for that condition.

7. The next entry in my records which is inaccurate is a referral letter dated 13 January 1997 (dictated 10 January 1997) by Dr [GRO-D] to Dr Peter Hayes in the liver unit at the RIE in my GP notes. I exhibit this as **WITN2137010**. She records there that I had informed her in December 1997 that *"an old partner of his [mine] had informed him [me] that she was dying from Hepatitis C. It has been over 10 years since he [I] was with this lady"*. What she records there is not and cannot be accurate. I did not tell her what she records me as having told her. I explain above the situation with my landlady from [GRO-B]. In any event, though I knew that she had Hepatitis C in 1996, I had not been told that she was dying. She was not as far as I am aware. I note that much of the detail of what she records in the letter is not contained in the clinical note of the meetings in December 1996, the month before the letter was written to Dr Hayes.
8. In that letter Dr [GRO-D] goes on to say [GRO-B] *..admits to having experimented with intravenous heroin abuse on one occasion when he was 18 years old. At this time he shared a needle with two other men one of which was a longterm heroin abuser. [GRO-B] has now been married for the past five years and has recently had a baby"*. What she records there is not and cannot be accurate. I did not tell her what she records me as having told her about having used heroin. I have never done so. My only exposure to IV drug abuse was when I was living in digs in Edinburgh in 1976. That was when I was 19 years old. As this was around the time Dr [GRO-D] mentions, it is possible that we had a conversation about that, though I do not recall any discussion about it with her at all. I

had moved to Edinburgh as my boss at the time had relocated there from the **GRO-B** area where I had previously been living. I had been working for him at the time I had the transfusion which infected me with Hepatitis C in 1976, which I have discussed in my first statement. He asked me to move to Edinburgh to continue working with him. He was a sort of father figure to me and encouraged me in my career and studies very much. Initially when I moved to Edinburgh I lived for a short time in digs in the **GRO-B** area. I then got digs in **GRO-B** Edinburgh. I exhibit an entry from my GP records of that time as **WITN2137011**. It shows that on 23 November 1976 the GP had taken a history of my hernia repair surgery and had considered the surgery to have been significant enough that he informed the RIE about it in case I needed any further care in relation to it there.

9. When I lived in the digs in **GRO-B** I had my own room. Other lodgers lived in the property who had their own rooms. We shared common areas like the kitchen. I stayed in the digs there for a year or two. The other lodgers in the flat were students. At least two of them were medical students. They would tend to stay in the flat as they were students while I was out at work during the day. They were not friends of mine. They were messy. In fact, I did not get on with them at all. I was aware that they used IV drugs. They occasionally left needles in the common areas of the flat. I did not participate in IV drug use with them or at all. I was working at the time. As I have highlighted in my previous statement, I have always been very fit and sporty. I had no interest in IV drugs at all.

10. When I noticed this letter on inspection of my notes in 2002, I highlighted this inaccuracy to Dr Dobson. As a result, he and I made the entry which you can see on the right of the

original letter of 13 January 1997. The entry Dr Dobson and I made was on 25 November 2002 and states "Correction to notes. 1. The Hep C positive lady was never a sexual partner 2. The IVDA incident was observed several times by **GR O-B** but not participated in/ never used IV drugs". The content of the entry from 25 November 2002 is true. I made this entry with Dr Dobson having explained the inaccuracy to him, because the letter suggests that I had had a sexual relationship with my landlady from **GRO-B** and that I had used IV drugs. In any event, I note that the reference to any conversation about IV drug use does not feature in the clinical notes from December 1996. There is no note of any further conversation about possible infection routes at the meeting which I had with Dr **GRO-D** on 10 January at which she informed me of the diagnosis and which prompted the letter to Dr Hayes. I exhibit this as **WITN2137012**. I also note that Dr **GRO-D** has recorded my family information incorrectly. In 1997 I had not been married for 5 years. I got married in 2000. I had two children in 1997. My two daughters were born in 1989 and 1996. They were 8 and almost 1 at the time of the letter.

11. The third entry in my records which is inaccurate is a letter dated 18 February 1997 by Dr **GRO-D** to Dr **GRO-D** of the infectious disease unit at the City Hospital, Edinburgh in my GP notes. I exhibit this as **WITN2137013**. At that time I was keen to be seen by someone as I was worried about my diagnosis and no appointment had been made available to see Dr Hayes. As the handwritten clinical GP notes show I had attended the surgery and seen Dr **GRO-D** again seeking a hospital meeting and she referred me to Dr **GRO-D** that day. No notes are made of any further discussion about possible infection routes since the initial meeting on 3 December 1996, including the meeting on 18 February 1997. This meeting is referred in exhibit **WITN2137012** Despite this the letter to Dr **GRO-D** of

that date states "In December of last year he...mentioned a previous partner of his was Hepatitis C positive". This is not accurate and I did not say this to Dr [GRO-D] in December 1996 or on any occasion. This is addressed above. She also says that "Mr [GRO-B] had admitted to injecting and sharing needles on one occasion when he as 18 years old". This is not accurate and I did not say this to Dr [GRO-D] in December 1996 or on any occasion. This is addressed above.

12. When I noticed this letter on inspection of my notes in 2002, I highlighted this inaccuracy to Dr Dobson. As a result, he and I made the entry which you can see on the right of the original letter of 18 February 1997. The entry Dr Dobson and I made was on 25 November 2002 and states "No history of IVDA [intra venous drug abuse]. No history of SI [sexual intercourse] with Hep C positive person". The content of the entry from 25 November 2002 is true. I made this entry with Dr Dobson having explained the inaccuracy to him, because the letter suggests that I had had a sexual relationship with my landlady from [GRO-B] and that I had used IV drugs. In any event I note that in the letter to Dr [GRO-D] dated 18 February 1997, Dr Pattison also said "Of note Mr [GRO-B] partner has been tested and is hep C negative. She is pregnant again." This is also inaccurate. My partner at the time (who became my wife in 2000) had not been tested for Hepatitis C at that point. She was not pregnant at that point. Our second daughter had been born in 1996.

13. The fourth entry in my records which is inaccurate is a letter dated 4 March 1997 by Dr [GRO-D] of the infectious diseases unit at the City Hospital to Dr [GRO-D] in my GP notes. This letter is exhibited as **WITN2137014**. He records there that I had been to see him as Dr [GRO-D] had requested, which is true. In that letter he states:

"Apparently this chap and a group of friends "some of whom are now in careers of distinction" tried IV drugs on one occasion when they were eighteen. Apparently individual needles were used and they were all clean although I personally would be inclined to doubt this. He has not abuse [abused] IV drugs before or since this one episode"

I do not recall the conversation with Dr [GRO-D]. What is narrated here is inaccurate. I would never have told him and did not tell him that I had used IV drugs on any occasion as I have not. I note that this account appears inconsistent with the letter from Dr [GRO-D] to him from February 1997 as whereas he talks about individual needles being used, she talks about shared needles. Equally this letter suggests that a group including me tried drugs on one occasion whereas Dr [GRO-D] in her letter to Dr Hayes of January 1997 had identified that the occasion in question involved an individual who was a long term heroin abuser.

14. Later in the letter he says that:

"One of the people who used drugs on this occasion is now dying of a combination of alcohol and Hepatitis C"

Again this is not accurate as I never used IV drugs. Again I do not recall discussing drug use with Dr [GRO-D] but it may be that there was some discussion about this as I did have another friend who at that time was very ill with Hepatitis C. He was the only person I knew with Hepatitis C other than my landlady from [GRO-B]. He was the brother of a friend

of mine from my time in [GRO-B] who was ill at that time. He had been a heavy drinker and also had Hepatitis C. He was very ill. It may be that he was mentioned in the conversation about my fears related to the condition. However, I never used IV drugs with him or at all. In any event I did not know this person until after I moved to [GRO-B] to go to college in 1978, when I was about 21. The incident he referred to involving the IV drugs was said to have happened when I was 18. When I was 18 I lived in [GRO-B] [GRO-B] and did not know that person. My only experience of others using IV drugs was when I was in digs in Edinburgh, which was before I moved to [GRO-B] and before I knew the person who was dying by 1997.

15. He goes on to say:

"He has not had any blood transfusions or received any blood products"

This is inaccurate. I had a blood transfusion in 1976 as described in my previous statement. I am not sure of the source of the inaccurate information recorded there. It may be that Dr [GRO-D] has sought information about any previous blood transfusions from my records. As discussed in my earlier statement, if he had done so he would not have found any such entry. There is no entry in my medical records about me having had a blood transfusion, though I did, in 1976. I do not recall being asked about this or having any discussion with Dr [GRO-D] about previous blood transfusions or blood products. If I had been I would have told him about my transfusion in 1976, which was still clearly in my memory in 1997.

16. He goes on to say:

"He had a female sexual partner eight years ago who is now known to be Hepatitis C positive (this was blamed on a hysterectomy) and her partner also has Hepatitis C"

This is inaccurate. Again, I do not recall discussing this with Dr. **GRO-D** and do not know why he has said this. The only person who he can be talking about was my landlady in **GRO-B**. My position in that regard is described above. In any event, that lady's husband was never infected with Hepatitis C.

17. Dr. **GRO-D** goes on to say: *"Mr. **GRO-B** partner has been tested against Hepatitis C and found to be negative. She has also been found to be negative for HIV"* None of this is accurate, as far as I am aware. He also says that *"Mr. **GRO-B** has a common law wife and they have had one child aged 12 months and another is on the way"*. It is true that I had a partner/ common law wife with whom I lived at that time. We had one child aged 8 and another aged one. We did not have another on the way.

18. When I noticed this letter on inspection of my notes in 2002, I highlighted this inaccuracy to Dr Dobson. As a result, he and I made the entry which you can see on the right of the original letter of 4 March 1997. The entry Dr Dobson and I made was on 25 November 2002 and states *"Never used IV drugs. Never had SI [sexual intercourse] with stated lady"*. The content of the entry from 25 November 2002 is true. I made this entry with Dr Dobson having explained the inaccuracy to him, because the letter suggests that I had had a sexual relationship with my landlady from **GRO-B** and that I had used IV drugs.

19. Copies of the 3 letters I have referred to above also appear in my hospital records but I think that these are the only documents which contain references falling within the scope of the material which the Inquiry has requested other than one further entry. My hospital records contain a document which contains details of a proposed liver biopsy from 13 May 1997. I exhibit this document as **WITN2137015**. It is a form which has been filled out. Under the "Present History" section it has written in it "*Hep C positive (? IV drugs/ ? sexual partner)*". I think that this is a separate document from the others insofar as its contents are probably from the letters I have already referred to. As such, my response to it is that the part in the brackets is not true or accurate. I am not aware of my records containing any clinical notes from my meeting with Dr **GRO-D**

20. These inaccuracies in my medical records are concerning to me. I have made a number of efforts to have them rectified over the years. I have never had sexual intercourse with anyone with Hepatitis C to my knowledge. I have never used intravenous drugs. I do not know of any way I could have contracted Hepatitis C other than the blood transfusion which I had in 1976. I can only assume that there was some discussion around the time of my diagnosis with Hepatitis C of my knowledge of the condition and of people who had it as well as my knowledge of and connection to intra venous drug use. It seems that the doctors with whom I spoke have misunderstood me when I have spoken to them about this. This has led to the inaccuracies in my records. They have made other errors in my records. I am concerned about the inaccuracies. I am concerned that they suggest that these doctors (and any other medical professionals who have read my notes over the years) have assumed or thought that I had contracted hepatitis C by IV drug use or by sexual contact with someone who was infected. This is not the case. I have tried to have these issues resolved over many years but have been unable to do so.

Statement of Truth

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

Signed GRO-B

Dated 3/7/19