



Brian Stanton
Solicitor to the Infected Blood Inquiry
Fleetbank House
London EC4Y 8AE

18 October 2018

Dear Brian,

Infected Blood Inquiry – Cabinet Office retention notice

Destruction of records which have no practical or historical value is routinely and properly undertaken by government departments. The Freedom of Information act calls on Authorities to dispose of some types of record when they are no longer needed. The Act also sets out that departments should be able to explain why records are no longer held.

In order to ensure the preservation of information relevant to the Infected Blood Inquiry, Cabinet Office circulated a Government-wide notice on 3 April this year, instructing departments to stop destruction of all such information. A further, more comprehensive message was issued to departments by Cabinet Office on 11 June.

However, in the course of providing the Inquiry with a list of the Government bodies to which the notice of 3 April was sent, it was discovered that the email containing the retention notice did not reach its recipients on 3 April, though the follow-up message of 11 June was received successfully (a list of the recipients to the message of 11 June is annexed to this letter for information).

Having sought confirmation from departmental KIM teams, I can reassure you that since the error was discovered, all relevant departments and relevant areas within departments have worked urgently to confirm that they have not destroyed any documents of interest to the Inquiry during the period between 3 April and 11 June 2018. Because of their size and the complexity of some of the records they hold, HM Courts and Tribunals Service and the Legal Aid Agency are continuing to work to provide this assurance and have committed to doing so as urgently as possible. All other relevant departments and agencies have already been able to provide assurances that no information relevant to the Inquiry was destroyed during that period.

Why the error occurred

Cabinet Office Knowledge and Information Management (KIM) sent the letter on 3 April, on behalf of the Cabinet Office Inquiry sponsor team, via a shared mailbox for cross-government KIM Leaders. This shared mailbox was created by the National Archives for internal use. The Cabinet Office issued a further notice on 11 June via the same shared mailbox, reiterating the message of the 3 April letter, and including comprehensive instructions. On that occasion the sender in Cabinet Office suspected that the notice had not reached its intended addressees, and resent it successfully on the same day using individual email addresses.

The shared mailbox address set up by the National Archives is only effective from National Archives IT addresses. The sender in Cabinet Office did not know this, and reasonably assumed that the address would work from any Government IT account. On neither the 3 April nor 11 June did the sender receive an automated notice that the email had not been successfully delivered. Such a message would have immediately made the problem apparent. Having checked with recipients, I can confirm that the 11 June message sent to individual addresses did reach its audience. We will discuss with colleagues in KIM and the National Archives measures we can put in place to ensure such an error does not occur in future.

This was an honest administrative mistake, but it should not have happened. I would like to formally apologise to the Inquiry for this error, but most importantly I want to apologise to those affected and infected; the Cabinet Office Inquiry sponsor team takes its responsibilities very seriously, and we will learn the lessons from this so that we avoid such errors occurring in future. We are confident that there has been no practical damage on this occasion; all of the key departments have confirmed to me that no records relevant to the Inquiry have been lost because of this.

Yours sincerely,

Brian Williams
Infected Blood Inquiry Sponsor Unit
Cabinet Office

[REDACTED]
[REDACTED]

List of recipients of the 11 June email

DHSC
Cabinet Office
DCLG
MoJ
Scottish Office
DWP
FCO
BEIS
Welsh Gov
Home Office
MoD
DfT
Scottish Gov
DCMS
Education
CPS
Food Standards Agency
Trade
DEFRA
HMT
NIO
ONS