

Freedom of Information Request: Our Reference CTHB_223_19

You asked:

This is a Freedom of Information request. I am requesting the following:

- a) Copies of all correspondence to/from the Infected Blood Inquiry during the period 1st January 2019 to 17th July 2019.
- b) Have you received any notice or instruction regarding the retention and/or request of documents relevant to the Infected Blood Inquiry?
- c) If a request for documentation and/or its retention has been received from the Infected Blood Inquiry, please supply a copy of any such notices or requests and copies of any replies to such a request and internal correspondence relating to such.

Our response:

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under Section 17 of the Act.

The Health Board is not required to provide information if there are prohibitions on disclosure.

[Section 44](#) is an absolute exemption, which means that if information is covered by any of the subsections in section 44 it is exempt from disclosure. It is not subject to a public interest test.

Section 44(1)(a) exempts information where its disclosure is prohibited by other legislation. In this case, disclosure of the information you are seeking is prohibited by Section 19 of the [Inquiries Act 2005](#).

However to assist, information relating to retention of documents relevant to the Infected Blood Inquiry is available on the Inquiry website including:

- Letter sent by the Inquiry to the Director General of NHS Wales
<https://www.infectedbloodinquiry.org.uk/sites/default/files/documents/2018-07-05-Letter-to-CE-of-NHS-Wales.pdf>
- Letter sent by the Director General of NHS Wales in response to the Inquiry
<https://www.infectedbloodinquiry.org.uk/sites/default/files/Letter-from-the-Chief-executive-of-NHS-Wales.pdf>

Please note, that on 17 April 2019, the Inquiry also published the General Restriction Order <https://www.infectedbloodinquiry.org.uk/news/inquiry-publishes-general-restriction-order>

In November 2018, a report was received by the Health Board outlining the approach in supporting the Infected Blood Inquiry https://cwmtaf.wales/we-are-cwm-tafmorgannwg/board-papers/?drawer=Board_Papers*LEGACY

2018-2019 where it also supported the Charter for families bereaved through public tragedy.