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Clare Haughey MSP
Convener
Health, Social Care & Sport Committee
Scottish Parliament
Edinburgh
EH99 1SP

13 March 2026

Dear Convener,

On 27 November 2025 I committed to updating Parliament on the progress of NHS Tayside's investigation into the destruction of theatre logbooks. I wanted to make you aware that I have today fulfilled this commitment by means of answering a Government Initiated Question.

As my answer makes clear, NHS Tayside have advised that the external investigators they have commissioned, AAB, began their formal investigation in February 2026. They are independently analysing all the documents they have requested to date, with further documentation being identified and new information requested as witness interviews progress and additional evidence is heard.

The agreed scope of the investigation is to:

- Review NHS Tayside's systems, processes, actions and governance arrangements in response to the Do Not Destroy notice.
- Examine NHS Tayside's internal investigation to assess whether the Health Board has a full and accurate understanding of how the destruction occurred.
- Identify any systemic or procedural weaknesses that contributed to the incident.
- Provide recommendations to strengthen controls and prevent recurrence.

NHS Tayside has indicated it expects to receive its final investigation report and recommendations during the first week in April. The report will then be considered by NHS Tayside's board and next steps agreed. The First Minister has written to the Chief Executive of NHS Tayside to ask that she keep former patients updated with any developments in the weeks ahead.

In addition to the above and as you may be aware, the Chair of the Inquiry has announced that the hearings scheduled for 3 weeks from 20th April will now be held virtually. The Chair's decision follows questions being raised by Edinburgh City Council to the landlord of Waverley Gate regarding fire safety certification of the area in and around the hearing space

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to be used by the Inquiry and until the matter is resolved access to the hearing space has been restricted.

I would like to reassure you that Scottish Government officials are working in liaison with the landlord of Waverly Gate and Edinburgh City Council, to investigate the matter and achieve a resolution.

The Chair of the Inquiry has made the decision this week that a move to virtual hearings, in order for the important work of the Inquiry to progress, is the right thing to do. Core participants were informed by letter, and the Inquiry has published an update on their website. The Chair fully intends to resume full in-person public hearings, once the issues have been resolved.

Finally, I want to take this opportunity to reassure the Committee that Ministers will do all we can to help promote a more positive dialogue between the board and former patients.

Yours sincerely



NEIL GRAY

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