

PE1517/MM

Cabinet Secretary for Health and Sport submission of 31 May 2017

Thank you for the opportunity of attending the Public Petitions Committee on 18 May to discuss the Independent Review of Transvaginal Mesh.

As you know, during the meeting I undertook to write to you to clarify certain issues, the first relating to the EU's classification of mesh. I can confirm that surgical mesh has been re-classified by the EU to Class III, following adoption of the relevant Regulations on 5 April: https://ec.europa.eu/growth/sectors/medical-devices/regulatory-framework/revision_en. A transition period of three years has been confirmed, before the Regulations enter into force in 2020.

I also undertook to clarify the status of surgical mesh in other parts of the world. I can confirm that its use is permitted across Europe, Australia and the USA. Furthermore, the Scottish Government is unaware of any outright ban on the use of mesh outside of those areas.

I can confirm that the chapters were authored by members of the group with support from the secretariat (SG officials), under the direction of the chair. Draft versions of the Final Report were discussed by all members at meetings of the Independent Review. Any amendments in light of those discussions were made by the secretariat.

The Scottish Government will continue the process of establishing an Oversight Group, and the Chief Medical Officer will continue to work directly with Health Boards whilst the Review's conclusions are taken forward. I note that, during my Committee appearance, some concern was raised about out-of-date information remaining available at certain GP practices. In due course the Chief Medical Officer will be writing to Health Boards with regard to the establishment of the Oversight Group, and will advise that the Group plans to revise information and consent leaflets as part of its focus on patient-centred literature. All Health Boards will, of course, be fully expected to disseminate this to GP practices in their respective areas.

As you know, the Committee also raised concerns, both with me and with the Chair of the Review, concerning the patient representatives' request to have information removed from the Review's Final Report. When I met with Ms Holmes and Ms McIlroy, shortly after their resignation from the Review, they indicated that they wished to have changes made to the Report, including the removal of their minority report. I relayed this request to the Chair, and this was agreed to. Subsequently, Ms Holmes and Ms McIlroy requested that further information be removed. This was again relayed to the Chair for her consideration.

I hope this helps to clarify matters.