

F-2014-00029 - Incidents where embryos have perished without consent following removal from storage

19 February 2014

Summary of request

The Authority was asked for the number of incidents of embryos being erroneously removed from storage that perished without patient consent as a result, as well as how many times the HFEA has used legal sanctions following such incidents.

HFEA response

Following an extensive search of records at the HFEA, the requested data can be found in the table below.

| Year | Number of instances |
|----------|---------------------|
| Pre 2000 | 0 |
| 2001 | <5 |
| 2002 | <5 |
| 2003 | 0 |
| 2004 | <5 |
| 2005 | 0 |
| 2006 | <5 |
| 2007 | <5 |
| 2008 | <5 |
| 2009 | <5 |
| 2010 | 0 |
| 2011 | 0 |
| 2012 | <5 |
| 2013 | <5 |

When these incidents are reported the HFEA can take a number of steps such as HFEA staff performing site visits. After an internal investigation is carried out the HFEA can insist on a number of procedural changes within the centre to ensure that the cause of the incident has been addressed. The HFEA has not used legal sanctions such as the revocation of a licence in response to these occurrences.

Numbers smaller than 5 have been replaced with a '<5' figure as there is a significant possibility that this information, when combined with other information to which someone may reasonably be

expected to have access, could lead to the identification of a person to whom the HFEA owes a duty of confidentiality. To disclose this information may therefore result in a breach of the confidentiality provisions of section 33A of the Human Fertilisation and Embryology Act 1990 (as amended), and the information is therefore exempt from disclosure under section 44 of the Freedom of Information Act 2000.