



justfair

PRESS RELEASE

Embargoed until 28 June

The access of NHS patients' personal information by the Home Office is a violation of human rights, Just Fair and Doctors of the World denounce

The Government must ensure access to healthcare for everyone as part of its commitment to 'build a country in which no one and no community is left behind'

In a [report](#) launched today, the human rights group Just Fair and the medical charity Doctors of the World denounce that the Memorandum of Understanding that allows immigration authorities to access non-clinical personal information undermines patients' right to health.

Around 600,000 undocumented people live in the UK, including children who were born in the country.

As it is being [reported](#) that Grenfell Tower survivors are 'too scared to seek help' because of their immigration status, both organisations call on the Government to ensure that everyone living in the UK feels safe to seek medical assistance when they need it.

The transfer of non-clinical personal data between the NHS and immigration authorities interferes with their human right to health and compromises the confidentiality between patients and doctors.

It also entails potentially serious public health risks and the Government has not proven its cost effectiveness.

Medical charities, health professionals and Public Health England have all warned about the pernicious deterrent effects of the Memorandum of Understanding. Undocumented migrants are forced to consider the risk of being deported before visiting a public hospital when they need it.

Just Fair and Doctors of the World call for the suspension of the Memorandum of Understanding until the Department of Health has assessed thoroughly the impact of the transference of patients' personal information from the NHS to the Home Office, particularly on the rights of migrant women.

'I feel trapped. I'm in a situation where I need to go to the hospital but I can't, because I feel my information might not be confidential. I can't imagine being separated from my partner. Maybe they would make me go back without my baby too. I would be separated from one or even both of them.'



justfair

The above is the testimony of a six-month pregnant Ugandan woman who sought antenatal care from Doctors of the World because she was too scared to visit her GP. She is married to a UK citizen and has lived in the UK for five years.

'I felt like I was carrying the weight of the whole world. I was worried that if I went to the hospital and the immigration authorities know about it, they might get me and deport me. But if I didn't go to hospital, then what about the lump?'

These are the words of a Filipina woman who received an appointment for a biopsy but did not attend out of fear for the consequences. She works in the cleaning service and has lived in the UK for several years without visa.

Dr Lu Hiam, an NHS GP and Doctors of the World health advisor, says:

'Deterring sick people from getting healthcare has serious consequences. At the Doctors of the World clinics, we see pregnant women avoiding antenatal care and people with serious illnesses, such as cancer, who are too afraid to see a doctor. Many people were afraid even before the data-sharing was made public, and our concern now is that this fear will increase.'

Professor Paul Hunt, UN Special Rapporteur on the Right to Health between 2002 and 2008:

'Access to healthcare is recognised as a universal human right in international law. On numerous occasions, international human rights bodies have made clear that everyone is entitled to the right to the highest attainable standard of health without discrimination. Like governments in other countries, ours must ensure that nationals and foreigners living in the UK have access to preventive, curative and palliative health services regardless of their immigration status.'

Professor Allyson Pollock, Professor of Public Health at Newcastle University:

'The protection of patient data and patient confidentiality is sacrosanct and essential to trust in the doctor-patient relationship. Sharing of patient data, without informed consent, for immigration and other non-healthcare purposes not only breaches that relationship; it jeopardises access to healthcare for some of the most vulnerable groups in society. GPs, doctors and all health professionals must take steps to protect the privacy of their patients and oppose sharing NHS data for immigration purposes.'



justfair

Further information:

The Memorandum of Understanding between NHS Digital, the Home Office and the Department of Health came into effect in January 2017. Its purpose is to formalise and facilitate the access to NHS patients' non-clinical information, including their home address, by Home Office Immigration Enforcement authorities.

According to the NHS Digital data register, the Home Office made 8,127 requests for patients' details between January and November 2016, a three-fold increase on the monthly average for 2014 (2,937 in twelve months). Between December 2016 and February 2017, the latest available data, the Home Office made 1,141 requests.

About Just Fair and Doctors of the World:

Just Fair works to realise a fairer and more just society in the UK by monitoring and advocating the protection of economic and social rights.

Doctors of the World is part of the Médecins du Monde network, an international humanitarian organisation providing medical care to vulnerable populations. In 2016 Doctors of the World saw 1,924 patients, including refugees, asylum seekers, undocumented migrants, victims of trafficking and homeless people.

For further comments and to interview:

Just Fair – Koldo Casla, Policy, Research and Training Manager koldo.casla@just-fair.co.uk

Doctors of the World UK– Shyamantha Asokan, Communications Officer
sasokan@doctorsoftheworld.org.uk