

freedom.information@wvt.nhs.uk

12 September 2019

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST FOI2019/0236

Thank you for your further request for information relating to this FOI, as follows:

REQUEST//////////

Thank you for sending your response to the request, however, I was wondering if you would please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request:

Would it be reasonable to assume that the reason for the lack of code or information available is that the number of instances is zero?

Or should I perhaps adjust my question on these lines: How many times has your NHS Trust used the Mental Health Act in the five previous calendar years (01/01/14 to 31/12/18) to treat a patient against their wishes in order to reduce their reproductive capacity?

I don't wish to lead you towards a particular answer, but I am assuming that the number is probably zero, as has been the case with every other maternity providing Trust thus far.

If it helps, this is the background to the FOI: Following the recent 'forced abortion' case that reached the news, the Department of Health was asked by several MPs if the practice was common and if it occurred elsewhere. However, they responded that they did not have that information; it is not collected centrally. I am therefore checking each NHS Trust accordingly and avoiding this year to maintain the anonymity of those involved in the recent case.

RESPONSE//////////

There is no record of people being seen under the mental health act for issues described in the request so it would be reasonable to assume the incidence is zero/nil return.

Although after consulting staff and available records it is a nil return, it has to be noted that up to present there is no clinical coding for this. Therefore although there is no record, there is also no current facility for recording this by clinical code. It would not be recorded in patient notes either.

All Trusts currently use the same Clinical Coding system so it is not foreseeable that this would be clinically coded in any Trust in England and Wales.

Very few terminations are conducted at the Trust, and these are almost exclusively for clinical reasons (such as missed miscarriage). This is the extent of the information held by the Trust.

If you have queries or any concerns contact details are given at the top of the letter. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to:

Information Governance/Privacy Officer
Wye Valley NHS Trust
Monkmoor Court
31-34 Commercial Road
Hereford
HR1 2DX
Email: freedom.information@wvt.nhs.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire, SK9 5AF

Telephone: 01625 545 745 www.ico.gov.uk

Yours sincerely,

Freedom of Information Coordinator

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