

Sign in

Contribute →

The Guardian

News Opinion Sport Culture Lifestyle



World ► Europe US Americas Asia Australia Middle East Africa Inequality More



**Human rights in focus**

## British trafficking victim sues Priti Patel alleging abuse of personal data

**Lawyers argue human rights of 'extremely vulnerable' woman were breached by Home Office access to personal and confidential details**

Supported by



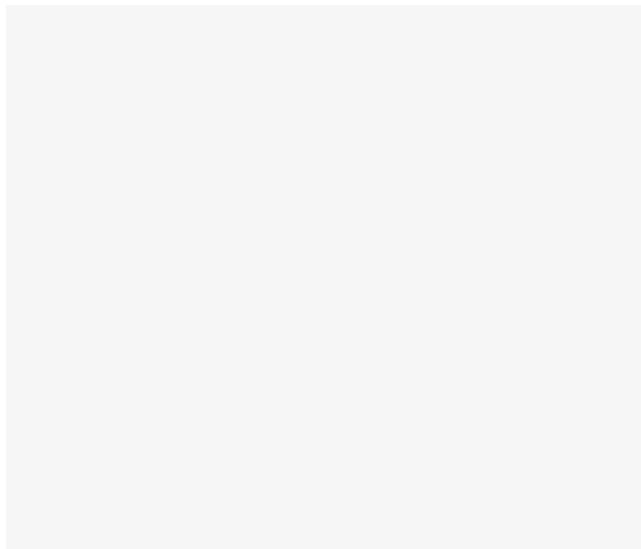
About this content:

**Diane Taylor**

Thu 30 Jul 2020 10:15 EDT

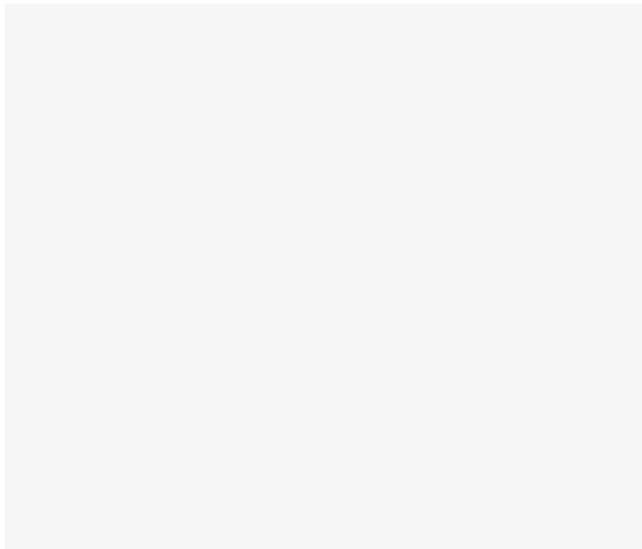
A British victim of trafficking is bringing a case against the home secretary, [Priti Patel](#), arguing that her department unlawfully accessed personal information including details of her intimate thoughts.

If the case succeeds it could have implications for tens of thousands of others who may also have had their personal information accessed by officials. Five other survivors of trafficking have threatened the minister and her office with legal proceedings on this issue.



The woman, who cannot be identified and has learning disabilities, is currently living in a safe house, assisted round the clock by support workers due to her complex mental health problems.

She was drugged, abused and trafficked on a number of occasions for the purposes of sexual exploitation and drug trafficking. She has suffered extensive sexual and physical abuse, and was exploited to undertake criminal activities. She has been confirmed by the Home Office to be a serial victim of [modern-day slavery](#).



The case she is bringing focuses on the Home Office's claim that it owns the extensive data collected on victims of trafficking by charities contracted by the department, under the [victim care contract](#).

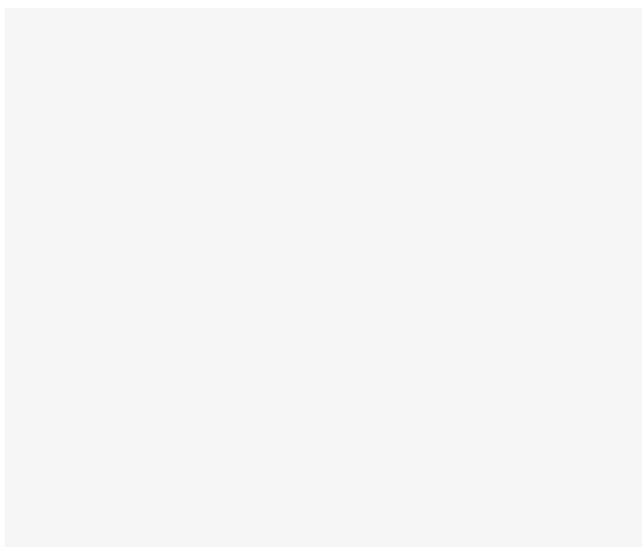
One charity, an interested party in the legal challenge, is the Salvation Army. It has a contract, which runs until March 2021, with the [Home Office](#) and works with subcontractors to provide support to victims of trafficking. These support workers may be involved in many aspects of the lives of those they are supporting, including accompanying them to confidential legal and medical appointments. They are also in receipt of the disclosure of personal and often intimate information.



Pressure mounts on Priti Patel over case of 11-year-old at risk of FGM

[→ Read more](#)

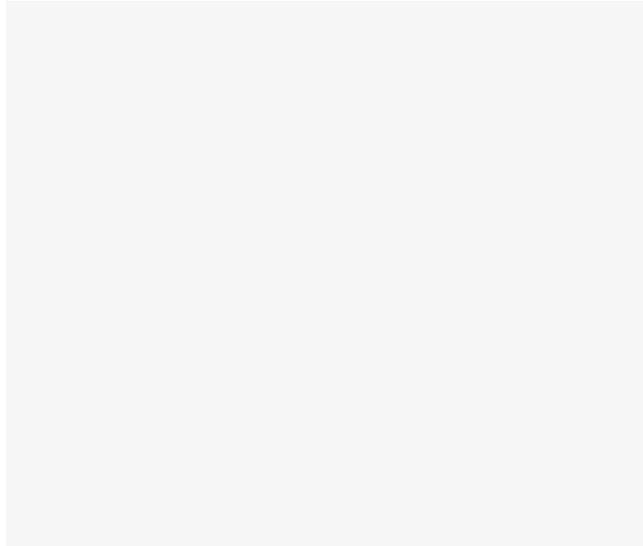
The notes made by workers about their clients are stored on a database, operated by the Salvation Army. Access to this is the focus of the legal challenge according to the woman's solicitor. Ahmed Aydeed of Duncan Lewis Solicitors says that at one point last year the woman was detained in hospital under the Mental Health Act. [She was due to be discharged but had nowhere to go to.](#)



---

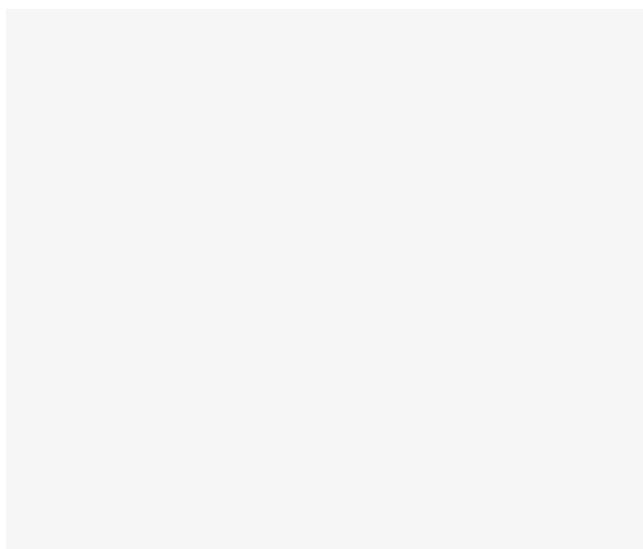
Aydeed challenged the Home Office to provide accommodation and argued that the government had a responsibility to do this as she was a victim of trafficking.

In the course of acting for his client, Aydeed says it became clear the Home Office had obtained sensitive information about her from the database that he considered irrelevant to her trafficking case. This included details of her thoughts and feelings.



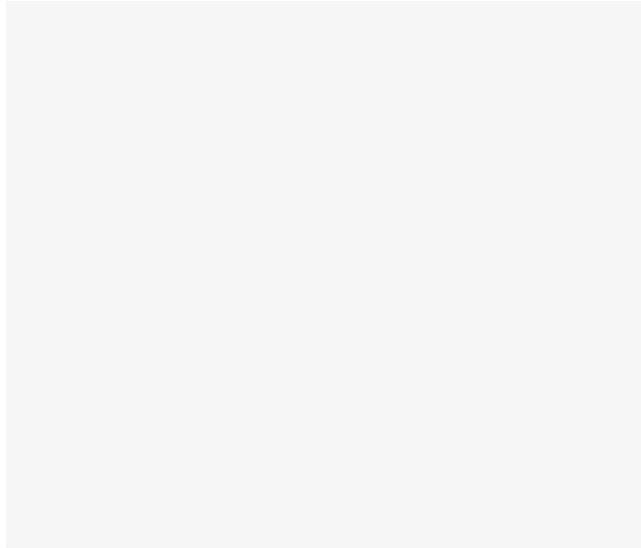
While the Home Office says it is unable to directly access this database, it can get data via the Salvation Army, which says the Home Office owns the information and so it is obliged to disclose it under the terms of its contract.

The victim's legal team argue that the Home Office has unlawfully accessed legally privileged communication between the woman and her lawyers, has breached her human rights in terms of the personal information accessed without her consent, has breached data regulations and has failed to provide adequate guidance on the use of victims' personal information, leading to systemic problems.



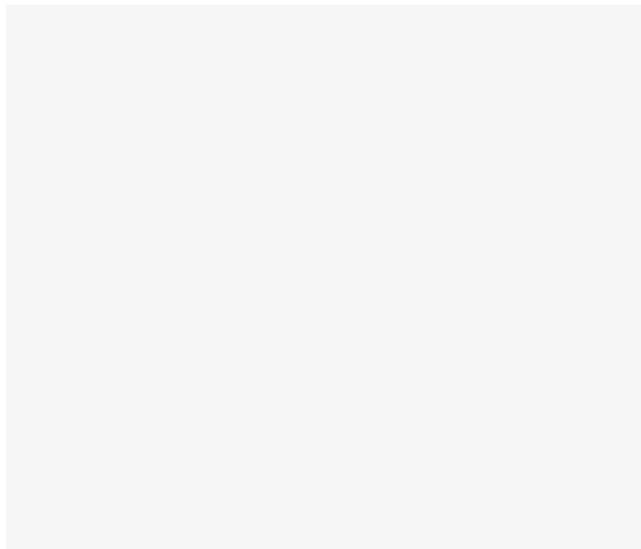
The woman is asking for the destruction of legally privileged information the Home Office holds about her, along with personal information.

The department disputes that it has acted unlawfully, saying support workers who help victims of trafficking are “Home Office agents”, that it complies with data protection legislation and is the controller of data relating to victims of trafficking.



Aydeed argues that the Home Office should not have access to sensitive legal information before cases against it are lodged.

Aydeed said: “The home secretary has shown a complete disregard for survivors’ right to privacy and right to receive confidential legal advice.”



The Salvation Army told the Guardian it cannot comment on the matter at this time. A Home Office spokesperson said: “It would be inappropriate to comment while legal proceedings are ongoing.”

---

**America faces an epic choice ...**