



Home Office prevented asylum seeker's urgent cancer treatment

Woman with advanced breast cancer was deemed ineligible for free NHS care

Josh Halliday and Denis Campbell

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A 38-year-old woman with advanced breast cancer was denied potentially life-saving chemotherapy for nearly six weeks after the Home Office deemed her ineligible.

Kelemua Mulat, who has metastatic breast cancer in her abdomen and bone cancer in her spine, was refused urgent hospital treatment on 27 April after a Home Office official decided her asylum claim did not meet strict criteria.

Doctors at the internationally-renowned Christie hospital in Manchester were extremely concerned by the decision, the Guardian has learned, as

consultants believed chemotherapy was “[immediately necessary](#)”.

The mother-of-one, who fled Ethiopia during political violence in 2010, began chemotherapy on Thursday after the Christie took the rare step of applying to treat her on the grounds that she requires urgent treatment, making her exempt from charges for overseas patients. The treatment started six weeks after she had been due to have her first consultation at the hospital.

In an interview with the Guardian, Mulat said she felt she had been “left to die”.

“There’s too many unlucky people on Earth but I feel like the worst one,” she said through tears. “I came here for a better life but it’s not happened. I’ve no hope. I just wait to die. Anybody at the age of 38, waiting for death - how can you feel?”

Jeremy Bloom, Mulat’s legal representative at the law firm Duncan Lewis, said: “We are delighted that our client will be receiving the life-saving cancer treatment that she so urgently needs, but it is shocking this treatment was delayed by nearly six weeks.”

Lawyers and charities said Mulat’s case was an egregious example of the government’s “hostile environment” policy, which puts hospitals under a legal duty to check patients’ eligibility for most forms of care.

Hospitals are obliged to seek money upfront from patients deemed ineligible for free care, sometimes because they do not have the necessary paperwork to prove their entitlement.

Doctors, health charities and organisations working with migrants have criticised this regime as unfair, inhumane and likely to deny [NHS](#) care to people in urgent medical need.

There is growing opposition from NHS staff, who claim the policy threatens to break the bond of trust between staff and patients by turning them into border guards and debt collectors.

 Our ‘hostile environment’ towards migrants only exists with public consent
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Mulat’s spreading cancer causes crippling pain in her back and she is unable to retain any food or drink beyond water and a dry biscuit, according to her friend and interpreter, Sara Jackson.

“She’s been in horrendous pain, day and night; her skin has changed colour because the cancer is all over her abdomen,” she said. “She would have died if it wasn’t for the kindness of the doctors and nurses.”

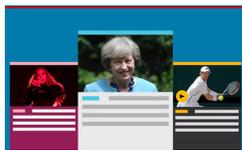
Mulat arrived in Britain in July 2015, five years after fleeing Ethiopia when her partner - the father of her daughter - was shot dead, she said, by pro-government forces after he took part in protests.

She was diagnosed with breast cancer in 2013 in Greece, where she underwent a mastectomy paid for by the United Nations refugee agency.

Her first asylum claim in Britain was rejected in August 2016 and her section 4 asylum support, which includes NHS healthcare and a £35.39 weekly support allowance, was stopped in February this year.

Since then, she has been surviving on food parcels and supermarket vouchers from the [British Red Cross destitution service](#), while living in Home Office accommodation in Salford with four other female asylum seekers. On 25 April Mulat's lawyers submitted fresh evidence arguing she faced political imprisonment if she was forced to return to Ethiopia.

However, the Home Office classified the evidence as "further submissions" instead of a fresh application; a small but crucial difference which meant that, in the eyes of government bureaucrats, Mulat was not entitled to free healthcare. Had her evidence been seen as a fresh asylum claim, she would have been allowed chemotherapy immediately.



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Mulat also re-applied for section 4 support on 25 April, which would have entitled her to free healthcare, but this was not granted until Wednesday, a day after the Guardian contacted the Home Office.

A spokesman for the Christie said: "When Ms Mulat attended the Christie, we sought and acted upon advice from the Home Office which advised that Ms Mulat was not eligible for free NHS care. This resulted in a delay to the start of her treatment.

"We subsequently reviewed the case in line with the NHS (Charges to Overseas Visitors) Regulations 2015 and decided to treat Ms Mulat immediately. Our staff are committed to treating patients in need with compassion and the very best care.

"Ms Mulat had a consultation at the Christie on 6 June and started her treatment immediately. We appreciate that this must have been a very anxious and stressful time for Ms Mulat and we hope that she can now focus on her treatment."

Mulat, who is being supported by the [charity RefuAid](#), is legally unable to work because of her asylum status but volunteers at a charity shop and is on a waiting list to learn English at Salford college.

Anna Jones, the co-founder of RefuAid, said the charity was appalled at the situation.

“Increasing evidence of a hostile environment facing asylum seekers with terminal and acute illness is incredibly concerning and having a devastating impact on the lives of those suffering,” she said.

After being turned away initially from the Christie, Mulat was prescribed a “stopgap treatment” of a daily Letrozole tablet and a monthly Zoladex injection. She was invoiced £3,379 for this, causing significant distress.

Bloom said the myriad rules about the charging of overseas patients had led to confusion across the system and that seriously ill people were being left in the dark as a result.

“Hospitals, the Home Office and the Department of [Health](#) don’t seem to understand how to apply the relevant eligibility and exemption criteria, and what evidence to seek from people in situations like this,” he said.

“Communication with patients is also totally unclear; patients are rarely told in writing whether they will be charged or refused treatment under the regulations, or what evidence they need to provide.

“The NHS charging regulations are another part of the ‘hostile environment’ which is having unintended consequences for vulnerable people in need of protection.”

The Home Office said in a statement: “This government is committed to doing everything necessary to protect the rights of asylum seekers and ensure those who would otherwise be destitute are supported while applications are considered.

“Asylum seekers are provided with free, fully furnished accommodation while applications are considered. We also cover utility costs and provide a cash allowance to cover other essential living needs, including free access to NHS healthcare.”

The Home Office has refused Mulat’s latest asylum claim despite evidence about the threat she would face in Ethiopia. She is a member of Ginbot 7, the same pro-democracy group as the British citizen Andargachew Tsige, who spent four years on death row before he [returned to Heathrow on Friday](#) after the British government campaigned for his release.

In January, an Ethiopian court sentenced more than 30 alleged members of the group - which is banned by the state - to between 15 and 18 years in jail.

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