



24 February 2016

Ms Toni Matulick
Committee Secretary
Senate Legal and Constitutional Affairs Committee
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Canberra, ACT, 2600

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Dear Members of the Select Committee

RE: IHMS response to Amnesty International Submission to the Select Committee

IHMS welcomes the opportunity to provide a response to the written submission and accompanying report *“Island of Despair: Australia’s ‘processing’ of refugees on Nauru”*.

Amnesty International wrote to IHMS on a number of occasions in 2016 regarding its report ‘Island of Despair’. IHMS responded via telephone and in writing to Amnesty International and also met with Amnesty International representatives on 30 August 2016. Whereas some of our responses to Amnesty International are reflected in its report, we take this opportunity to outline our concerns with some of Amnesty International’s claims.

IHMS’ Services

IHMS is contracted by the Commonwealth of Australia, represented by the Department of Immigration and Border Protection (the **Department**), to provide primary and mental health care services, to asylum seekers and refugees residing within the Regional Processing Centre (**RPC**). In Nauru IHMS also provides primary health care services to refugees residing in the community via a dedicated settlement health clinic. Refugees also have the option of attending the Government of Nauru health services should they prefer.

General practitioner, nursing and mental health care clinics are open at the RPC seven days a week. There is also after-hours medical staffing to respond to any after-hours medical emergencies. The medical team includes obstetricians, midwives and medical officers with pediatric training.

While refugees who have settled in the Nauru community have access to health care facilities at the Republic of Nauru Hospital (**RoNH**), they may also access the IHMS primary health services at the IHMS Settlement Health Clinic which is co-located with the RoNH. Mental health services for refugees and asylum seekers are provided at the RPC, with services for refugees having been relocated from the Settlement Health Clinic in late 2016.

Additional health services for both asylum seekers and refugees, such as emergency and specialist care is provided by the RoNH and not by IHMS. The RoNH also has a mental health service which is available to refugees.

Mental health

The IHMS mental health team in Nauru includes (as of February 2017) 30 full-time mental health staff



including psychiatrists, psychologists, mental health nurses, counsellors and other allied health professionals, as well as two dedicated torture and trauma specialist counsellors. IHMS provides mental health assessment, support and treatment in accordance with accepted mental health principles, across the spectrum from outpatient clinics, community-based outreach, to 24 hour nursing support where this is clinically indicated. Pharmacological and non-pharmacological treatments are available. Cases of requiring additional services are escalated as clinically appropriate through established channels to both the Government of Nauru and the Australian Department of Immigration and Border Protection. We continue to work in collaboration with the RoNH and Australian Government-funded agencies to build capacity, and address existing and new challenges as they emerge.

Patient privacy and confidentiality

Many of the cases cited by Amnesty International are cases which do not directly involve IHMS staff or medical services provided by IHMS. IHMS follows a clear and ethical client confidentiality and privacy policy and where there may be IHMS involvement, we will not comment on these individual cases without being able to properly identify the patient and receive their consent to discuss their case in an open and transparent way. We will also not comment on matters which are outside the control or scope of IHMS such as accommodation issues, criminal matters, transfer policy, and the provision of specialist services to refugees.

Access to medical records

We strongly refute Amnesty International's claim that asylum seekers and refugees do not have access to their IHMS medical records. Asylum seekers on Nauru may request a copy of their IHMS medical record from the IHMS clinic at the RPC. Refugees may request a copy of their IHMS medical record from the IHMS settlement health clinic in Nauru. Third parties who have legally valid consent to do so may request records of asylum seekers or refugee. The process for third party requests for medical records is set out on our website www.ihms.com.au

IHMS' commitment to transparency while at the same time protecting unlawful access to patient records is evidenced by the fact that, to date, all complaints referred to the Office of the Australian Information Commissioner in relation to IHMS and the provision of medical records have been resolved in IHMS' favour.

IHMS does not however have authority to release RoNH medical records. This matter is not within the control of IHMS and is a matter for the Government of Nauru and the RoNH.

Medical ethics

IHMS staff refer to asylum seekers and refugees on Nauru by name. In written documentation, numeric identifiers are regularly used in conjunction with names in order to ensure correct identity. This is required due to the high incidence of more than one client with a very similar (if not the same) name to another. Use of three 'identifiers' (including patient record number) is standard practice in clinical medicine, to avoid incidents involving misidentification of patients. We refer the Committee to the Royal Australian College of General Practitioners Standards for General Practices Criterion 3.4 on the usage of patient identifiers <http://www.racgp.org.au/your-practice/standards/standards4thedition/safety,-quality-improvement-and-education/3-1/patient-identification/>

IHMS also refutes Amnesty International's claim that asylum seekers and refugees on Nauru are denied treatment by IHMS or receive poor quality treatment. Furthermore, we are deeply concerned by Amnesty International's claim that our staff fail to abide by professional medical ethics, or have made derogatory



comments about asylum seekers and refugees. Such claims are offensive to IHMS clinicians who are highly committed to providing high quality healthcare services to their clients.

IHMS promotes a culture of integrity and ethical behavior. All staff are encouraged to raise ethical issues or any other wrongdoing with senior management and these concerns are acted upon. To assist staff who want to report anonymously, IHMS uses the Integrity Reports application which allows seamless anonymous communication between staff and a designated investigator. Communication conducted through this application is protected as is the employee's identity. We participate in frequent dialogue with government, medical organisations, professional colleges and external specialist consultants, with the primary objective of ensuring we deliver the best possible medical care to our patients.

Since 2003 when IHMS first began providing services to people in immigration detention and then to asylum seekers and refugees on Manus Island and Nauru, we have developed robust systems to assure high standards of care for all of our patients, in full compliance with international healthcare standards and regulations. As evidenced by our discussions with Amnesty International, including a face-to-face meeting, IHMS welcomes external comment and review as a means to continuously improve and adapt the service we provide in these challenging environments

As discussed with Amnesty International, IHMS believes that refugees and asylum seekers, as with all patients, have the right to high quality health care. IHMS is not a political organisation – it is a medically-led health services provider. Medical professionals across the globe and of all political persuasions treat victims of armed conflict, terrorism, natural or man-made disasters, famine, or those incarcerated in prisons, regardless of whether or not they support the policies or practices of the responsible government. IHMS medical professionals operate within a very robust clinical governance system with a mission to deliver high quality, medically appropriate healthcare with humanity and cultural sensitivity.

Yours sincerely

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