



British Association of Physicians of Indian Origin

*****PRESS RELEASE*****

BAPIO named as an interested party to important Judicial Review proceedings over the provision of PPE

The coronavirus, COVID-19, has led to widespread devastation in the U.K. which has seen the world's third highest death rate in numbers. The virus has killed over 300 Health and Social Care Workers (HSCWs) who have made the ultimate sacrifice whilst caring for and protecting patients.

In the background to this, two junior doctors, Dr Nishant Joshi and Dr Meenal Viz, have launched a Judicial Review challenging the lawfulness of the PPE guidance published by the Department of Health and Social Care and Public Health England – guidance which they say exposes HSCWs to COVID-19. Drs Joshi and Viz have together applied for permission to bring judicial review proceedings and have named BAPIO as an interested party to this important legal action, which we support wholeheartedly.

Dr Ramesh Mehta OBE, BAPIO President said, "This case by Dr Joshi and Dr Viz is vital in establishing the obligation of government and its official bodies in the protection of HSCWs against a second wave of COVID-19 and future pandemics".

BAPIO has an unimpeachable interest in this matter; we are the largest organisation representing BAME HSCWs – a group who has suffered, and continues to suffer, disproportionately from the impact of COVID-19 in terms of infections and fatalities. We were the first medical organisation to write to the CMO, Professor Chris Whitty, expressing concern about BAME doctors' deaths and have tirelessly campaigned for adequate protection and risk assessments. Likewise, we have commissioned a number of surveys on the experience of HSCWs at work during this COVID-19 crisis, which has been published in journals, and is readily available in the public domain.

Upon being named as an interested party, BAPIO instructed Sarah Dodds of Medical Defence Shield (MDS) as their Solicitor for this matter. Barristers, Nadia Motraghi and Alex Shellum of Old Square Chambers, were also instructed as Counsel to draw up grounds in support of Dr Nishant Joshi and Dr Meenal Viz. These grounds, along with a witness statement from Dr Mehta OBE, BAPIO President, have now been filed at the High Court.

A High Court Judge will now decide, upon reviewing the case, whether to grant permission for the Judicial Review to proceed. If granted permission, Dr Viz and Dr Joshi's case will be heard at a full hearing to determine whether the Department of Health and Social Care and Public Health England have acted unlawfully. We will continue to keep our members updated on the progression of this matter.

Dated 17 July 2020

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Notes for Editors

British Association of Physicians of Indian Origin (BAPIO) is a non-political, national, voluntary medical organisation that supports members and other healthcare professionals through education, training, policy making, and advocacy work. Since its inception in 1996, BAPIO has actively promoted the principles of diversity and equality. Over the years the Association has grown in stature and influence. It is represented through active Divisions covering all the English Regions as well as Scotland, Wales and Northern Ireland. It is now one of the largest organisations of its type in the country. BAPIO is committed to ensuring that the NHS provides the best patient outcomes. By promoting professional excellence and leadership, BAPIO adds value in enhancing the skills of the medical workforce. BAPIO also contributes to the cause of promoting access to better health care globally and responds to aid victims of natural disasters in the world.

Further information

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