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Health

SWAH campaigners hit with FOI ban as repeated requests around hospital services deemed 'vexatious'



The South West Acute Hospital (SWAH) in Enniskillen

Liam Tunney

Today at 06:53

Two NI health campaigners have been told they will no longer be permitted to submit requests for information on a number of issues after the Department of Health (DoH) deemed their requests to be “vexatious”.

Helen and Jimmy Hamill are researchers for Save Our Acute Services (SOAS), a group who campaign for the retention of acute services at the South West Acute Hospital (SWAH) in Enniskillen.

SOAS has continually campaigned against the temporary removal of emergency general surgery from the site in December 2022, which moved the service to Altnagelvin Area Hospital in Derry.

Through their campaigning, the pair have lodged a number of Freedom of Information (FOI) requests with the DoH relating to the decision, along with queries around the trauma network and the Reform agenda.

One request from Mr Hamill focused on a series of ad hoc healthcare reviews commissioned by the department from the NHS England-based Getting It Right First Time (GIRFT) programme.

A similar request from the Belfast Telegraph was answered in May 2024, revealing that six reviews had been completed since 2022 at a total cost of more than £500,000.

However, Mr Hamill's request was not answered; instead a response was issued informing him that his "repeated requests for information are substantially identical or similar enough to be vexatious" under Section 14 of the FOI Act.

"The department, therefore, will not be entering into any further communication with you, or any other person in relation to requests for information related to the Transformation (now the Reform) agenda, associated projects and programmes, or the temporary withdrawal of emergency general surgery from South West Acute Hospital," they added.

"This relates to requests for information under the FOI Act and does not relate to other communication with the department."

Further department communication sent to Mrs Hamill in response to a query about the NI Major Trauma Centre and Network revealed she had sent 57 requests over a two-year period, which it again deemed to be vexatious.

The campaigner requested an internal review, which upheld the department's decision to engage Section 14 of the Act.



Campaigners Jimmy (left) and Helen Hamill (right) have been told their repeated FOI requests are 'vexatious'

SOAS said the decision was “undemocratic”.

“We have led an evidenced-based campaign that relies on FOI requests to provide information that the department would rather is kept hidden,” said a spokesperson.

“It is entirely undemocratic that the Department of Health is now calling our camp ‘vexatious’ and refusing to provide information to which the people of Fermanagh and South Tyrone are entitled.

“There is a complete injustice here. The people of this area are now unable to get valid information which is in the public interest.

“There are serious questions here regarding a failure to live up to the Nolan Principles — in particular those of openness and accountability.

“The public has a right to feel angry about this and it is right that all of us, including our public representatives, should make our feelings known to the department.”

In response, the Department of Health said it will “always engage constructively with the public on any issue that is relevant to health and social care”, adding: “Service reviews, including those carried out by GIRFT, are published on the department’s website after ministerial approval.

“In relation to the temporary withdrawal of emergency general surgery at the South West Acute Hospital, there has been extensive engagement with local campaigners in Fermanagh.”

The Department of Health added: “It is uncommon for the department to determine the topic of repeated requests vexatious.

“Such determination is only a last resort when normal engagement has not been successful, and the department has already expended considerable resource responding to the requests.

“When such a decision is taken, there is an appeals process in place, including the option to request an independent review from the Information Commissioner.”