

The Rt. Hon. Boris Johnson, MP
Prime Minister
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10 Downing Street
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The Rt. Hon. Nicola Sturgeon, MSP
First Minister of Scotland
Scottish Government
St Andrews House
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The Rt. Hon. Professor Mark Drakeford, MS
First Minister of Wales
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Cardiff Bay CF99 1NA

The Rt. Hon. Arlene Foster, PC
First Minister of Northern Ireland
The Executive Office
Stormont Castle
Belfast BT4 3TT

By e-mail (and hand delivered to 10 Downing St)

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Sent on behalf of all signatories. Address responses to Peter Walsh, Action against Medical Accidents, Christopher Wren Yard, 117 High St, Croydon CR0 1QG or email: chiefexec@avma.org.uk

Dear Prime Minister and First Ministers,

We the undersigned acknowledge the consistent efforts made by ministers in recent weeks to encourage people with non-COVID related illness to take up their rights to be treated by their national health service in the four parts of the UK, or under their private insurance arrangements, without any suggestion that those rights are reduced by the need to allocate resources to the fight against the pandemic itself.

However, we are increasingly concerned about the impact, including avoidable harm and death, which is being caused by the continuing unavailability of urgent diagnostics and treatment for thousands of non-COVID patients. The backlog of such cases is now significant and worsening. We implore the central and devolved Governments of the UK to take urgent strategic action, including in co-ordination and co-operation with each other, to prevent this becoming a second and perhaps even more serious health catastrophe arising from the pandemic in the UK.

We fully understand the initial confusion and need for drastic measures to protect patients and staff from the virus at the start of the crisis, such as closing down many NHS services entirely. However, where it arose that need was temporary and, with lack of any obvious planning for de-escalation, there was a clear failure to respond appropriately by reallocating resources to the treatment of non-COVID patients.

Due in part to your measures and the unwavering dedication of NHS staff, the health service has got through the first wave of the pandemic. The diagnosis and treatment of non-COVID patients with potentially life-threatening conditions must now be rapidly accelerated. Many NHS hospitals are running at something like 60% capacity and most of the diagnostic resources and thousands of beds commissioned from private providers and in Nightingale Hospitals (and their equivalents) remain unused. In each case, this means serious wastage of resources in space, facilities and clinical care, which are so badly needed by non-COVID patients already identified as needing treatment, many urgently.

The lack of diagnosis and treatment of non-COVID patients is putting many thousands of lives at risk, without them having any say in which risks they would rather take as between their established condition and exposure to the coronavirus. It is also denying dedicated health professionals the opportunity of doing what they came into their profession to do.

Urgent care can be provided safely with good planning, adequate protective equipment for staff, and appropriate safeguards in place, to protect the wellbeing of both patients and staff, many of whom are already exhausted from dealing with the pandemic. Some isolated parts of the NHS are already showing how this can be done, but it is nowhere near enough. The strategic planning we are urging must take

account of both the need to continue to deal with future waves of the pandemic and the needs of the patients to whom this letter refers.

We believe there is a legal duty, but more importantly, a *moral* duty, upon Government to ensure all patients have access to the urgent diagnostics and medical treatment they need.

Yours sincerely

Peter Walsh, Chief Executive, Action against Medical Accidents
Theo Huckle QC of Doughty Street Chambers, Counsel General for Wales 2011-16
Mary Smith, Associate Legal Director, Novum Law
Prof Karol Sikora, Chief Medical Officer, Rutherford Health
Prof Gordon Wishart, Chief Medical Officer, Check4Cancer
Prof John Fairclough, Orthopaedics and Emeritus and Hon. Professor of Medical Sciences at Cardiff,
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