# Ghanaian asylum seeker wins right to stay in UK due to risks from post-Covid trauma



A Ghanaian asylum seeker, Winfred Kwabla Dogbey, has been granted the right to remain in the United Kingdom after successfully arguing that returning to his home country would pose significant risks to his mental and physical health due to post-Covid trauma. The case was heard by the Upper Tier Tribunal of the Immigration and Asylum Chamber.

Mr Dogbey, 52, first arrived in the UK in April 2013 on a visa and lodged an asylum claim in June 2016, which was ultimately refused by the Home Office in December 2023. He had a history of submitting further appeals and evidence in pursuit of his claim. A pivotal factor in his case was the severe health complications he suffered during a Covid-19 infection in May 2020, which led to hospitalisation with multiple organ failure and a diagnosis of post-traumatic stress disorder (PTSD).

During the tribunal, it was revealed that Mr Dogbey continues to experience 'post Covid-19 syndrome' and is enrolled in a specialised rehabilitation programme tailored for those impacted by the virus. He has ongoing physiotherapy appointments and is undergoing further diagnostic scans, including CT and ultrasound, with referrals to neurology specialists at the All Bucks Hospital in Buckinghamshire.

Medical evidence presented included a letter from Mr Dogbey’s general practitioner confirming the persistence of his symptoms and a diagnosis of moderately severe PTSD and major depressive disorder (MDD). The tribunal was informed that such treatments and rehabilitation services are virtually unavailable in Ghana, where psychiatric and post-Covid care are largely inadequate.

The Home Office’s legal representatives contended that healthcare, including psychiatric services, is available in Ghana. However, tribunal members noted the Home Office conceded that psychiatric care in Ghana is insufficient. Submissions referenced a report highlighting that only 0.6% of Ghanaians with major depressive disorder receive treatment, and those who do often experience poor quality care. Patients with severe mental health conditions in Ghana reportedly face referral to psychiatric hospitals or prayer camps where human rights abuses, such as forcible sedation, physical abuse, and unanaesthetised electroconvulsive therapy, have been documented.

The tribunal also heard that Ghana has just one private psychologist trained in trauma-focused therapy, and the health system does not provide coverage for psychiatric or psychological counselling. This lack of regulated mental health services was said to sometimes cause harm to those seeking help.

A Consultant Clinical Psychologist involved in the case stated that if Mr Dogbey were to be returned to Ghana, he would likely endure an 'intense and overwhelming' deterioration in his mental health which would be 'intolerable.' The clinical expert concluded that Mr Dogbey would be unable to cope with the 'rapid and severe decline' in his mental condition were he forced to leave the UK.

Judge Gill, delivering part of the tribunal's judgement, remarked, "Given the severe and systemic problems identified in the provision of mental health services, and with no evidence before us to suggest that the position is likely to change, we determine that mental health treatment is not reasonably likely to be accessible or become available to Mr Dogbey for his mental health conditions."

The judges concluded that Mr Dogbey faces a real risk of a serious, rapid, and irreversible decline in health if returned to Ghana, resulting in intense suffering. Consequently, they ruled in his favour under Article 3 of the European Convention on Human Rights, which protects individuals from inhumane or degrading treatment.

The Daily Mail is reporting that this decision highlights the ongoing challenges faced by asylum seekers with complex health needs and the limitations of healthcare infrastructures in some countries. The ruling permits Mr Dogbey to remain in the UK on humanitarian grounds.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://tribunalsdecisions.service.gov.uk/utiac/ui-2023-004266> - This link provides access to the Upper Tier Tribunal's decision in the case of Winfred Kwabla Dogbey, detailing the tribunal's findings and judgment.
2. <https://www.afro.who.int/countries/ghana/news/improving-access-mental-health-services-ghana> - This article discusses the challenges in Ghana's mental health services, including the shortage of qualified professionals and the reliance on faith-based and traditional healers.
3. <https://www.afro.who.int/countries/ghana/news/sustaining-mental-health-agenda-ghana> - This piece highlights the ongoing efforts in Ghana to improve mental health care, including the Director General’s Special Initiative for Mental Health.
4. <https://www.afro.who.int/countries/ghana/news/focused-interventions-strengthen-mental-health-service-delivery-ghana> - This article outlines targeted interventions supported by WHO to strengthen mental health service delivery in Ghana, addressing gaps in the system.
5. <https://www.hrw.org/news/2023/12/04/ghana-invest-more-mental-health-services> - This report by Human Rights Watch discusses the inadequacies in Ghana's mental health services and the need for increased investment and rights-based approaches.
6. <https://psychiatryonline.org/doi/10.1176/appi.ps.201700555> - This study examines the potential of mobile health (mHealth) approaches to address mental health needs in Ghana, considering the country's limited infrastructure.
7. <https://www.dailymail.co.uk/news/article-14663053/Ghanaian-asylum-seeker-wins-traumatised-Covid.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data