



Kenya Medical Association

NATIONAL EXECUTIVE

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KMA STATEMENT ON PATIENT CONFIDENTIALITY, DIGNITY AND PRIVACY

Concerning Unauthorized Photography and Videography in Healthcare Facilities

The Kenya Medical Association (KMA) is the umbrella professional association for doctors in Kenya. Established in 1968, KMA is mandated to champion the welfare of doctors and advocate for quality healthcare in the country.

The Kenya Medical Association strongly condemns the increasing trend of politicians, public figures, and members of the public staging photography sessions, live broadcasts, and media events within healthcare facilities for political gain or personal promotion. Filming or photographing in wards, corridors, and other patient-facing areas constitutes a serious breach of patients' legal rights, ethical protections, and fundamental human dignity. Such actions are neither advocacy nor service, they are exploitative practices that undermine the rights to privacy, confidentiality, and respectful care. Medical workspaces should be respected and given the dignity they deserve.

These intrusions of patient privacy violate multiple legal and ethical frameworks. The Constitution of Kenya, 2010, guarantees every person's right to dignity and privacy under Articles 28 and 31. The Data Protection Act, 2019, classifies health data as sensitive personal data, and recording or broadcasting a patient's image or condition without explicit informed consent violates multiple provisions of the Act and is actionable by the Office of the Data Protection Commissioner. The Health Act, 2017, further establishes statutory rights to privacy, confidentiality, and dignified treatment. At the professional level, the KMPDC Code of Professional Conduct and Discipline, and the WMA Declaration of Geneva are unambiguous in the commitment to patient dignity, privacy, and further affirm that the patient-physician relationship must remain free from political interference.

Patients in hospitals and especially in public facilities, who are economically disadvantaged and unaware of their rights, are particularly vulnerable to this exploitation. Their vulnerability makes our obligation to protect them greater, not lesser.

KMA demands that:

- Politicians and public figures must immediately cease all media events, photo opportunities, and live streams inside clinical and patient-facing areas of any health facility.
- Health facility administrators must enforce strict no-filming policies, require informed consent for any photography involving patients, and designate staff with the authority to penalize any visitor, regardless of status, who compromises patient dignity.

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- The KMPDC must issue a formal directive clarifying that facilitating political filming in clinical settings constitutes professional misconduct, and must investigate reported incidents.
- The ODPC must investigate incidents in the public domain and publish enforcement guidance specific to patient data in healthcare settings.
- National and county governments must enact regulations explicitly criminalizing the filming or broadcasting of patients without documented informed consent.

To the Kenyan healthcare practitioner: you have both the right and the duty to protect your patients from violations of privacy, dignity, and political intrusion. The KMA stands behind every practitioner who upholds this duty, even under pressure. You are empowered to decline access to clinical spaces. Your patients' rights come first.

The Kenya Medical Association supports legitimate political advocacy for healthcare investment through proper channels such as budgets, legislation, and policy. Patients are not props, hospital wards are not campaign venues, and human suffering is not content.



Dr. Lyndah Kemunto

Secretary General
Kenya Medical Association