

**PROGRESS ON THE IMPLEMENTATION OF THE HEALTH OMBUD'S  
RECOMMENDATIONS ON MENTALLY ILL PATIENTS FROM LIFE ESIDIMENI BY  
MINISTER OF HEALTH, DR AARON MOTSOALEDI**

**14 FEBRUARY 2017**

MEC for Health in Gauteng Province, Dr Gwen Ramokgopa

Members of the media

Ladies and Gentlemen

This press conference was called to apprise the Nation on the progress made in implementing the far reaching and extensive recommendation of the Health Ombud in trying to deal with the tragedy that befell mental health patients from Life Esidimeni.

The Health Ombud released his report on the 01 February 2017 at 11:00 with Eighteen (18) recommendations to the state as a whole and six (6) recommendations specific to Gauteng Department of Health.

Ever since the release of the report, there have been debates and statements over the media from political parties, civil society, religious leaders and indeed members of the public. Many were coming up with their own verdicts and or proposals on what must happen

I want to take this opportunity to assure the Nation that most if not all of the proposals they made are actually covered by the Ombudsman's recommendations in one way or the other.

Let me report on the progress on each and every recommendation.

**1. The Gauteng Mental Health Marathon Project must be de-established**

The project has been stopped and we have commenced with preparations for the relocation of patients to appropriately equipped facilities. We shall elaborate on this later in this statement.

**2. The Premier of the Gauteng Province must in light of the findings herein, consider the sustainability of the MEC Qedani Dorothy Mahlangu to continue in her current role as MEC for Health**

This is no longer applicable as the MEC resigned the night before the report was released and Dr Gwen Ramokgopa appointed the new MEC.

**3. Disciplinary proceedings must be instituted against Dr Tiego Ephraim Selebano for gross misconduct and / or incompetence**

Dr Selebano was placed on precautionary suspension in terms of the public service regulations on the 8th of February 2017 and Dr Ernest Kenoshi the CEO of Steve Biko Academic Hospital was appointed as the Acting Head of the Department.

**4. Disciplinary proceeding must be instituted against Dr Makgabo Manamela for gross misconduct and / or incompetence**

The process has commenced and a letter of intent has been sent to her.

**5. The findings against Drs M Manamela and T E Selebano must be reported to their respective remedial action with regard to professional and ethical conduct**

A letter will be written to the HPCSA (Health Professional Council of South Africa) regarding Dr Barney Selebano and to the SANC (South African Nursing Council) regarding Dr Manamela.

**6. Corrective disciplinary action must be taken against members of the Gauteng Department of Health**

These consists of: 1 Chief Director

5 Deputy Directors

1 Chair of the Mental Health Review Board and

CEO and Acting CEO of the Cullinan Care and Rehabilitation Centre

Steps towards the process of corrective disciplinary action have commenced.

**7.All the remedial actions recommended above must be instituted within 45 days and progress be reported to the Chief Executive Officer of the Office of Health Standards Compliance within 90 days**

As I have already reported in recommendation 1 to 6 above, you can see that processes didn't even wait for the 45 days and we are on course to report progress within 90 days.

**8.The Ombud fully supports the ongoing SAPS and Forensic Investigations underway. The findings and outcomes of these investigations must be shared with appropriate agencies so that appropriate action where deemed justified can be taken**

SAPS has started this work as early as September 2016 with forensic investigations and the process to help identify some of the bodies not claimed by relatives. At the moment they are busy with identification and post mortem on nineteen bodies.

Our understanding of the Ombud's recommendation that the finding be shared with appropriate agencies is that structures like the prosecuting authority will have to determine whether there is any criminality or otherwise to be prosecuted.

We are cooperating with the police in this regard and we will furnish whatever information and access whenever needed.

**9. The National Minister of Health should request the SAHRC (South African Human Rights Commission) to undertake a systematic and systematic review of human rights compliance and possible violations nationally related to mental health**

This has been done. I have written a letter to the Human Rights Commission last week.

**10. Appropriate legal proceedings should be instituted or administrative action taken against the NGO's that were found to have been operating unlawfully and where MCHU's died**

We were waiting for the technical teams or experts to visit these NGO's first and advice on the appropriate legal and administrative steps. These visits have been completed as I will report below.

**11. In the light of the findings in the report, the NDoH must review all 27 NGO's involved in the Gauteng Marathon Project, that do not meet care standards should be de-registered, closed down and their licenses revoked in compliance with the law**

**This recommendation will be taken together with recommendation 13.**

On the 4th of February 2017, I appointed 60 professional and technical experts mainly in 6 disciplines:

- Psychiatry
- Psychology
- Social work
- Occupational therapy
- Psychiatric nurse
- Environmental health

From the 6th to the 9th February i.e. over a period of 3 days, 27 NGO's with a total of 42 facilities were visited. To date we can confirm that seven facilities have been closed and no longer house any mental health patients. Please note that the closures started as early as October last year when the Ministerial Task Team visited 17 facilities even ahead of the Ombudman's investigation.

The closed facilities are as follows:

- Two facilities under an NGO called Precious Angels, one in Atteridgeville and the other one in Danville (Pretoria West).
- Two NGO's named operating in the Cullinan Care and Rehabilitation Centre called Anchor and Siyabadinga.

- Two facilities under an NGO called Rebafeanyi in Erusmia and Phelindaba
- One NGO called BophelongMashemong in Hammanskraal

Since the closure of the Life Esidimeni and the facilities operated by the NGO's mental health patients were transferred to 10 hospitals within the Province. As it is 600 mental health patients are under supervised medical care in these hospitals.

The remaining 22 NGO's that were housing the Life Esidimeni mental health patients that have been assessed last week will be closed immediately.

I am unable to announce their names because we only received the report from the professional and technical experts yesterday and these NGO's still have to be finally informed of their status.

To ensure the safety of mental health users, taking into account the concerns of the family and their medical condition and status, the transfers out of NGO's and into care facilities will be systematic, will not be rushed and planning will be meticulous. The interest of mental health users is of paramount importance and we dare not repeat the deadly mistake of a hurried, chaotic and hushed-hushed job.

To this end teams have also visited and assessed facilities that will be receiving the transferred mental health users. The facilities visited are both in the public and private sector. They have all been inspected for compliance.

I have to mention that contrary to popular sentiment, even Life Esidimeni is no longer immediately available to accept these patients because for ± 9 months they have de-established their operations and they need time to prepare these facilities to their former condition.

I have been in contact with the CEO of Life Health for the whole morning to discuss their state of readiness.

Apart from Life Esidimeni another private sector facility which has been visited and inspected is the former step down facility in Selby which has also been closed by the Provincial Department sometimes back.

We believe we will be able to meet the Ombudsman's deadline of 45 days.

The transfers will be supervised by the professional and technical teams as it should have been the case even before the Gauteng Marathon Project started families will always be part of the decision making process and the actual process of transfer.

Recommendation 12, 14, 15, 16, 17 and 18 are work in progress and we will report in due course.

The recommendation to the Gauteng Department of Health are mostly medium to long term and are about system improvement. The new MEC, Dr Gwen Ramokgopa is already busy with them.

Recommendation one under Gauteng Department of Health is actually being done at National level in the form of unique patient identifier.

We are working with CSIR, Department of Science and Technology and the Department of Home Affairs. 1650 health facilities at primary health care level where we commenced the process have already been completed.

We hope to complete 1800 by the end of the financial year.

This work is also in preparation of NHI.

Thank You