

SOUTH AFRICA'S MENTAL HEALTH SCANDAL

The Jesuit Institute South Africa is appalled by the revelations contained in the Health Ombud's Life Esidimeni Report. We want to express our deepest sympathy to those who lost their loved ones in this scandalous situation. They were our brothers and sisters too.

The revelations, in the report, amount to a shocking failure to provide fundamental psychiatric health care as laid down in the National Health Act, based upon the Constitution and Bill of Rights of the Republic of South Africa.

It is particularly disturbing to see how vulnerable people, who by their very definition according to psychiatric assessment, are incapable of defending their basic rights to health, have been subjected to what is in effect a cynical, and almost certainly profit-motivated curtailment of basic care.

From a medical ethical perspective, this flies in the face of a swathe of international medical protocols to which, in theory, health care professionals – public and private in South Africa – should adhere. Based upon broadly accepted principles of medical ethics, what we see in this report undermines at least the principles of beneficence, non-maleficence and justice. It undermines beneficence because clearly the best interests of the patients were not taken into account. It undermines non-maleficence because, unless those who made the decisions were incompetent, serious adverse effects for the patients could not but have been envisioned. And it undermines justice because it clearly flew in the face of the National Health Act and Constitution, leaving aside such “advisory” principles found in global health protocols.

From a specifically Catholic perspective, it emasculates broad Catholic social principles like human dignity and care for the most vulnerable. One could call it a gross violation of the right to life. By undercutting basic standards of care what we have seen is contempt for the right of vulnerable people to the basics of a decent life. This has resulted in disastrous, and in many cases, lethal consequences.

The Jesuit Institute believes that remedial action must be taken in both short and long term. In the short-term, those responsible for this gross violation of human rights of the most vulnerable need to be held accountable, and make suitable reparations according to the gravity of the damage. Those in public service, whether they directly participated or were complicit in what has happened, should not be allowed near vulnerable people, especially mental health patients, in future. We are deeply disturbed that those responsible for making these decisions ignored the advice of many competent consultants and professionals. This arrogance has led to painfully tragic circumstances.

The State should institute a comprehensive review of its practices, in both state mental health and in the private mental health sector, especially those parts of the private sector with which the state works, so that this outrage never happens again.

ENDS

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