



The Hon. David Makhura
Office of the Premier
Gauteng Provincial Government
Republic of South Africa

September 3, 2022

Dear Sir

PAIA Application: Fire at Charlotte Maxeke Johannesburg Academic Hospital.

The purpose of this communication is to apprise you of information that PHF has gleaned from its PAIA application to obtain all the relevant facts, correspondence and related details pertaining to the fire at CMJAH on April 8, 2021, which damaged or destroyed large portions of this major tertiary academic complex.

We also wish to register our growing alarm at the state of public health facilities, which the disaster at CMJAH has severely exacerbated. The GP DoH has demonstrated an alarming incapacity for a coherent response, with few tangible effects over these last eighteen months.

PHF launched its PAIA application on April 14, 2022, exactly a year after the fire, with the support of the many civil society formations, including Defend Our Democracy, Treatment Action Campaign, Section 27, Cancer Alliance and MSF, as well as the Dean and clinical heads from affected hospitals, which have been publicly advocating for an urgent and focused response.

The PAIA application was lodged with all the relevant national and provincial government departments, all of whom ignored the application. An appeal as per the prescribed format was also ignored by all, these entities, except by the South African Police Services, which furnished PHF with a copy of the expert forensic report it procured into the cause of the fire, completed in September 2021.

We have no information on whether this forensic report was furnished to the Premier's office, the GPDoh or the NDoH. The contents are self-explanatory and profoundly disturbing, considering the well-known incidents of arson at other major civilian and state infrastructure, including at several hospitals,

As to the effect of the disaster on health services, the consequences for patient care were immediate and damaging because the facility not only covers a large itinerant population, but also provides services in all the major disciplines of care.

Health workers at the facilities to which patients from CMJAH were decanted have responded most creditably, as they always do, even with chronic staff shortages and inadequate provisioning. However, the sheer numbers of patients, arriving without the requisite expansion of beds and staff, meant that patient care was inevitably compromised, often with fatal consequences and severe preventable morbidity.

The ongoing systemic damage to health services in Gauteng arising from the unexplained and unacceptable delays over the last eighteen months to recommission the facility, the ongoing deleterious consequences to patient care and the impact on the training platform for health professionals are untenable.

It was only after sustained pressure and protest from health care and civil society organisations, that the Gauteng provincial government, admitted that it was not able to remedy the situation and transferred jurisdiction to the national government, which, in turn, has enlisted the Development Bank of Southern Africa as project manager.

To date, however, while there has been a start to repair some of the damaged areas, there has been little information provided on the nature and scope of repairs, the costs and the extent of the refurbishment and a firm timeline for completion. A tentative date, the end of 2023, or early 2024, has been mooted for completion, which means that it would have taken three years to recommission the hospital at full capacity.

This contrasts with the professional estimates of independent contractors commissioned by the Solidarity Fund, at the request of the GPDoH in 2021, who estimated that the repairs would cost, at most between R600 million to R900 million, compared to the estimated R1,7 billion proposed by the GP Department of Infrastructure Development. Even on a generous reading of the situation, the inestimable harm to healthcare delivery and patient care occasioned by this delay is unconscionable.

Your urgent response to this memorandum is cordially requested, with regard especially to the following:

1. Whether your office has been furnished with a copy of the forensic report and, if so, when it received the report.
2. Whether the forensic report has been furnished to the relevant government departments and, if so, whether have they disclosed this and what actions, if any, they have taken referable to its contents.
3. Why none of the GP government departments with whom the PAIA request has been lodged have responded, even upon appeal, as they are obliged to do, legally and constitutionally.
4. Whether the GP Provincial Government is aware that, on the available information, no further investigations have ensued arising from the forensic report of September 2021.

Yours faithfully

Dr Aslam Dasoo
Convenor

Prof Ames Dhai
Director

Copied to the Offices of:
Minister of Health
Director General, National Department of Health
Portfolio Committee on Health, National Assembly
Portfolio Committee on Health, Gauteng Provincial Government.
Office of the Minister in the Presidency.