



The South African Spine Society's (SASS) response to the arrest of Paediatric surgeon, Prof Peter Beale and, anesthesiologist, Dr Abdulhay Munshi.

The Executive Committee of the South African Spine Society, wish to place on record:

1. SASS extends its deepest condolences to all concerned with the tragic death of a 10 year old child.
2. We support a fair, transparent, thorough yet expedient interrogation of the circumstances around all medical adverse events. This process should be conducted through regulatory hearings by the Health Professions Council of South Africa. These cases are generally complex, thus, input from the relevant specialist societies should be mandatory. Due process should be followed in all cases before reaching a decision to criminally charge healthcare workers.
3. We must however voice our concern and disdain with regards to:
  - a. The ongoing trial by media in the court of partially informed public opinion.
  - b. The trampling of the accused legal right to be considered innocent until proven guilty as depicted by the following:
    - i. "According to HPCSA CEO Dr Raymond Billa: "Beale was placed on suspension by an Ad-Hoc Committee of the Medical and Dental Board on 10 December 2019, pending a full conduct inquiry later next year." (NEWS24)
    - ii. "In an internal letter to staff, Life Healthcare Group's regional manager, Jayesh Parshotam, said the company had "taken the decision to suspend Professor Peter Beale's administration privileges", adding that the decision "will be revisited at an appropriate future date when a final decision will be made"." (NEWS24)
  - c. The accused will thus be unable to generate any professional income whilst awaiting the conclusion of an often very lengthy process; not to mention their grief, anxiety and the public humiliation during this time.
  - d. The issuing of a warrant of arrest by the authorities on a charge of culpable homicide without due process being followed.
4. We are extremely concerned that a precedent will be set where healthcare workers are suspended and arrested for any adverse outcome, which are inherent in the practice of medicine with dire consequence: Less people will pursue medicine as a career, more healthcare workers will emigrate, healthcare workers will avoid riskier procedures and then be liable for not intervening, leading to a complete collapse of our healthcare system. Doctor patient relationships will suffer severely and patients will have less access to our professional services.

We call on the HPCSA, the South African Medical Association (SAMA), the National Prosecuting Authority (NPA), the South African Police Service (SAPS), other healthcare professional associations, the legal profession as well as civil society at large to formulate a fair and transparent process which will protect the rights of both the patient as well as the healthcare worker.



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