



**MINUTES OF PROCEEDINGS OF THE SELECT COMMITTEE ON PETITIONS
AND EXECUTIVE UNDERTAKINGS**

1. **Date:** Wednesday, 13 May 2015
2. **Time:** 08h30
3. **Venue:** Committee Room S36, First Floor, NCOP Building
4. **Agenda:**
 - 4.1 Opening and Welcome
 - 4.2 Hearing on Fuzane Petition
 - 4.3 Committee Resolutions on Fuzane Petition
 - 4.4 Announcements and correspondence
 - 4.5 Closure
5. **Attendance by Committee Members**

Name of Member	Status	Political Party	Province
Mr S G Thobejane (Chairperson)	Present	ANC	Limpopo
Ms T Wana	Present	ANC	Eastern Cape
Mr D L Ximbi	Present	ANC	Western Cape
Mr M J Mohapi	Present	ANC	Free State
Mr L P M Nzimande	Present	ANC	KZN
Mr G M Manopole	Present	ANC	Northern Cape
Mr M T Mhlanga	Present	ANC	Mpumalanga
Mr G Michalakis	Present	DA	Free State
Mr J W W Julius	Present	DA	Gauteng
Mr M Chetty	Present	DA	KZN
Ms T J Mokwele	Absent	EFF	North West

6. Parliamentary Support Officials

Parliamentary Officials	Designation
Dr M Gondwe	Committee Content Advisor
Mr N Mkhize	Committee Secretary
Ms A Zindlani	Committee Assistant
Adv T Sterris	Committee Researcher
Ms N Fakier	Executive Secretary

7. Attendance by Stakeholders

7.1 Ms N Fuzane, Petitioner in the Fuzane Petition

7.2 Dr T Carter: Deputy Director General, National Department of Health

7.3 Dr D Bass, Medical Advisor, Western Cape Department of Health

7.4 Dr A Kharwa, Chief Executive Officer, Khayelitsha District Hospital

7.5 Members of the Portfolio Committee on Health –

7.51 Hon ML Dunjwa (Chairperson), ANC, Eastern Cape;

7.5.2 Hon Dr P Maesela, ANC, Gauteng;

7.5.3 Hon AF Mahlalela, ANC;

7.5.4 Hon SM Jafta, AIC;

7.5.5 Hon I Mosala, ANC, North West;

7.5.6 Hon MA Scheepers, ANC, Free State;

7.5.7 Hon Dr WG James, DA, Western Cape;

7.5.8 Hon HC Volmink, DA, Gauteng;

7.5.9 Hon LV James, DA, Western Cape;

7.5.10 Hon MO Mokaue, EFF, Northern Cape;

7.5.11 Hon SJ Nkomo, IFP, Kwa-Zulu Natal; and

7.5.12 Hon AM Shaik, NFP, Kwa-Zulu Natal.

8. Welcome and Opening

The Chairperson welcomed the Members, petitioner and stakeholders in attendance to the hearings and proceeded to explain the hearing is a continuation of the hearing on the Fuzane petition initially held on 6 May 2015 but which the Committee had to adjourn because of time constraints. He further thanked the petitioner and the stakeholders in attendance for agreeing to avail themselves again. The Chairperson then requested Ms Fuzane to resume with her submissions to the Committee.

9. Hearing on Fuzane Petition

In her submissions, to the Committee Ms Fuzane outlined at great length and detail the events that led her to submit the petition on behalf of her late daughter. Ms Fuzane submitted the petition after her late daughter, Tamara Fuzane (Tamara) was allegedly neglected and maltreated during her admission at Groote Schuur Hospital (GSH). In her submissions the petitioner also alleged her daughter was also maltreated and harmed whilst admitted at Khayelitsha District Hospital (KDH) because during her admission at KDH she developed lesions or abrasions on her body suggesting that some harm had been inflicted on her.

After Ms Fuzane completed her submissions to the Committee, the Committee then heard submissions from Dr Carter, a Deputy Director General in the National Department of Health. Dr Carter stated that the nature of the allegations made by Ms Fuzane were of a significant and serious nature and in the normal course of events they would be referred to his office for consideration. However as serious as the allegations are they were only brought to his attention and knowledge the day before the hearing and as such he has not had time to familiarise himself with the matter. He further indicated that in the normal course of events his

office would make recommendations after having heard from all the parties concerned. Dr Carter accordingly requested the Committee to afford him time to better acquaint himself with the matter so that he is able to adequately brief the Committee at its next hearing on the petition.

The Committee then allowed Dr Kharwa, the CEO of KDH to give submissions on behalf of KDH. Dr Kharwa begun his submissions by stating that he was accompanied by Dr Bass, a medical adviser with the Western Cape Provincial Department of Health. Dr Kharwa then requested the Committee to give Dr Bass an opportunity to make submissions as his submissions would add value to the hearing. The Committee however refused to allow Dr Bass to make submissions to the Committee before Dr Kharwa (as the lawful accounting officer of KDH) and the CEO of GSH had given submissions. The Committee indicated that it would give Dr Bass an opportunity to make submissions after it had heard submissions from KDH and GSH.

In his submissions to the Committee Dr Kharwa stated that, in his capacity as the CEO of KDH, he had had a number of interactions with the petitioner and her later daughter. He further stated that after Ms Fuzane levelled the allegations of mistreatment against KDH the necessary departmental complaints procedure had been followed in dealing with the allegations. According to Dr Kharwa an external investigator with years of clinical experience had also been appointed to look into the matter. The findings of the external investigator were that there was no malicious and intentional infliction of harm on Tamara. The findings by the external investigator further concluded that between her various admissions Tamara developed pressure sores which resulted in her having marks on her body mimicking lesions.

10. Committee Resolutions on Fuzane Petition Hearing

The Committee resolved the following in relation to the hearing on the petition:

- Dr Carter be given an opportunity to acquaint and familiarise himself with the matter so that he is able to adequately brief the Committee at its next hearing on the petition.
- Dr Bass be given an opportunity to make submissions to the Committee after both KDH and GSH had made submissions.
- Due to time constraints, the hearing on the petition be postponed to 3 June 2015.

11. Announcements and Correspondence

No announcements were made to the Committee and nor was there any correspondence brought to the attention of the Committee.

12. Closure

In closing the hearing, the Chairperson thanked the petitioner and invited stakeholders for acceding to the Committee's request to appear before it and apologised for the inconvenience caused by the Committee having to adjourn the hearing for a second time.

The hearing was adjourned at 10h20.

Honourable S G Thobejane, MP

Date:

Chairperson: Select Committee on Petitions and Executive Undertakings

An additional document was submitted to the Committee by the petitioner in the Fuzane Petition, namely a newspaper article from City Vision (Khayelitsha) published Thursday 25 August 2011.

DRAFT