

Addresses of AIDS Information & Advice groups

HIV CLINIC, Johannesburg Hospital
(011) 488-4911
Jubilee St
Parktown

**GASA 6010 Counselling
Service, Cape Town**
(Gay Association of S A)
(021) 21 5420

GAB Counselling Services
(Gay Advice Bureau)
(011) 643-2311
(031) 22-1788

**AIDS TRAINING & INFORM-
ATION CENTRE**
(011) 725-0511

**CENTRE FOR APPLIED LEGAL
STUDIES**
(for legal advice)
(011) 716-5678

AIDS ACTION GROUP
(for information and education
only)
(011) 403 3600
(021) 21 5420

AIDSLINE
DEPARTMENT OF NATIONAL
HEALTH AND POPULATION
DEVELOPMENT

Southern Transvaal:
(011) 836 2232
Pretoria:
(021) 325 5100
Western Cape:
(021) 97 8151
Natal:
(031) 305 6071
Eastern Cape:
(041) 22541
O F S:
(051) 472194
Northern Cape:
(0531) 29524
Northern Transvaal:
(01521) 6541

**IHRG (Industrial Health
Research Group)**
Department of Sociology
UCT
Private Bag
Rondebosch 7700
(021) 650 3508
(021) 650 3720

Some people requiring a test for the Aids virus, are offering to donate blood. It is suggested that you contact a counselling service or information centre before you take this decision.

Update on the Baragwanath Hospital crisis

Recently a number of doctors from Baragwanath Hospital spoke out against the conditions at this hospital. They have been victimised by the Transvaal Provincial Administration as a result of this. Although a forthcoming issue of Critical Health will be dealing with the general crisis in hospital services, this article has been included here to express solidarity with these doctors.

Letter to the SAMJ

On September 5 1987, a letter was published in the South African Medical Journal (SAMJ) signed by 101 doctors in the Medicine Department at Baragwanath Hospital. The letter mentioned gross overcrowding in the Department, shortages of hospital beds resulting in patients sleeping on the floor, toilet facilities that are far short of acceptable standards and that nurses have to struggle to attend to over-whelming numbers of patients. The letter was critical of the attitude of the administration to this "inhumane" state of affairs. The signatories appealed to the rest of the medical profession through the letter in the SAMJ in the hope that enough response would be evoked "at least on humanitarian grounds, to bring about urgent relief to an appalling situation that is rapidly approaching a major crisis."

The history of the complaints

This letter had been preceded by voluminous correspondence stretching back about fifteen years, between the Medicine Department and the Transvaal Provincial Administration. The grossly deficient facilities in the department as well as the imminent collapse of the over-burdened department had been frequently pointed out.

Court action

In November 1987 it became apparent that six doctors who had applied for posts at the hospitals, and who had been recommended for these posts by Heads of Department at the hospital, were being turned down on the grounds that they had been signatories to the letter of September 5 1987 in the SAMJ. On December 10 1987 an urgent application was brought before a Rand Supreme Court judge by those affected. The judge found the decision that the doctors were unsuitable for employment in the Department of Hospital Services could not be made unless the doctors were given a hearing by the Administration. It was found further that the Department had acted unfairly. The Department of

Health Services was granted leave to appeal against costs being awarded to the doctors. The appeal has been set down for four months time.

The hearings

Hearings were held on December 12 1987, at which the doctors were legally represented. Extensive oral and written submissions were made on their behalf. Prof L Schamroth, Professor of Medicine and recently retired Head of the Department of Medicine at Baragwanath Hospital, gave evidence in support of the doctors. This was uncontested by the Administration. On December 12 1987, two days before the appointments were due to take affect, the doctors were informed by telex that they had again been found unsuitable for their posts.

Interviews

During the following weeks, most of the other signatories to the September 5 1987 letter were interviewed by members of the Administration. They were questioned about the statements they had made in the letter. All those doctors who had applied for new posts in 1988 were interviewed first. The remainder fell into the category of "temporary employees of the province." It emerged during these interviews and subsequent events, that doctors who had applied for new posts would be denied these posts unless they submitted an unconditional apology for the September 5 1987 letter to the SAMJ. Further, they were asked to withdraw certain statements and to correct those that the Administration regarded as "inaccurate". It became clear that doctors currently in "temporary" posts would be threatened with disciplinary action in terms of their "service contract" if they failed to meet the above requirements. Of the 51 "temporary doctors" questioned and threatened with dismissal (or non-appointment), 44 have signed the prepared "apology".

Permanent staff

The last group of signatories to be dealt with by the Administration were those in "permanent" posts. On January 25 1988 all these doctors, including heads of units and the acting head of the medicine department, received letters from the Administration detailing the objections the Administration had to the SAMJ letter of 5 September 1987. The Administration's letter included the following paragraph: "We are sure that you would agree in retrospect that the incorrect statements and unacceptable language should be withdrawn by you. I shall be pleased to receive your reply on or before 12 February 1988." Those of the "temporary" staff who had not yet submitted "acceptable apologies" received letters similar to those received by "permanent staff" which contained the following threat: "Should this (an acceptable apology) not be forthcoming, further steps against you in terms of your service contract will be considered."

Reply from the permanent staff

After obtaining an extension of the deadline by the Administration, 23 of the permanent staff submitted a joint letter of reply on February 19 1988. In the letter the signatories noted the Administration's objections to their letter to the SAMJ on September 5 1988. They stated that these were not relevant to the conditions under which their patients in the Medicine Department at Baragwanath Hospital were being treated. They expressed again their concern at the overcrowding and deficient facilities present in the Department. They noted their willingness to contribute to solutions to these problems. The letter concluded that the dispute with the Administration could not be resolved while several doctors were denied the posts for which they had been recommended and others remained under the threat of disciplinary action. A reaction by the Administration to this reply is awaited.

Court action

Five doctors have been denied posts for failing to submit "acceptable apologies". Three of these have instituted legal proceedings against the Administration. Their applications, due to be brought before the Rand Supreme Court, will constitute a Supreme Court review of the hearings granted them by the Administration. Three further doctors, currently in temporary posts, have not submitted "acceptable apologies" and therefore are still under threat of disciplinary action.



Overcrowding in Baragwanath Hospital results in many patients having to sleep on the floor