

**NATIONAL ASSEMBLY**

**QUESTION: 495**

**FOR WRITTEN REPLY**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 02 SEPTEMBER 2024  
(INTERNAL QUESTION PAPER NO. 07)**

**Mr K W du P le Roux (DA) to ask the Minister of Health:**

- (1) What total number of active cases with summons issued but outcome not yet finalised of medico-legal pressures on his department are currently before courts in each province;
- (2) what is the contingent liability of the specified active cases in each province;
- (3) what is the total number of (a) legal and (b) clinical advisors who are currently employed on a (i) permanent and (ii) contractual basis to deal directly with the cases in each province?

NW675E

**REPLY:**

- (1) The information provided in response to this Parliamentary Question is different from the one that was released in the Joint Statement between the Department of Health and the Special Investigating Unit (SIU) on 24 August 2024. This information was also presented to the Joint Seating of the three Portfolio Committees i.e. Health, Appropriation and SCOPA on 11 September 2024. The information reflected in the Joint Statement is the information provided to the SIU which covered the period from 2015/16 to 2020/21 financial years. The information below is the cumulative information of all the active cases that has been provided by the Provinces.

Eastern Cape	3014
Free State	317
Gauteng	1300
KwaZulu- Natal	1817
Limpopo	1553
Mpumalanga	958
Northern Cape	89
North West	262
Western Cape	411
<b>Totals</b>	<b>9 721</b>

- (2) Below is the contingent liability of the specified active cases in question 1 above.

Eastern Cape	R 45 083 806 694.26
Free State	R 4 448 197 693.61
Gauteng	R 13 500 000 000.00
KwaZulu- Natal	R 21 511 309 106.68
Limpopo	R 10 206 859 825.00
Mpumalanga	R 6 000 000 000.00
Northern Cape	R 1 314 726 399.33
North West	R 2 484 472 348.50
Western Cape	R 3 818 143 240.88
<b>Totals</b>	<b>R108 367 515 308,26</b>

- (3) The handling of medico-legal claims differs from one Province to another. In some Provinces, medico-legal cases are handled by the Legal Services Units. In other Provinces, there are Medico-legal Units that handle these cases. For those Provinces where Legal Services handle the medico-legal cases, they will refer the cases to clinicians in their respective Provinces for expert advice and guidance. In the Western Cape, the 2 permanent clinical medico-legal advisors work closely with the permanent legal advisors appointed in the Department (Office) of the Premier.

The Table below show those officials that are employed to deal directly with the medico-legal cases as provided by the Provinces.

PROVINCE	Legal advisors employed permanently	Total number of legal advisors employed on contract	Total number of clinical advisors employed permanently	Total number of clinical advisors employed on contract
Eastern Cape	4	1	0	0
Free State	1	2	2	0
Gauteng	11	10	0	0
KwaZulu- Natal	8	0	1	1
Limpopo	4	0	0	0
Mpumalanga	5	0	6	0
Northern Cape	2	1	0	0
North West	4	0	0	0
Western Cape	0	0	2	0
<b>Totals</b>	<b>39</b>	<b>14</b>	<b>11</b>	<b>1</b>

END.