Published on *Treatment Action Campaign* (http://tac.org.za/community)

TAC condemns suspension of KZN Doctor Mark Blaylock

By *moderator*
Created *2008/04/24 - 2:12pm*
24 April, 2008 - 14:12 ? moderator

KZN MEC for Health takes disciplinary action without good reason against yet another doctor

Kwazulu-Natal is the epicentre of the HIV epidemic in South Africa. 16.5% of people over the age of two are infected with HIV (South African National HIV Survey, 2005).

Mortality among young adults and infants has massively increased in the last decade. It is a province desperately short of health-care resources, particularly doctors willing to work in rural areas.

Despite this, the Kwazulu-Natal (KZN) Department of Health has yet again taken disciplinary action against a doctor without good reason, this time Dr Mark Blaylock of Manguzi hospital. He has been suspended without pay for a month because on 5 February 2008, in an act of anger linked to the charge of misconduct against Dr Colin Pfaff (which was later withdrawn) as well as comments made by the MEC for Health, Ms. Peggy Nkonyeni, questioning the integrity of rural doctors, he took the MEC?s official portrait photo off the wall and put it in the bin.

The letter of suspension can be downloaded here. It accuses Dr Blaylock of disrespect toward the "political head of the KZN Health Department".

Dr Blaylock subsequently formally apologized for this conduct.

We have been informed that a letter from the KZN Department of Health on 22 April states that the punishment is not punitive but a ?deterrent? and that ?the sanction imposed should be one that will teach him a lesson to conduct himself appropriately and not recommit the offence in future.?

This action is reminiscent of the decision of the state to take disciplinary action against Dr Cosa Gazi when he stated that the Minister of Health should be charged with manslaughter for failing to provide AZT to pregnant women. In a landmark court judgment on 24 March 2006 (Costa Gazidis versus Minister of Public Administration and Others A 2050/04), Judge Bertelsmann (Transvaal Provincial Division) found in favour of the Applicant, Gazi. The judge wrote:

If these comments, or the widespread criticism of the policy not to supply AZT, did cause any prejudice to the department of which the appellant was an officer, such prejudice existed already when the comments were made. There can therefore be no casual link between the appellant?s actions and any prejudice the department may have suffered.

Likewise in this case we would argue that the political head of the provincial health department suffered no further loss of respect or prejudice because of Dr Blaylock's expression of anger.

Ms. Nkonyeni has a track record of incompetence. This includes falsely accusing microbicide researchers of unethically experimenting on people, supporting the charlatan and vitamin salesman Matthias Rath and threatening disciplinary action against Dr Colin Pfaff for raising funds to roll out a model dual therapy programme for the prevention of mother to child HIV transmission.

According to an article in the Mercury (17 April) Nkonyeni is also currently being investigated for corruption. The article states that:

An affidavit submitted to court by the Scorpions contains allegations that the MEC and other senior members of the health department unlawfully influenced decisions related to the procurement of goods and/or services.

Scorpions investigator Clarence Jones also cited allegations that Nkonyeni had a personal relationship with the owner of a private company that had won a R1,5-million order from the department.

The affidavit, submitted to the Pietermaritzburg magistrate's court earlier this month, was used in support of an application for warrants to search the department's Pietermaritzburg offices and those of Rowmoor, the company which apparently charged the department R1,5-million for a cancer scanner, which it has been claimed could have been supplied for R425,000.

The ANC and government have much work to do to repair the damaged relations with HIV clinicians and health professionals due to the past decade of state-supported AIDS denialism, particularly those who give up privileges and opportunities to work in under-serviced rural areas with disadvantaged communities. The equation seems to be this: you insult an MEC and we suspend you without pay to ?teach you a lesson? ? one less doctor for one month, which almost certainly means lives lost in Manguzi.

The TAC appeals to the new leadership of the ANC to keep its promises and rid South Africa of the real guilty, self-serving and corrupt officials in the health department.

The TAC appeals to its supporters to protest about the suspension of Dr Blaylock. Fax a letter of disapproval to Ms Peggy Nkonyeni, MEC for Health, Kwazulu-Natal at +27 (0) 33 395 2258. Copy letters to ANC President Jacob Zuma (Fax: 086 633 1402). Demand that Nkonyeni withdraws the suspension of Dr Blaylock.

- AIDS Denialism
- South African Government

- AIDS Denialism
- South African Government

Source URL (retrieved on *2016/07/29 - 12:36am*): http://tac.org.za/community/node/2274