

Office of the Premier
Floor 13, East wing
30 Simmonds Street
Marshalltown
Johannesburg
2107

5 April 2022

To: Premier David Makhura
Gauteng Provincial Government

CC: Nomathemba Mokgethi
Tasneem Motara
Velile Mkhonto
Thabo Masebe
Sibongile Zungu

**RE: PROGRESS IN THE REMEDIAL WORKS AT CHARLOTTE MAXEKE
JOHANNESBURG ACADEMIC HOSPITAL**

1. Thank you for your positive response to our memorandum, forwarded to you under the hand of Defend Our Democracy, dated February 20, 2022.
2. At the outset, we wish to advise that DOD has been joined in this effort by several other organisations under the rubric of the Open CMJAH Now Campaign.
3. These organisations, listed below, have endorsed the DOD memorandum sent to you and, consequently, are now party to both the memorandum, as well as this and all further correspondence.
4. We have noted the contents of your letter and acknowledge the government's detailed explanation of the issues related to the damage and dysfunction caused by the fire at Charlotte Maxeke Johannesburg Academic Hospital on April 16, 2021.
5. The OCN Campaign welcomes your agreement with our proposal to establish a joint committee, comprised of representatives of the government and the OCN Campaign, to conduct oversight and ensure accountability in the project to repair and rehabilitate CMJAH.

6. We, therefore, propose the establishment of this Accountability and Oversight Committee* (our proposed name) at the earliest instance, having due regard for the legal remit of the government and the constitutional interests of the public.
7. The primary objective of this committee is to provide oversight and procure accountability through a process of co-operative engagement and regular feedback.
8. That being the case, we assert that the repair, rehabilitation and re-commissioning of CMJAH in the shortest possible time is and remains the responsibility of the government.
9. The Accountability and Oversight Committee will comprise of representatives of the government and its relevant agencies and representatives of the Open CMJAH Now Campaign.
10. We note that the National Department of Health is the lead government agency in this endeavour, together with your office, which incorporates various provincial government departments and external agencies, such as the Development Bank of Southern Africa, the Solidarity Fund, Gift of the Givers and others.
11. The urgency in this matter cannot be overstated because of both the threat the continued disrepair of CMJAH poses to the well-being of patients in need of its services, as well as the intolerable ethical burden and moral injury it inflicts on healthcare personnel having to discharge their duty of care under these conditions.
12. We, therefore, make the following proposals on the representation of the parties and the broad terms of reference of the committee in good faith and only in the interests of the patients, healthcare personnel and healthcare facilities:

A. Representatives of the OCN Campaign

Treatment Action Campaign

Defend Our Democracy

Progressive Health Forum

Section 27

South African Medical Association

Faculty of Health Sciences, Wits University

Vice-Chancellery, Infrastructure, Wits University

School of Governance, Wits University
Cancer Alliance
Johannesburg Against Injustice

B. Representatives of the Government:

-at your discretion

C. Meetings will be held at least monthly or more frequently, if required, presided over by a chairman from each party, in rotation.

D. Proceedings will be accessible to the public.

E. The parties undertake co-operate and collaborate within the remit of their respective spheres to the extent that such co-operation and collaboration furthers the attainment of the primary objective.

F. Both parties reserve the right to make independent comment or engage in such activity as they deem fit in pursuance of the primary objective.

G. As there will be no joint decision-making, there is no requirement for a dispute resolution process.

We are open to considering any matter you may wish to bring to our attention which we may not have adequately canvassed herein.

Given the urgency, we respectfully request your response to this proposed way forward at your earliest convenience, but, in any event, by no later than Friday, April 14, 2022.

Yours faithfully,



Dr M F Randera (On behalf of the members of the OCN Campaign, listed in [A] above)

**Please note that the Task Team of the Gauteng Dept of Health, the Cancer Alliance and the TAC engaged in re-establishing radiation oncology services has the support of the OCN Campaign and should proceed with its work independent of the process contemplated herein.*