

# South African Medical Association calls for specialised medical courts



South African Medical Association (Sama). Picture: Supplied

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**Cape Town – [The South African Medical Association](#) (Sama) is calling for the establishment of specialised medical courts after murder charges were levelled against paediatric surgeon [Peter Beale](#).**

[Beale](#) has been accused of unlawfully and intentionally causing the death of three children after he operated on them.

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Sama says that the case has created a dangerous precedent.

In explaining what led to Beale being charged, Sama's Dr Mark Human told Newzroom Afrika that there was an adverse event following a surgery on a 10-year-old child, which unfortunately resulted in his death in the post-operative phase.

"I cannot talk about the specifics of the case but the surgeon was charged with culpable homicide and now those charges have been elevated to murder. I understand that murder presupposes some degree of intent.

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"What they are saying is that this highly decorated, extremely skilled paediatric surgeon, professor of paediatric surgery, actually went to work one day and decided to kill a 10-year-child. That is beyond absurd.

"So how a charge of murder gets levelled, it really shows the level of disconnect between the NPA, (which is) clearly good at prosecuting or not on certain crimes but when they get to report this as a crime they do not begin to understand the intricacies involved," Human said.

Human said that one of the problems with medical issues is that they are hugely complex and there are many factors to them, it's not just one action of one surgeon.

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He also said that the law system in the country is based on the American- taught law system that immediately looks for someone to blame and that person is automatically the person you can easily extrapolate funds from.

Meanwhile, association spokesperson Dr Mvuyisi Mzukwa had previously said that they could not remain silent when doctors were put on trial by the media while being denied the right to defend themselves in court due to interminable delays in the justice system.

“We believe in a mediated solution to the issues of medical errors. Doctors are humans, and the association supports an alternative dispute resolution mechanism.

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“Sama recommends that a specialised medical court be established in which trained medical practitioners would be called to scrutinise decisions made by doctors,” Mzukwa said.