



MEDIA STATEMENT

TO: Media

ATT: News Editors, Health Reporters

For immediate release

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Gauteng Health has no room for unethical and criminal elements

Gauteng Health MEC Dr Bandile Masuku, has welcomed the 10 year prison term handed to James Blair Mwesigwa - the former principal specialist forensic pathologist at the Diepkloof Forensic Pathology Services Mortuary.

In 2013 the Department opened a criminal case against Mwesigwa for unlawfully and intentionally stealing body parts from a deceased person.

On 19 July 2019, the Kempton Park Regional Court found Mwesigwa guilty of, amongst others, theft, violating a body, defeating and obstructing the administration of justice and contravening of various regulations of the National Health Act 61, 2003 read together with Inquest Act 58, 1958

The conviction carries a sentence of four 10 years imprisonment terms, one five year sentence and a year sentence served concurrently in terms of section 280 of the Criminal Procedure Act 51, 1977.

In the first count the accused was found guilty of unlawful possession of human organs.

The second count involves unlawfully and intentionally violating the body of the deceased by removing the organs.

The accused was also found guilty on the third count following obstructing the administration of justice.

In fourth count, the accused was found guilty of contravening the provisions of the Regulations relating to the use of Human biological material.

Under the fifth count the accused was found guilty of contravening the Regulation regarding the general control of human bodies, tissue, blood, blood products and gametes and National Health Act, 61 of 2003.

Furthermore, the accused was also found guilty in the sixth count for contravening the Regulations regarding Forensic Pathology Service.

In reacting to the sentencing of Mwesigwa, Gauteng Health MEC Dr Masuku said that he is happy that the case has finally come to an end and that the conviction will send a strong message to those who may be tempted to commit acts of crime in health facilities.

"Those entrusted with caring for our people must do so with dignity, even in death. As a Department we will continue to offer quality service to public Healthcare users and we are determined to root out bad apples in the system", concluded MEC Masuku.

ENDS

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