



KRIEK WASSENAAR & VENTER ING

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Our Ref: PJ Wassenaar/es/QB0788

Your ref:

30 December 2021

**THE MINISTER OF HEALTH
DR AB XUMA BUILDING
1112 VOORTREKKER ROAD
PRETORIA**

By email: Foster.mohale@health.gov.za
Lwazimanzi@gmail.com

**THE DIRECTOR-GENERAL
NATIONAL DEPARTMENT: HEALTH
DR AB XUMA BUILDING
1112 VOORTREKKER ROAD
PRETORIA**

By email: dg@health.gov.za
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Minister / Sir / Madam

NATIONAL DEPARTMENT OF HEALTH: WITHDRAWAL OF CONTACT TRACING, QUARANTINE AND ISOLATION PROTOCOLS RELATED TO CORONAVIRUS COVID-19

1. We act on instructions of Sakeliga NPC ("our client").
2. Our client has instructed us to direct this letter to you in response to the withdrawal on 28 December 2021 of the *Revised Contact Tracing, Quarantine and Isolation Protocols Related to Coronavirus COVID-19 Pandemic* dated 23 December 2021 (the "**revised protocols**").
3. Our client's understanding is that the revised protocols had been published on receipt of the advice of the Ministerial Advisory Committee on Covid-19 ("**MAC**"). The revised protocols, *among other things*, reduced the quarantine period for persons who have tested positive, the

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contact tracing requirement on the various departments of health in the country, and the reduction of the recommended self-isolation period for persons who have tested positive for Covid-19. More importantly, the revised protocols recognised the changes in the virulence of the latest variant of the virus, the impact of immunity (either natural or vaccine-based), the fact that severe cases have not overrun hospitals, and the toll that quarantine and self-isolation have had on government service delivery, the economy and society at large.

4. In the press release issued on 28 December 2021, the Department stated that the revised protocols had been withdrawn *in line with the principles of transparency and openness* in order for the Department to receive *further comments and inputs*. However, the press release fails to explain:
 - 4.1 What the closing date would be for submissions;
 - 4.2 The person designated to receive submissions on behalf of the Department and the Minister;
 - 4.3 The email or other address to be used for the lodgement of submissions;
 - 4.4 The process the Department will follow in consideration of submissions and whether the Minister and Department would provide the MAC and other role-players an opportunity to consider and respond to submissions received before making its decision.
5. Our client is concerned by the Department's sudden and unsubstantiated about-face on the revised protocols. Our client believes that reform on the issue of contact tracing, quarantine and self-isolation is urgently required. Furthermore, the presidency and government have, over December 2021, given clear undertakings to release the public from draconian disaster management and health regulations, which our client deems to be entirely inappropriate, unscientific, and unconstitutional.
6. There is no justification to maintain the current health protocols, as experts have recently advised.
7. The South African economy requires clear directions regarding the Department and government's position. A disjointed, unattributed, and unexplained withdrawal of much-needed policy reform leads to confusion and instability. The collapse of government services, partially due to the strict health, isolation and sanitation protocols followed by government

since 2020, requires urgent and immediate policy reform- which our client also demands from the Department.

8. Our client reserves the right to make further submissions concerning a revised protocol on contact tracing, quarantine, and self-isolation.
9. For our client to consider its submission, our client requires that the Department provide the following:
 - 9.1 Clarity on the issues raised in paragraph 4 of this letter;
 - 9.2 A copy of the MAC report to the Minister and Department;
 - 9.3 All expert opinions and reports received and considered by the MAC in preparation of their report to the Minister and Department leading to the revised protocol being published;
 - 9.4 All expert opinions, reports and submissions received in response to the revised protocol of 23 December 2021, which the Department and Minister considered before withdrawing the revised policy.
10. Our client requests a response by 6 January 2022.

Yours faithfully,



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Elektronies geteken
Electronically signed