

# EDITOR'S COMMENT

## *Freedom of information?*



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Over the years that I have been editor of *CME* I have, like other editors, used this platform to do what editors do – voice opinions. The proposed 'Protection of Information' act and the media tribunal that will accompany it could potentially put stop to that most hallowed of all our freedoms – freedom of speech.

Looking back I have criticised a previous Minister of Health, the failure of the Department of Health to act against charlatans such as Matthias Rath, the inability of the Western Cape Provincial Department of Health to provide an adequate standard of care to its patients – these criticisms were never deemed to be defamatory to either individuals or institutions. They were valid and legitimate complaints against public institutions and individuals who are using taxpayers' money unwisely.

If this new legislation is passed, such valid criticism and, on a broader front, the dissemination of the information showing that public officials and institutions are not doing their jobs, may no longer be possible without the risk of incurring heavy penalties, including prison sentences.

Since Jacob Zuma became president it may feel as though the media have spent an unprecedented amount of space showing politicians and public officials to be corrupt and self-serving. We have also seen news reports filled with details of inappropriate expenditure – from the public purse. Is this a media out of control? Hardly – none of the reports have been wrong – all the money has been spent and our politicians seem to be living the high life in a way not seen in South Africa before. Is it the media who are at fault or the politicians? I think I know the answer that most of my readers will give.

Zuma, in a toothless apology for the proposed new legislation, says that the rights of individuals must be protected. They are – through our (still independent) courts of law and by our constitution. And no politician or public official is, any longer, a private person. His or her every move is rightly subject to public scrutiny. And if he or she is



spending from the public purse, that spending is also rightly subject to public scrutiny.

And in the same way, we as guardians of our more specialised media must be allowed to criticise when those involved with our nation's health fail – their actions are not private. They affect every one of us – even those of us who are privileged enough to be able to by-pass the failing public health system – because we are still paying for it and because we still have the greater good of our less fortunate fellow-citizens in mind.

Every one of us must fight this new legislation. Our democracy was hard won. Let us not go back to the dark days of Apartheid and all its failures.

*CME* is published monthly by the South African Medical Association Health and Medical Publishing Group, Private Bag X1, Pinelands, 7430 (Incorporated Association not for gain. Reg. No. 05/00136/08). Correspondence for *CME* should be addressed to the Editor at the above address.

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