

# Basson's recusal application turned down

Cardiologist, Dr Wouter Basson's bid to have two Health Professions Council of South Africa (HPCSA) disciplinary committee members recused from his sentencing proceedings has been turned down by the North Gauteng High Court.



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## Guilty of unprofessional conduct

After a very lengthy hearing that lasted six years, Dr Basson, was eventually found guilty of unprofessional conduct by the council in December 2013. The charges were related to his involvement in developing chemical weapons for the South African Defence Force during the apartheid years, which has also earned him the nickname, Dr Death.

## Court application

During the hearing in mitigation of sentence early last year, Dr Basson wanted two of the members of the disciplinary committee to recuse themselves on the grounds of bias. Shortly after walking out of the proceedings, his legal team lodged a review application at the North Gauteng High Court for the removal of the two.

A statement by the HPCSA at the time said: "An order is sought to compel the chairperson of the professional conduct committee, Professor Jannie Hugo and a member of the committee, Professor Eddie Mhlanga to provide information relating to their membership to any of the organisations who signed the petition agitating for the removal of Dr Basson from the roll of medical practitioners."

## Judgement dismissed

However, last week, acting judge David Unterhalter ordered that the application be dismissed with costs as Dr Basson's application was premature, and the court could not hear it until he had exhausted his internal remedies of appeal before the council.

"There is no reason to think that such an appellate body will not give fair consideration to an appeal brought by Dr Basson," he said.

The HPCSA says the sentencing hearing will proceed in due course.

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