

emergency involving a matter of life or death, who decides to administer a dosage of such an order and employ a particular technique for that purpose, which he knows before hand will cause disfigurement, cosmetic changes and result in severe irradiation of the tissues to an extent that the possibility of necrosis and a risk of amputation of the limbs cannot be excluded, must explain the situation and resultant dangers to the patient no matter how laudable his motives might be - and should he act without having done so and without having secured the patient's consent, he does so at his own peril". Bekker J explicitly declared in Court that there could be no question of consent to any procedure where the patient had not been informed of the risks, and quoted Nesor J [3]: "I have no doubt that a patient should be informed of the serious risk he does run. If such dangers are not pointed out to him then, in my opinion, the consent to the treatment is not in reality consent - it is consent without knowledge of the possible injuries".

An action for damages was instituted against the Provincial Administration, the employer of the medical practitioner concerned. The plaintiff succeeded in her claim.

### Conclusion

Radiotherapy, although physically non-invasive in nature, presents with certain adverse events that vary according to the technique and ultimate dose that is administered to the patient. Although the ultimate goal of treatment will be to rid the patient of the disease, it must not be taken for granted that the patient is willing to take the risk. A patient may prefer to live with the disease rather than without limbs, as is understood in the case reviewed. In addition, where a patient attends a hospital on a regular basis, the initial consent to treatment must not be extended to include any variation in such treatment.

The case also suggests that radiotherapy should not be viewed as emergency treatment,

and that patients must be afforded time to reflect on the risks that they will take. Patients may need to discuss their situation with family and friends to secure their support during a vulnerable time in their lives.

The case of *Esterhuizen v Administrator, Transvaal* will no doubt be used as a benchmark to judge similar circumstances that may occur in our oncology departments.

### References

1. Strauss SA. Doctor, *Patient and the Law*, 3rd ed. Pretoria: J van Schaik, 1991: 8
2. *Esterhuizen v Administrator, Transvaal* 1957 (3) SA 710 (T)
3. *Rompel v Botha* 1953 TPD (Unreported)

## awards & grants for members

### Joyce Runnalls Memorial Trust Fund

It is the aim of the fund that any grants given be used in a field related to and for the benefit of oncology including:

1. All aspects of oncology and the cancer patient;
2. The advancement of radiotherapy;
3. Assistance for attending oncology or postgraduate courses/congresses/seminars/visits to other radiotherapy research/oncology centres.

For further information on the Joyce Runnalls Memorial Trust Fund including application forms please contact the Administrative Office of the Society. Note the successful applicant will be required to publish and/or present a paper at a suitable radiographers' congress/seminar. Applications for the fund must reach the Administrative Office by 1 June each year.

### Tyco Healthcare Award

The aim of the award is to confer on the recipient a grant for the professional advancement in any field of radiography. The award is available to persons with suitable qualifications registered with the Health Professions Council of South Africa (HPCSA) and who are members in good standing with the Society of Radiographers of SA.

Application forms, obtainable from regional branches and/or the Administrative Office of the Society must be returned to the latter on or before 1 June each year.

Applications will be considered by the Executive Committee, who will submit motivations to National Council.

Successful candidates will be required to submit a paper for publication in *The South African Radiographer* and to present a paper on their subject at a meeting of radiographers and must fulfil any other criteria stipulated by the sponsor.

### The Education Fund

The aim of the National Education Fund is to encourage members to attain further qualifications for the purpose of professional advancement in any category of radiography. Education bursaries are available to persons with suitable qualifications registered at the Health Professions Council of South Africa and who have been paid up full (ordinary) members of the Society of Radiographers of South Africa for at least three years.

The following courses can be considered:

1. Higher qualifications in radiography, for example: Higher National Diploma; Honours; B Tech; Masters in Radiography (e.g. M Tech).
2. Recognised teaching qualifications through either a technikon or university.
3. Technikon or university short course for which a certificate is awarded.

Under certain circumstances the following may also be considered:

4. Informal courses, providing they have direct relevance to the practice of radiography.
5. Attendance at seminars and congresses.

### Application procedure

Applications must be completed on the Education Fund application form to reach the Administrative Office: Society of Radiographer of SA, P O Box 6014, Roggebaai 8012 before 31 July each year.

All applications will be screened by both Branch Education Representatives and the National Council Education Representative for approval by the Executive Committee who will submit recommendations to National Council at its next meeting. The bursary will be paid upon proof of successful completion of the course and the names of successful applicants will be published in *The South African Radiographer* on receipt of the required proof. The total amount available for awards will be derived from the interest of the capital investment only. The amount awarded per application is at the discretion of National Council, and will depend on the number of applications and type of course.

### Note:

Application forms are available from regional branches.

Since the Education Fund is intended for use by full members, the Society actively encourages all regional branches to make available bursaries for students studying for their first qualification.