



CITY OF JOHANNESBURG

Councillor Dr Mgcini Tshwaku

Member of the Mayoral Committee

Department of Public Safety

FOR IMMEDIATE RELEASE

25 SEPTEMBER 2025

PUBLIC SAFETY MMC MEDIA STATEMENT ON THE UNLAWFUL AND UNCONSTITUTIONAL ACTIONS OF VIGILANTE GROUPS AT OUR CLINICS IN THE COJ.

The Public Safety MMC in the City of Johannesburg, Councillor Dr Mgcini Tshwaku and MMC of Health and Social Development, Cllr Ennie Makhafola, strongly condemn violence and vandalism at our clinics in the city of Johannesburg. The blockade of clinics and the safety of our healthcare workers, which denies essential healthcare services to those in need, including foreign nationals. This behaviour is not only unlawful but also inhumane, as it targets vulnerable individuals who require medical attention. These actions have allegedly led to a sick baby dying because the mother was blocked from accessing a clinic in Alexandra.

These actions directly contravene Section 27 of the South African Constitution, which guarantees everyone the right to access basic healthcare services, regardless of their nationality or documentation status. These groups' tactics involve stopping people, demanding identification, and preventing them from entering clinics, which is an infringement on their rights and an act of xenophobia.

According to South Africa's Constitution, particularly Section 27, establishes a universal right for "everyone" to access healthcare and an absolute right for "no one" to be refused emergency medical treatment, irrespective of nationality or immigration status. Both Section 28 of the Constitution and Section 4(3) of the NHI Act explicitly guarantee basic

healthcare services for all children, including those in-migrant households, regardless of their parents' legal status.

The Refugees Act 130 of 1998, Section 27(g), grants recognised refugees the same right to access basic health services as South African citizens. While the NHI upholds this for refugees, its sharp distinction from asylum seekers contradicts court rulings that have interpreted these rights to extend to asylum seekers as well.

Uniform Patient Fee Schedule (UPFS): This policy explicitly stated that refugees, asylum seekers, and undocumented migrants from SADC countries should be treated like citizens for hospital care and be means-tested for subsidies. Children's Act 38 of 2005 gives effect to the constitutional right of every child to basic healthcare. The NHI Act explicitly preserves this right, creating a carve-out where the children of asylum seekers and undocumented migrants retain broader access than their parents.

“Impersonating Home Affairs officials or police officers is unlawful and unacceptable. It is not their duty to process or search people, and those who engage in such acts—often coupled with vigilante gangsterism—are committing outright criminality and extortion. The Tactical Response Unit (TRU) is being deployed to root out these elements and ensure that every form of criminality and extortion is decisively dealt with. These individuals are nothing more than a group of extortionists who will be brought to justice,” said MMC Cllr. Dr Tshwaku

Law-abiding citizens should take decisive action to address unlawful activities and ensure that everyone, regardless of nationality, has access to essential healthcare services. This includes collaborating with law enforcement agencies to prevent further harassment, protecting our nurses who fear for their lives and intimidation.

-ENDS-

#NomakanjaniManjeNamhlanje

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Media Queries

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