

Is it time for a Cancer Act in South Africa?

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15 Feb 2024

Amid concerns about rising cancer numbers and health-system failures in South Africa, advocates are making a case for a national act that would hold the government to account.



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Civil society organisations in South Africa are arguing that the country is in urgent need of a dedicated Cancer Act, citing rising cancer numbers set to double by 2030, failures in service delivery and implementation, and inequities in cancer care.

Working with legal and health scholars in South Africa and the UK, representatives from the Cancer Alliance and the Cancer Association of South Africa make their case for such legislation in a new paper, *Harnessing the Law to Advance equitable cancer care in South Africa: Exploring the feasibility, desirability and added value of a dedicated national cancer act*.

They point to Resolution WHA70.12 adopted at the 2017 World Health Assembly (WHA) by World Health Organisation (WHO) member states – South Africa included – calling for integrated cancer prevention and control.

The resolution, the writers point out, prompted the development of National Cancer Control Plans (NCCPs) in many countries as “overarching cancer strategies to steer state and non-state actors”. But many NCCPs did not live up to their

promise, failing to tackle issues of equity, early detection and diagnosis. In Africa, the implementation of such NCCPs faced additional hurdles, from limited financing to inadequate service delivery.

In contrast, countries like Kenya, Chile, Japan and the Philippines recorded notable successes with their dedicated Cancer Acts, say the researchers. One key appeal of such legislation – commitments are legally binding and contain enforcement mechanisms. Which is where South Africa has fallen short, says the Cancer Alliance's Salomé Meyer.

"Not one of the policies or guidelines have any legal standing in the courts," she notes, referring to measures like South Africa's National Cancer Strategic Framework 2017-2022 and National Policy Framework for Palliative Care 2017-2022. In the meantime, alarm bells are ringing. Cancer cases in the country are projected to double by 2030.

Healthcare disparity

More worrying is the inequity in the health system, with 80% of the country's population said to depend on public health services for cancer care while, on the flip side, 80% of the cancer health care professionals and treatment centres are based in the private sector.

The country's proposed National Health Insurance (NHI) Bill, an attempt to improve universal health care in the country, is as yet unclear on how it will improve equity in cancer care. In their study, researchers interviewed more than two dozen cancer survivors, legal scholars and human rights advocates, among others, to gauge interest in a dedicated Cancer Act. While many interviewees had not considered the possibility, most were open to the idea.

Accountability is a constant refrain among respondents. "If you did put this into legislation," said one cancer survivor, "then you could at least identify who's responsible."

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