



INTERPRETATION OF REGULATIONS: State of Disaster

Health Services during Lock Down.

1.Preamble

- 1.1 ReLPAG EXCO considered the needs of our members whose services are defined as essential services and discussed how best to assist our members. ReLPAG engaged in discussion with a Senior Advocate, also known as an SC. She gracefully offered her services pro bono to ReLPAG considering the matter in a broad sense on how best psychologist could deliver services to the public in this time of lockdown.
- 1.2 This is an extraordinary time where extraordinary actions should be considered but in the spirit of ubuntu. We can not put others at risk through our actions, how well meant they might be. ReLPAG received enquiries from members by What's App, e-mail, telephone and through all possible means. The gist of the questions posed, were:
 - 1.2.1 *As Mental Health Professionals our services are needed. **Yes, it is true***
 - 1.2.2 *I read we are classified as essential services so do I carry on as usual? From all the enquiries this is also the stance of our most of our members. **Yes, it is correct our services are classified as essential services. No, you do not carry on as usual.***
 - 1.2.3 The question posed by the overwhelming majority is *"How do I as a responsible psychologist deliver services without putting my clients, the community, my family and myself at risk of Covid-19?" **You only see emergency clients Face- to- Face. Practice Telepsych-health (phone, video, e-mail) as best as possible within the ethical guidelines.***
- 1.3 As ReLPAG EXCO we want to suggest:
 - 1.3.1 Read the legal opinion below obtained on behalf of you as ReLPAG member.
 - 1.3.2 Consider it carefully and, in a spirit of contemplation, ask yourself what your personal and professional obligation in this time of Lock down is.
 - 1.3.3 Once you concluded what your personal and professional obligation is, consider the position of each of your clients and how to best assist them.

- 1.3.4 Discuss with a senior respected colleague if you are still in doubt. Write your contemplations, the outcome and ultimate decision in your desk diary (used only for discussions with third parties; enquiries; and verbal advice to third parties etc. that you can rely on if a query or dispute arises).
- 1.3.5 Contact your clients accordingly and note the agreed plan of action during Lock down in the respective files.
- 1.3.6 Follow up accordingly post Lock down – if Lock down is extended make interim arrangements with your respective clients.

2. Legal Opinion

After discussion with senior legal counsel, ReLPAG is of the opinion that the following is of importance and might be of assistance to its members. While forming your own independent understanding of the interpretation of the Regulations provided during Lock Down, these points might be useful to you:

1. The spirit of the Regulations is about **preserving life** by containing the spread of the contagious disease.
2. The Regulations therefore emphasize **stringent measures** to restrict movement and limit outside contact.
3. There are designated **critical services** as you know where Mental Health is listed and clearly acknowledged as such.
 - 3.1 This makes provision for **emergency services** to people in distress.
 - 3.2 A **permit** has to be obtained to render this service within the context of the restrictions.
 - 3.3 The practitioner will be responsible to **prove** the extra ordinary nature of the distress.
4. The **interpretation** of what would be an emergency service and due distress is in the judgment of the practitioner.
 - 4.1 This can be interpreted in a **narrower** or **wider** sense.
 - 4.2 To interpret this in a **narrower** rather than a wider sense is in keeping with the Regulations and State of Disaster.
5. Face- to- face contact would be appropriate only in **highly** exceptional circumstances.
6. There is a **danger** that a practitioner can bring the profession in disrepute if a perception arises that the profession is used in order to secure a flow of income.

ReLPAG thanks Advocate Bosman, previously the Chief Family Advocate, for assisting our members in this regard. ReLPAG EXCO supports this opinion.

ReLPAG EXCO encourages its members to keep doing the good work. Let us share and make each other strong, while facing difficult decisions and practicing psychology during these challenging times.

Anne-Marie Rencken, no ,ReLPAG, Chairperson

Working in your interest with kindness, diligence, integrity and fairness for all