



His Excellency the Honourable President Cyril Ramaphosa  
The President of the Republic of South Africa

Dear Mr President,

**RE: MEDICO-LEGAL CRISIS IN SOUTH AFRICA**

In the spirit of Thuma Mina we, a group of concerned South Africans and Professional Organisations, offer our collective expertise and goodwill to advise you on the medico-legal crisis in our country. Being acutely aware of the human suffering, loss of economic productivity and multi-billion rand financial losses, which are inflated by negligence, maladministration, unprofessional conduct and corruption, we propose to address you frankly and constructively on the following:

- ✚ The RAF, Determination of Serious Injuries, HPCSA Appeal Tribunals and Litigation Practices that overburden our Courts of Law.
- ✚ The RABS Bill – Cost Implications and Infringement of the Rights of Vulnerable Members of Society (particularly children, impoverished, illiterate and brain injured adults).
- ✚ Motor Vehicle Crashes and Deaths on South African Roads.
- ✚ Clinical Negligence by Healthcare Practitioners, with focus on Constructive Upstream (prevention) and Downstream (resolution) Interventions.
- ✚ The Benefits of Mediation compared to Litigation.
- ✚ The South African Medico-Legal Coalition and establishment of a South African Medico-Legal Data Institute.
- ✚ SAML A Submissions to the Law Reform Commission.
- ✚ Access to Courts and Establishment of Specialised Medical Courts.
- ✚ Centres of Excellence for care of Children with Cerebral Palsy.
- ✚ The Establishment of an Independent Multidisciplinary Regulatory Authority, with Codes of Professional Conduct and Disciplinary Procedures.
- ✚ The Substantial Body of Knowledge and Goodwill that has been Side-Lined by Government over the years.

The experts who, at short notice, have already confirmed their willingness to address you on Sunday 5 May 2019, are:

**Judge Neels Claassen.** Retired judge, Mediator and Chairperson of the South African Medico-Legal Association.

**Dr/Adv Anton Van Den Bout.** Orthopaedic Surgeon and Founder of the South African Medico-Legal (Society) Association,

**Dr Henry Lerm.** Attorney, Legal Academic, Law Society of South Africa LEAD Lecturer, Mediator and Deputy Chairperson (Legal) of the South African Medico-Legal Association.

**Mr Trevor Reynolds.** Clinical Neuropsychologist, Expert Witness, Mediator and Deputy Chairperson (Healthcare) of the South African Medico-Legal Association.





**SAML**



**Dr Hans Enslin.** Orthopaedic Surgeon, Expert Witness and Director (RAF matters) of the South African Medico-Legal Association.

**Dr Herman Edeling.** Neurosurgeon, Expert Witness, Mediator, Director (Clinical Negligence and Mediation) and Faculty Leader of the South African Medico-Legal Association.

**Dr Brad Beira.** Managing Director of The Advisory Group and Risk and Health Governance Executive of Constantia Insurance Company.

**Mr Pieter De Bruin.** Industrial Psychologist, Expert Witness and Chairperson of the Association for the Protection of Road Accident Victims.

**Mr Ngoako Mohlaloga.** Executive Director at Inovatus and Deputy Chairperson of the Association for the Protection of Road Accident Victims.

**Prof Hennie Klopper.** Attorney, Legal Academic and Head of the Solutions Task Team of the Association for the Protection of Road Accident Victims.

**Dr Lawrence Barit.** Advocate at the Pretoria Bar, Traffic Criminologist and Chairperson of Stay Alert, Stay Alive.

**Dr Owo Ikwa Owo.** Family Physician, Expert Witness and Registrar of the South African Institute of Medicolegal Experts.

**Mr Rony Makhwanya.** Dietician, Expert Witness and President of the South African Institute of Medicolegal Experts.

**Mr Lusani Mulaudzi.** Actuary, MD Director of Grassroots Impact Solutions and Imali Risk Management Solutions, and President Elect of the Actuarial Society of South Africa.

**Mr Gregory Whitaker.** Actuary and Expert Witness in Civil Litigation Quantum Calculations.

**Dr Peter Koll.** Obstetrician and Gynaecologist, Expert Witness, Mediator and Faculty Member of the South African Medico-Legal Association.

**Dr Chris Archer.** Obstetrician and Gynaecologist, Expert Witness, CEO of South African Private Practitioners Forum and Past Chairperson of the Gynaecology Management Group.

**Dr Gian Marus.** Neurosurgeon, Expert Witness and Medico-Legal Representative of the South African Society of Neurosurgeons and the South African Spine Society.

**Ms Carina Van De Wall.** Nursing Consultant, Expert Witness and Faculty Member of the South African Medico-Legal Association.

**Mr Dirk Van De Wall.** CEO of BEST LLAW, Labour Consultant and Arbitrator.

**Mr Tobie Van Niekerk.** Personal Injury and Clinical Negligence Attorney.

**Adv Gerhard Strydom SC.** Advocate at the Johannesburg Bar.

**Ms Leigh De Souza.** Personal Injury Attorney with Particular Interest in RAF4 and Appeal Tribunal Procedures.

**Ms Romany Sutherland.** Attorney, Mediator, Western Cape Chairperson and Director of the South African Medico-Legal Association.

**Ms Anita Erens.** Physiotherapist, Expert Witness and Acting Western Cape Chairperson of the South African Medico-Legal Association.

**Ms Irena Singh.** Attorney, Mediator and Director of the South African Medico-Legal Association.





**SAMLA**



**South African Institute of  
Medicolegal Experts**

**Adv Jenine Louise Khan.** Advocate at the Johannesburg Bar and Director of the South African Medico-Legal Association.

**Dr Gavin Fredericks.** General Practitioner, Expert Witness, Mediator and Director of the South African Medico-Legal Association.

**Dr Sharon Munyaka.** Industrial Psychologist, Expert Witness and Director of the South African Medico-Legal Association.

**Mr Johan Jordaan.** Attorney, Mediator, Free State Chairperson and Director of the South African Medico-Legal Association.

**Dr Brand Claassen.** Head of Department of Private Law at the University of the Free State and Director of the South African Medico-Legal Association.

**Prof Ethelwynn Stellenberg.** Department of Nursing and Midwifery at Stellenbosch University, Board Member of the Office for Health Standards Compliance and Faculty Member of the South African Medico-Legal Association.

**Adv Reshma Athmaram.** Advocate at the Durban Bar and Johannesburg Bar, KZN Chairperson and Director of the South African Medico-Legal Association.

#### **Invitation Details:**

*Date: Sunday 5<sup>th</sup> May 2019*

*Time: 09h00*

*Venue:*

*The Focus Rooms*

*The Core Shopping Centre*

*Leeuwkop Rd*

*Sunninghill*

*Johannesburg*

*RSVP: [rsvp@samla.co.za](mailto:rsvp@samla.co.za)*

*Contact for further information: 072 911 6926 (Azlyn Creative obo SAMLA & SAIME)*

