



Adv Michael Masutha
Minister of Justice

Dear Adv Masutha

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 5th May 2019

Time: 09h00

Venue:

The Focus Rooms

The Core Shopping Centre

Leeuwkop Rd

Sunninghill

Johannesburg

RSVP: rsvp@samla.co.za

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

