

**SAMLA-UCT SERIES OF PRACTICAL TRAINING WORKSHOPS IN
MEDICO-LEGAL PRACTICE**

**LEARNING OUTCOME STATEMENT – WORKSHOP 4 : PROVING NEGLIGENCE
AS A CAUSE OF CEREBRAL PALSY (7 SEPTEMBER TO 12 OCTOBER 2019)**

Leader: Ms. Romany Sutherland

Panel/ team: – Dr. Cornel Lombard – Adv. John Mullins SC – Prof. Izelle Smuts – Dr. Peter Koll – Dr. Pierre Davis – Prof. Michael Pepper – Ms Pip Jackson – Dr Moore – golden thread lecture.

Learning outcome statement:

Students attending this course should be familiar with the process of investigating and proving a case of medical negligence resulting in cerebral palsy.

The Students will be taken through the legal process, from initial consultation to the finalisation of merits/liability.

A case study will be used and be carried through to finalisation in one of the later courses, where the matter will be quantified and finalised (trial or settlement).

FRAMEWORK AND METHOD OF TRAINING – WORKSHOP 4 : PROVING NEGLIGENCE AS A CAUSE OF CEREBRAL PALSY (7 SEPTEMBER TO 12 OCTOBER 2019)

Brief Outline of Lectures:

1. Attorney to take the students through a case study discussing the initial consultation and what information is needed to proceed with the investigation of liability.
2. Investigation of liability: obtaining medical records from pre-natal clinics, general practitioners, foetal assessment centres, hospital visits during pregnancy, labour and birth, hospital and lab records of baby.
3. Assessing the information at hand: Pre-natal risk factors: pre-eclampsia, gestational diabetes, infections, FAS, Low AFI, CPD etc.
4. First and second stage labour – risk factors – CTG debate – caesarean sections, are they the only alternative?
5. The sentinel event: types/ indicators/ timing/ prevention.
6. After birth: HIE scale, Cord PH, Apgars, seizures, MRI's and U/S etc.
7. The HIE checklist: a tool to assist lawyers and doctors
8. Pleadings and issuing summons.

Lecturers: Attorney (R Sutherland), Midwife, Obstetrician, Neonatologist, Geneticist (Michael Pepper), CTG debate – (Izelle Smuts and Prof Davis/ Dr Koll?), Foetal Assessment Expert, Advocate (J Mullins), paediatric neurologist(brain cooling). This will need to be considered and discussed when the whole team gets together. The concluding day would be a lecture by Dr Moore and the discussion of topics for assignments.

(2/3?) Days plus assignment to write a topic specific report. We recommend that an additional day be added to this workshop?