

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

**LEARNING OUTCOME STATEMENT - WORKSHOP 5 - MEDIATION (2  
NOVEMBER 2019 TO 30 NOVEMBER 2019).**

- a) The intention of the workshop is to train medico-legal practitioners to understand the nature and benefits of mediation in the resolution of medical disputes; to understand how all decision-making is guided by ethical principles; and to understand the essential differences between mediation and litigation.
  
- b) The training will be relevant to different groups of practitioners, as follows : -
  - i) Mediators - how to conduct the mediation of medical disputes, in both clinical negligence and personal injury matters.
  
  - ii) Lawyers – how and why to refer clients to mediation, and the role to be played by legal representatives in the mediation process.
  
  - iii) Expert witnesses – how to provide relevant, factual and explanatory reports to assist mediation processes and to understand the similarities and differences between a report for mediation and a report for litigation.
  
- c) The training will include lectures, interactive discussions, a mock mediation demonstration, a golden thread lecture on the ethics of mediation/litigation; and an assignment to write a submission to a relevant authority, motivating the introduction of mediation as a primary method for early and cost-effective resolution of medico-legal disputes.