

1) LEARNING OUTCOME STATEMENT

- a) The intention of the workshop is to train medico-legal practitioners to write, understand and evaluate medico-legal reports in cases of traumatic brain injury, for the simple purpose of assisting judges to make fair and equitable judgements. The training will be relevant to different groups of practitioners, as follows : -
- i) Neurosurgeons and neurologists – to properly assess survivors of traumatic brain injury and write rational scientific reports, employing the necessary degrees of attention to detail, factual analysis and reference to scientific literature, as well as logical reasoning.
 - ii) Quantum experts – to evaluate the factual and scientific bases, as well as the reasoning processes, of opposing neurosurgeons or neurologists who express differing opinions, and to form a reasoned view on which is the more natural and consistent with objective test findings and actual performance in the laboratory of life.
 - iii) Attorneys, advocates and judges – to better understand neurosurgical and neurological reports; to evaluate the factual and scientific bases and reasoning processes therein; and to enhance effectiveness in leading evidence and cross examination, as well as evaluation of evidence in the light of other factual evidence and expert findings.
 - iv) Medical practitioners in unrelated disciplines – to provide examples of medical diagnostic and reasoning processes that are helpful in the evaluation of impairments of a complex- or abstract nature.

2) FRAMEWORK AND METHOD OF TRAINING DAY 1

- a) The first day, 2 March 2019, will be devoted to essential knowledge acquisition, to be conducted in 6 training sessions by members of the expert panel, nl
- i) Dr. Herman Edeling (neurosurgeon), Mr. Trevor Reynolds (clinical/neuro psychologist), Ms. Eleanor Bubb (educational psychologist), Dr. Odette Guy (speech therapist), Ms Pip Jackson (physiotherapist), Ms. Barbara Donaldson (industrial psychologist), Judge Neels Claassen, Adv John Mullins SC, Adv Ian Dutton, Prof Ethelwynn Stellenberg (nursing expert), and Mr Jimmy Kyriacou (philosophy and jurisprudence lecturer).
- b) Each training session will consist of a formal lecture, as well as comments by other members of the expert panel and questions/answers/comments by course participants in all venues. The topics of the lectures will be :-
- i) What the Court, as well as legal representatives and other experts require of expert medico-legal reports on persons with traumatic brain injury. [Adv John Mullins SC].
- ii) Clinical aspects of traumatic brain injuries. [Dr Herman Edeling].
- iii) Medico-legal assessment of traumatic brain injuries after MMI. [Dr Herman Edeling].
- iv) Special considerations in relation to “mTBI” (mild traumatic brain injury). [Dr Herman Edeling].
- v) Special considerations in relation to paediatric brain injuries. [Dr Herman Edeling].

SAMLA-UCT PRACTICAL TRAINING WORKSHOPS IN MEDICO-LEGAL PRACTICE

Workshop 1 - Traumatic Brain Injury (2 March 2019 To 16 March 2019)

- vi) Recommendations for improving the existing system. [Dr Herman Edeling].

- c) The program for day 1 will be concluded with instructions for the assignments to be completed in syndicates. [Expert Panel].

3) SYNDICATE ASSIGNMENTS

- a) Each participant will be required to complete an assignment and attend a syndicate meeting to discuss the assignments before the 2nd (concluding) day of the workshop.

- b) Syndicate meetings will be convened and chaired by Syndicate Leaders appointed by the SAMLA Faculty. Each syndicate will be provided with a Videolinx online meeting licence, so that members who are unable to attend syndicate meetings in person will be able to attend the meetings online. At the first meeting members of each syndicate will elect a Deputy Syndicate Leader. Syndicate Leaders may recruit any one or more members of the syndicate to assist with any of their duties.

- c) In view of the short time available between the 1st and 2nd days of the workshop, participants will not be required to write a full medicolegal report on traumatic brain injury. Instead they will be provided with a fact sheet (containing actual facts pertaining to an anonymized real case), and will be required to write a brief report providing answers to specific questions relating to the case. Each question will be pertinent to a core learning objective of the workshop, and each answer must be supported by logical reasons. All relevant reasons will be found in the fact sheet and/or in the lecture notes.

SAMLA-UCT PRACTICAL TRAINING WORKSHOPS IN MEDICO-LEGAL PRACTICE

Workshop 1 - Traumatic Brain Injury (2 March 2019 To 16 March 2019)

- d) The expert panel will provide a simple but relevant grading rubric to each Syndicate Leader. Copies of the grading rubric will be provided to participants during the syndicate meetings, and will be used to evaluate their own and one another's written answer sheets. In view of the interdisciplinary nature of the workshop and syndicates, comment from participants will be welcomed on the usefulness of the subject matter to the particular discipline of each. The outcome of each syndicate meeting will be the compilation of a final syndicate report on agreed answers with reasons.
- e) Syndicate Leaders, together with the Deputy Syndicate Leaders, will be required to evaluate the adequacy of each participant's work, and provide an evaluation of "complete" (i.e. satisfactory) or "incomplete" (i.e. unsatisfactory) for each participant.
- f) The requirements for a "complete" evaluation will not be onerous or complicated, but will require demonstration of having paid attention during the first workshop day, attendance at and meaningful participation in the syndicate meeting, and completion of a "satisfactory" assignment report.
- g) To qualify as "satisfactory", the answers in an assignment report need not all be correct, but should reflect that the participant has applied his or her mind to the question, and should reflect a logical process of reasoning based in fact.
- h) Participants who receive an evaluation as "incomplete" will be encouraged and mentor to revise and improve their work to achieve a "complete" evaluation.
- i) If any participant is dissatisfied with any determination of the Syndicate Leader and Deputy Syndicate Leader, he or she may appeal to the Workshop Leader and Committee/Panel. Determinations by the Workshop Leader and Committee/Panel, in relation to the successful or unsuccessful completion of assignments and other requirements, will be final and binding.

4) FRAMEWORK AND METHOD OF TRAINING DAY 2

- a) The second day of the workshop, 16 March 2019, will start with 2 golden thread lectures, nl
 - i) Analytic scientific reasoning. [Mr Jimmy Kyriacou].
 - ii) Academic report writing. [Prof Ethelwynn Stellenberg].
- b) The remainder of the second (concluding) day will be devoted to report back from the syndicate leaders, comments on the assignments and syndicate reports by members of the expert panel, and interactive general discussion on the subject matter of the workshop, as well as illustrative case reports presented by members of the expert panel and a final learning wrap-up comment by Judge Claassen.
- c) The training will refer to 15 relevant scientific publications, including inter alia : -
 - i) YOUMANS NEUROLOGICAL SURGERY (6TH EDITION) – Chapters 322 to 342 – Winn 2011.
 - ii) MEDICO-LEGAL REPORTING IN ORTHOPAEDIC TRAUMA – CHAPTER 22 HEAD INJURY – Bryan Jennett – Ed Michael A Foy and Philip S Fagg – 2002
 - iii) REPORT TO CONGRESS ON MILD TRAUMATIC BRAIN INJURY IN THE UNITED STATES; STEPS TO PREVENT A SERIOUS PUBLIC HEALTH PROBLEM – Julie Louise Gerberding – Centers for Disease Control and Prevention (CDC) – Sue Binder – National Center for Injury Prevention and Control – September 2003