



South African Medico-Legal Association In Pursuit of Excellence

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Non-Profit Company. Registration Number: 2005/013822/08 Web: www.medicolegal.org.za | E-mail: info@samla.org.za

Directors: Prof Ethelwynn Stellenberg (National Chairperson and Chairperson: Research Committee); Adv Carlos Da Silva SC (National Deputy Chairperson: Legal and Chairperson: Education & Training Committee); Dr Thomas Mogashoa (National Deputy Chairperson: Health Sciences and Administrator & Quality Assurance Director). Dr Khomotjo Matjila (Chairperson: Transformation and Credentialing Committees); Mr Johan Jordaan (National Treasurer); Ms Naomi Williams (Chairperson: Mediation and Chairperson: Quantification Interest Group); Mrs Carina van de Wall (Chairperson: CPD); Mr Rowan Haarhoff (Business Development Director); Adv Maryke Pienaar (Communication Director and Chairperson: RAF Committee); Dr Luleka Gcawu, Ms Shelly Broughton and Rosa Bredekamp

Non-Executive President: Prof Henry Lerm

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ANNUAL GENERAL MEETING

19 November 2024

ANNUAL REPORT

1 INTRODUCTION

It gives me pleasure to present to you the SAMLA Annual Report for the year 2024.

A new term of office (2024-2025) of newly elected members elected at the AGM 2023 commenced their fiduciary duties in January 2024.

The second offering of the new SAMLA Certificate Foundation Course in Medico-Legal Practice was completed successfully on the 2 November 2024. The foundation course was once more a highlight of 2024.

2 BOARD OF SAMLA

The following directors served on board:

1. Prof Ethelwynn Stellenberg (National Chairperson)
2. Dr Mogori Mogashoa (National Deputy Chairperson: Health and Director: Administration & Quality Assurance)
3. Adv Carlos da Silva (Deputy Chairperson: Legal and chairperson Education and Training)
Resigned November 2024.
4. Adv Johanni Barnardt (Credentialling and Disciplinary) Resigned
5. Dr Luleka Gcawu (Ethics and Legal Chairperson)
6. Attorney Johan Jordaan (National Treasurer)
7. Ms Carina Van de Wall (CPD and Chairperson of the conference)
8. Adv Maryke Pienaar (RAF and Communication)
9. Attorney Naomi Williams (Disciplinary and Mediation)
10. Dr Kgomotjo Matjila (Credentialling and Transformation)
11. Ms Shelley Boughton (Education and Training)
12. Mr Rowan Haarhoff (Business)
13. Dr Rosa Bredekamp (Newly elected director)

3 THE EXECUTIVE COMMITTEE OF SAMLA

The following members served on the executive board:

1. Prof Ethelwynn Stellenberg (National Chairperson)
2. Dr Mogori Thomas Mogashoa (National Deputy Chairperson: Health and Administration & Quality Assurance)
3. Adv Carlos da Silva (Deputy Chairperson: Legal and chairperson Education and Training) Resigned November 2024.
4. Attorney Johan Jordaan (National Treasurer)
5. Adv Maryke Pienaar (Communication & RAF)
6. Mr Rowan Haarhoff (Business Development)

4 NON-EXECUTIVE PRESIDENT AND HONORARY MEMBERS

Prof Henry Lerm (Non-Executive President)

Dr & Adv Anton Van den Bout

Dr Herman Edeling

Mr Trevor Reynolds

Prof Jan Becker

5 RESIGNATIONS

Adv Carlos da Silva (Deputy Chairperson: Legal and chairperson Education and Training) resigned November 2024, after the completion of the second offering of the medico-legal certificate programme. As explained by Adv Da Silva he found it difficult to manage SAMLA activities and his private practice.

Adv Johanni Barnardt (Credentialling and Disciplinary) resigned due to illness.

6 NEW APPOINTMENTS

Dr Rosa Bredekamp

Prof Henry Lerm

7 BOARD MEETINGS

Three normal board meetings were held during 2024.

Two special board meetings were held during 2024.

8 EXECUTIVE COMMITTEE MEETINGS

Three executive meetings were held during 2024.

9 INDUCTION DEVELOPMENT PROGRAMME FOR BOARD DIRECTORS

The induction and skills development of the board directors were implemented with the new board directors elected for the office period 2024-2025. The induction took place on 20 January 2024 with much success. Outcomes of the induction are phased in over two years.

10 COMPLYING WITH THE COMPANY ACT 71 OF 2008

To ensure good governance by complying with the Companies Act, the SAMLA board and EXCO continued to monitor the activities of SAMLA according to the MOI to ensure good governance. Various activities are consolidated into smaller committees. I have highlighted some aspects of individual reports. The reports are available on request and should be on the SAMLA website as soon as the new development of the website has been completed.

10.1 MEDIATION COMMITTEE

Dr Trevor Frankish led negotiations with the Department of Health, Gauteng and completed the pilot project of 50 mediations. SAMLA continued with an additional six mediations thereafter a fee structure was introduced. On request from the Gauteng Department of Health for SAMLA to assist with 100-150 mediations, SAMLA has agreed to 100 but against a small fee to pay mediators and admin assistance who assist with this task. The DOH has implemented a payment offer and SAMLA, under the guidance of Dr Frankish, has been submitting invoices for payment for mediations completed since February 2024.

10.2 ROAD ACCIDENT FUND (RAF) COMMITTEE

A few days ago, SAMLA received communication from the secretary of both the Johannesburg and Pretoria Gauteng enhancement committees inviting SAMLA to enter discussions in forming a RAF mediation committee. The meeting was scheduled for 14 November 2024. At the beginning of this year, they formed a RAF Collaboration Committee.

10.3 BUSINESS DEVELOPMENT COMMITTEE

The committee is chaired by Mr Rowan Haarhoff (Attorney / Actuary).

The Business Development Plan as formulated under the chair of Rowan Haarhoff was implemented with much success.

10.4 CONTINUOUS PROFESSIONAL DEVELOPMENT (CPD)

CPD policy was reviewed by Mr Morta to ensure it was SAQA compliant. One problem identified was that the website had to be compliant with the monitoring of CPD of registered medico-legal practitioners.

10.5 EDUCATION AND TRAINING

The Education and Training Committee chaired by Adv Carlos da Silva successfully implemented the second offering of the Certificate in Medico-Legal Practice Foundation Programme.

The foundation programme was implemented in May 2024 and the last module was offered on 2 November 2024. Assessment of students will be completed by 20 November 2024, in the event a reassessment is required, it will be done in December 2024.

The programme consisted of eight modules which were offered by excellent presenters as shown in table 1 (the modules and the number of students registered for each module).

Table 1: The modules offered and the number of students.

Module	Title	Number of students
1	Introduction to Medico-Legal Practice	114
2	Introduction to Medical Law	110
3	Interaction between Medical Law and Ethics	88
4	Alternative Dispute Resolution Vs Litigation	81
5	Procedural Issues	73
6	Court Procedure and Conduct	88
7	Mediation	87
8	Quantification for Damages	95

A special acknowledgement goes to Prof Henry Lerm SAMLA's Non-Executive President, who designed the descriptors and content of the modules.

SAMLA also acknowledges the directors who assisted with the plan for each module, identifying presenters and ensuring that the module was executed successfully.

Chairperson Adv Carlos da Silva is applauded for his role in successfully completing the second offering of the Certificate in Medico-Legal Practice Foundation programme.

SAMLA also acknowledges all the presenters who participated in offering excellent presentations, placing the new SAMLA course in medico-legal practice at a remarkably high level of excellence. There is no doubt that the bar of excellence has been set. SAMLA will need to persevere and continue at this level or higher.

10.5.1 The dates for class 2025

The dates for class 2025 have been approved by the board.

The modules will be offered on the following dates:

Module 1: 17 May 2025 – Introduction to Foundations of Medico-legal Practice

Module 2: 21 June 2025 – Introduction to Medical Law

Module 3: 12 July 2025 – The Interaction between Medical Law & Ethics

Module 4: 2 August 2025 – Alternative Dispute Resolution vs Litigation

Module 5: 23 August 2025 – Procedural Issues

Module 6: 13 September 2025 – Court Procedure and Conduct

Module 7: 4 October 2025 - Mediation

Module 8: 1 November 2025 – Quantification of Damages

For more information, contact the Education & Training administrator, Ms Sybil Abrahams, at support@samla.org.za or 076 452 4168.

In addition to the Foundation Programme SAMLA also ensured that we had fireside chats and workshops during the year. The following statistics of the educational and training activities all CPD approved are shown in table 2.

Table 2: Fireside and workshops offered during 2024.

Date	Title	Number of delegates	Income
17 February 2024	Workshop: NHI debate	193	Free
12 March 2024	Fireside chat: Effect of NHI on the economy	251	Free
6 April 2024	Workshop: Report writing	47 x R1000.00 27 x R1500.00 3 x R200.00	R47000.00 R40000.00 R600.00 Total = R88100.00
25 September 2024	Fireside chat: Role of the speech therapist	8 x R240.00 8 x R80.00	R2000.00 R640.00 Total = R2640.00
16 October 2024	Fireside Chat Sexual Health	11 x R250.00 12 x R80.00	R2750.00 R960.00 Total = R3710.00

10.6 FINANCIAL COMMITTEE

SAMLA has continued to show a positive financial balance for 2024. Details of the financial situation are captured in the Treasurer's report.

10.7 ADMINISTRATION AND QUALITY ASSURANCE COMMITTEE

Under the leadership Dr Mogori (Thomas) Mogashoa.

- Arrangements were made with the Limpopo DoH to train 42 doctors in medico-legal practice. The arrangements were managed as a priority and the doctors joined the course. SAMLA agreed to repeat module 1 to ensure that the students were on par with all the modules.
- The new website design caused problems for SAMLA showing losses in the number of members registered as the actual registration process was hampered by the website that was under reconstruction. The process of completing the website has shown numerous challenges and has since not been completed.
- Ms Evelyn Mofekeng ensured that SAMLA was compliant with CIPC requirements.
- More emphasis on administrative activities as decided upon in the induction programme will be completed in 2025.

10.7.1 Board Director's Induction programme

As decided upon by the previous board the board induction programme should be offered for the new board 2024-25. Thus, the programme was implemented on 20 January 2024 for the new board of directors.

The goal of the programme was to introduce the board of directors to the principles of good governance. The agenda included the following:

- Introduction
- Vision and mission
- Governance framework
- Roles and responsibilities of the Board
- Strategy, Risk & Sustainability
- Policies and procedures
- Conflict of interest
- Closure

The outcome of the induction programme was that we explore the possibility of a three-year term of office for directors, risk management, quality insurance, evaluation of board directors, policies still outstanding. During the first year of office the board approved a few policies as listed in paragraph 14 and amended the MOI for approval at the AGM.

10.7.2 Administrative staff

Ms Evelyn Mofokeng's contract ended, and the renewed contract was not accepted by Ms Mofokeng. Consequently, she was no longer in the service of SAMLA.

An urgent need for admin assistance was identified. Ms Sybil Abrahams a teacher by profession and who has years of experience in university administration agreed to assist SAMLA. She was appointed in September and has since been an asset to SAMLA, not only assisting with all admin

activities but we no longer require additional technical assistance with the education and training workshops, as she is skilled in assisting with these functions. She demonstrated these skills at the last two modules of the foundation programme.

10.8 COMMUNICATION COMMITTEE

Adv Maryke Pienaar completed two newsletters, and this was circulated. A third newsletter is in progress soon to be circulated.

In addition, Adv Pienaar worked with the website designer as approved by the board to redesign SAMLA's website but later in the year this task was given over to Johan Jordaan, the national treasurer.

10.9 CREDENTIALING COMMITTEE

Under the directorship of Dr Kgomotjo Matjila the tiers for advancement in medico-legal practice registration and recognition for prior learning (RPL) policies were completed and approved by the board. Mr Vincent Morta reviewed the policies to ensure compliance with SAQA.

10.10 TRANSFORMATION COMMITTEE

Led by Dr Kgomotjo Matjila, continued to monitor that SAMLA portfolios included a component of transformation across all SAMLA activities, e.g., conferences, updating policy, training activities, recruitment and selection of directors and representatives across events to enable representation and diverse inputs across medico-legal professions.

The transformation policy was also reviewed, and no changes were made to the existing policy.

10.11 DISCIPLINARY COMMITTEE

Chaired by Attorney Naomi Williams, the disciplinary and appeal policy was revised and approved by the board. Mr Vincent Morta also ensured that the policy was compliant with SAQA.

10.12 LEGAL AND ETHICS COMMITTEE

Dr Luleka Gcawu chaired the committee who reviewed the MOI. Amendments were suggested and accepted at a special board meeting. The amendments are to be approved by the AGM.

10.13 INTEREST GROUPS

10.13.1 Quantification interest group

Under the guidance of Johan Venter, industrial psychologist research was completed regarding the medico-legal reports submitted by educational psychologists. The group is currently busy with an article for the SA Journal of Psychology regarding quantification of the issues that were highlighted in the research. Prof Henry Lerm and Prof Ramodungoane Tabane, previous chairperson of the credentialing committee, are participants in this group.

11 PROVINCIAL ACTIVITIES

Based on the feedback received from 47 members, provinces should be discontinued, Thus, recommendations are made to the AGM by the board of directors to consider amending the MOI with reference to the provinces.

12 NATIONAL CONFERENCE 2025

Under the guidance of Ms Carina Van de Wall, chairperson of the conference committee, the board will be taking SAML A a step further by hosting a national conference 14-15 March 2025. Programme will soon be circulated.

13 APPLICATION WITH SOUTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA) FOR PROFESSIONAL ORGANIZATIONAL STATUS

SAML A has secured the support of an expert in applications to SAQA and Higher Education Quality Committee (HEQC), Mr Vincent Morta, who is assisting SAML A to work towards becoming a professional organization. Under his guidance specific policies required in the application to SAQA have been reviewed and found compliant for the application with SAQA.

14 POLICIES

The Board approved the following:

- Amendment to the Policy for Continuous professional development (CPD)
- Disciplinary and appeal policy
- Recognition for prior learning (RPL)
- Tier for advancement as a registered medico-legal practitioner policy

15 CURRENT MEMBERSHIP

- SAML A Registered medico-legal practitioners: 97
- SAML A Registered Mediators: 94
- Total Paid-up members on 19/11/2024: Numbers not available yet due to website reconstruction.

16 CONCLUSION

As the chairperson of the current term of office, I would like to acknowledge the board directors for their continuous support and commitment to SAML A, their tenacity and perseverance to ensure that we deliver to the members.

To our admin staff for their support and commitment to ensure that the wheels of SAML A run smoothly without any problems.

Most of all our outgoing Non-executive president Prof Henry Lerm, for his valuable time, commitment, and dedication towards the success of SAMLA. He never missed a SAMLA meeting whether board, exco or any other meeting where his valuable input was required. Prof Lerm can be described as a genuine warrior for SAMLA. Nothing is too much for him.

Finally on behalf of the SAMLA board I would like to wish you a safe, secure, and blessed festive holiday season. And a wonderful and successful year ahead.

A handwritten signature in black ink, appearing to read 'Ethelwynn L Stellenberg', enclosed within a large, loopy oval shape.

Prof Ethelwynn L Stellenberg

National Chairperson

19 November 2024