

NewsLetter

Issue No 2/August 2023

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Welcome to our newsletter dated August 2023.

IMPORTANT REMINDER:

FIRESIDE TALK EVENT
10 AUGUST 2023

A very excited Fireside talk event coming up on the 10th August 2023.

Are killers, Prostitutes and Thieves Entitled to Claim Loss of Earnings?

Should the hired killer who lost his shooting hand and/or the prostitute who lost her leg in an accident be compensated for their loss of earnings and if so, how should the loss, be calculated?

And what about the illegal immigrant, working in the informal sector? What are the rights of these people or don't they have rights?

Herewith the details to attend the Fireside Talk event on 10 August 2023:

Platform : Zoom

Time : 7:00 pm to 8:30

Costs : Free

CPD points: 2 Ethics CPD points approved

Please register on the website

Top News

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CRISIS AT ROAD ACCIDENT FUND



SAMLA and various stakeholders in the legal fraternity are pleading for urgent intervention to get the RAF wheels to turn again. SAMLA is also involved in this process.

The Road Accident Fund, a creature of statute and the largest litigator in the Republic of South Africa is managed by a person with no legal background whatsoever, and by his own admission (under oath) no understanding of litigation processes and the South African Legal framework.

The organized legal profession of South Africa present an urgent memorandum on the Minister of Transport, and the roll players involved in and affected by the current state of affairs at the Road Accident Fund.

We do as an outcry on behalf the victims of road accidents in South Africa: vulnerable individuals whose lives have been irrevocably affected by a catastrophic event.

The memorandum was delivered on 14th July 2023 to the Minister of Transport and Road Accident Fund and all the relevant parties involved. We are still waiting for feedback from the Minister regarding our Memorandum.

The following professional bodies have collaborated in this memorandum to the Minister:

- 1.The Black Lawyers Association (BLA)
- 2.The Gauteng Attorneys Association (PAA)
- 3.The Johannesburg Attorneys Association (JAA)
- 4.The Law Society of South Africa (LSSA)
- 5.The National Democratic Lawyers Association (NADEL)
- 6.The Persoane Injury Plaintiff Lawyers (PIPLA)
- 7.The West Rand Attorneys Association (WRAA)
- 8.SAMLA (South Africa Medico Legal Association)

SAMLA FOUNDATION CERTIFICATE COURSE in MEDICO LEGAL PRACTICE COURSE



The Education and training Committee chaired by Natalie Benjamin-Damons are all involved in the Foundation course which starts on 12th August 2023.

An exciting journey in developing and building your capacity in medico-legal practice. This course will add to your credibility as a medico-legal practitioner.

The Foundation course is offered at a NQF level 8, which is essential for a medico-legal practitioner as all cases are complex and requires a practitioner to have analytical and critical thinking skills, not only to have the knowledge about a case.

The study guide has been designed based on the eight (8) modules, with a specific purpose and outcomes for each module. The course will be offered over a period of eight Saturdays commencing on the 12 August and ending on the 18 November 2023.

The course aims to accentuate the main and salient principles and practices encountered in the medico-legal field and practices, including the law, ethics and medico-legal skills required to enjoy a successful career.

SABC INTERVIEW

Prof Stellenberg was interviewed by SABC on 10th July 2023 about the high litigation rate in healthcare. She explained that there are a number of problems in healthcare that contribute to the high litigation in healthcare and illustrated with one example that from the time the patient reports at the Clinic one must do what is expected and not to take short cuts, that is a problem that we have in Health Care. Some cases could have been prevented.

The Department of Health in Northern Cape is facing medical negligence claims of about two billion rand despite having the countries lowest population.

Important to note is that it is historic as these claims dates back years ago as when the summons was issued at the department. In the interest of the public The MEC, Mr Meqwenya is responsible for the health issues in the province he will convene a press conference and discuss how to address these medico legal issues and to address this litigation in the province.

The Health Minister admitted that medico legal litigation is a concern and he is working with provinces to have a coordinated response. https://youtu.be/HPLlt_aHn9U

INTERNATIONAL ACADEMY HONOURS STELLENBOSCH ACADEMIC

The ISQua Academy of Quality and Safety in Health Care (IAQS), has welcomed two new members from Africa - Prof Stellenberg and the other new member from the continent of Africa is Lydia Okutoyi. The academy is an organisation that includes distinguished individuals who have made a significant contribution in the field of quality and safety in healthcare. The body is touchstone, a mark of excellence of leadership within research, academia or service delivery in quality and safety, and is considered one of the highest honors that an individual working in this area can receive. Members of the Academy are elected in a strict nomination process by peers and is for life.



Congratulations Prof Stellenberg on a wonderful achievement.

We are all proud of you.

NEW APPOINTMENTS

Dr NR Maharaj (Ray), a UKZN academic and head of KZN's largest maternity unit at Prince Mshiyeni Memorial Hospital, has been appointed to the board of directors of the South African Medicolegal Association (SAMLA). Well respected in the fraternity, the specialist obstetrician and gynaecologist received the highest number of votes among all interdisciplinary nominees nationally to assume this position.



MEDIATION

In response to the Department of Health Gauteng to complete 100-150 mediations, EXCO decided that a fee should be charged for any further mediations. With reference to this instruction, Mr JP Venter Director of the Mediation Steering committee launched a survey among senior mediators who participated in the pro bona pilot study for the DOH. Based on the outcome of the survey an offer will be made to the DoH Gauteng. This is work in progress.

We want to thank Mr Venter for his hard work in this regard.

CONCLUSION

SAMLA is on an exciting journey with new events. We are excited to announce that we are in the process to upgrade SAMLA's website, that should also grow our membership. Members are welcome to submit any new exciting additions for the website. We will provide more detail soon.

A special thanks to Prof Lerm for all the hard work in writing the introduction, purpose and outcomes for each module of the Foundation Course.

Acknowledgment to Prof Stellenberg for drafting the study guide for the Foundation Course.

Prof Stellenberg, National Chairperson would also like to acknowledge and thank Adv Maryke Pienaar of taking up the role of Communication Director with much enthusiasm and showing much commitment with all her tasks in SAMLA.

Greetings from the Editor

M PIENAAR
Director of Communications of SAMLA