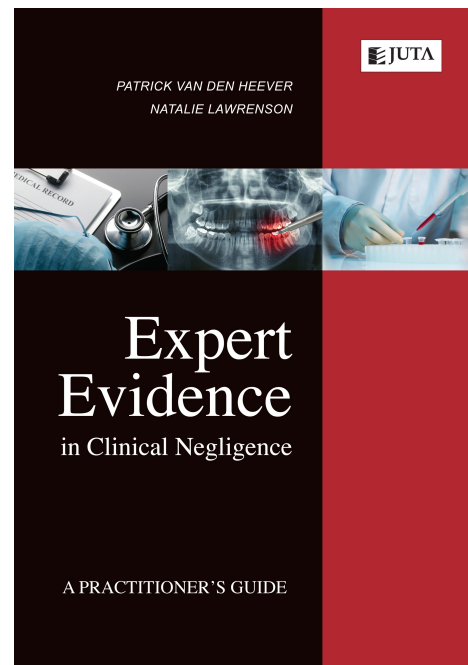


# Expert Evidence in Clinical Negligence: A Practitioner's Guide

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## About this Publication:

Expert medical evidence is often essential and pivotal in support or defence of medical negligence. Such cases invariably involve questions of technical and factual complexity requiring the evaluation of conflicting expert medical testimony. In this book, the first standalone textbook on expert evidence in South Africa, the authors expound and extrapolate the whole process from the initial obtaining of the relevant health records to the eventual testimony of the medical expert witness in court.

The authors offer an instructive guide to busy practitioners to assist them with –

- identifying the correct expert speciality or sub-speciality
- the construction of a medico-legal opinion
- the status of joint minutes of such experts
- the preparation of an expert's examination-in-chief
- cross- and re-examination of an expert

*Expert Evidence in Clinical Negligence* also discusses the invaluable role of experts in the resolution of medical malpractice disputes by way of mediation.

Relevant case law and the applicable Uniform Rules of Court are comprehensively discussed and set out in the footnotes for ease of reference.

## Contents Include:

- Health records
- The nature of opinion and expert evidence
- The production of expert evidence
- Obtaining the expert opinion/report
- Preparing the expert to testify
- Qualifying costs of the expert witness and related fees
- Grading the quality of expert evidence and statistical medical evidence

- Templates:
  - Request for clinical notes
  - Request for access to records (public body)
  - Request for access to records (private body)
  - Recognition of specialities
  - Letter of instruction to expert
- Postscript: *Oppelt v Head: Health, Department of Health Provincial Administration: Western Cape*

**Of Interest and Benefit to:**

- Judges
- Advocates
- Attorneys
- Expert medical witnesses
- Health care providers
- National Prosecuting Authority
- State Attorney Services
- South African Private Practitioners' Forum
- Members of the medical and allied professions, their councils, associations, indemnity insurers and protection societies, including:
  - The Allied Health Professions Council of South Africa
  - Health Professions Council of South Africa (HPCSA)
  - Medical Protection Society (MPS)