

MEDICAL NEGLIGENCE AND HEALTH SECTOR MEDIATION TRAINING

12 to 16 October 2015

Limited to 21 delegates per course



UCT Law @ work

Professional Development Project

The Professional Development Project of the Faculty of Law, UCT, is pleased to present the first Medical Negligence and Health Sector 5-day mediation training course for professionals who aspire to become proficient in this or any other preferred areas of practice.

This groundbreaking course will be hosted in association with Mediation In Motion at the Nelson Peace Centre at the Nelson Wine Estate outside Paarl; 45 minutes drive from Cape Town International Airport.

ABOUT THE COURSE

This five-day course is developed to lay the groundwork for you to become an effective and accredited mediator in South Africa. You will learn from two of South Africa's most experienced mediators to use mediation skills more effectively in the health sector, or any other preferred area of practice. The plans of the Department of Justice to implement court-aligned mediation, will form part of your learning experience.

The civil justice system has priced itself out of reach of many South Africans, and mediation is becoming more and more popular to resolve disputes in diverse fields and industries. Mediation reframes a dispute as a joint problem rather than a battle over who is going to prevail. King 111 on Good Corporate Governance and forty-four pieces of legislation passed by Parliament since 1994, have prepared the way for mediation to become mainstream in South Africa.

WHO WILL BENEFIT MOST FROM THIS COURSE?

Anyone working in the private and public health sectors in South Africa, including:

- Legal advisors
- Doctors
- Advocates and attorneys
- In-house counsel
- Senior managers
- Director Generals of government health departments
- Other health professional stakeholders



WHY WILL THEY BENEFIT?

They will have covered the groundwork to become effective mediators in the health sector and other preferred areas of practice or expertise.

They will have improved their general and inter-cultural communication and negotiation skills - all that are essential leadership qualities in South Africa.

They will have acquired practical mediation skills training from experienced practitioners. This will enhance their existing competencies as problem-solvers in their preferred industries and fields.

They will have discovered the potential of mediation as a flexible and creative process, which encourages creativity and innovation in the health sector of South Africa.

THE COURSE'S MAIN PRESENTERS ARE:



Jacques Joubert is a practicing commercial mediator with more than 20 years of legal experience, which includes practising as an arbitrator and mediator.

He is a former member of the Cape Bar and has practised law in Canada. Jacques has trained mediators for UCT, the Department of Justice and the Royal Institute of Chartered Surveyors (RICS). As an independent mediation analyst he regularly publishes articles on the status and prospects of mediation in South Africa. He publishes a blog under the name of Woza Mediation South Africa. <http://www.jacques-joubert.co.za>



Alan Nelson (SC) is a co-founder of the Nelson Mediation, Arbitration and Peace Centre.

After spending 35 years as a highly successful high court advocate and trial lawyer, Alan Nelson SC resigned from the Cape Bar in 2006 and currently offers his expertise in all facets of civil and commercial law as an internationally qualified and accredited mediator. He serves as an elected member of the ADR Forum of the Western Cape Government. Alan frequently addresses audiences on mediation and has been a part of the UCT Mediation Training Team since its inception.

The main presenters will be joined, when required, by a variety of experienced mediators and trainers to assist them, amongst others:





Professor Johan Walters is a retired orthopaedic surgeon and former head of the department of Orthopaedic surgery at UCT.

He is an accredited mediator and has 35 years of experience in the preparation of medicolegal reports. He serves on a Preliminary Committee of Inquiry for the HPCSA, and is a member of the SAMLS. He has coached mediators for UCT Law@Work and Mediation in Motion.



Professor van den Heever practises as an advocate at the Cape Bar, specialising in medical law.

He holds an appointment as Extraordinary Professor and is an external assessor for the University of Pretoria and the University of the Free State in respect of medical law. He is an internationally accredited mediator and has authored *The Application of the Doctrine of a Loss of a chance to Recover in Medical Law* (2007) and co-authored *Res Ipsa Loquitur and Medical Negligence* (2011).



Associate Professor Mohamed Paleker BA LLB LLM (UCT) is an attorney of the High Court and a lecturer in UCT's Department of Private Law.

He serves as a member of the Task Team for the Re-Engineering of Small Claims Courts in South Africa, an advisory Member of the South African Law Reform Commission, and a member of the Rules Board for Courts of Law.



Francois Botha is a practising mediator and expert in workplace mediation in culturally diverse and complex environments.

He has more than 16 years' experience of interactive training, including the training of workplace mediators for UCT and peer mediators for the Africa Centre of Dispute Settlement (ACDS). Francois, a former magistrate, is the Director of UCT's Discrimination and Harassment Office and has a passion for leadership development. He has been instrumental in developing a successful community of practice for UCT workplace mediators.



REGISTRATION DETAILS

- Programme and venue information:** Registration will commence at 9:00 unless otherwise advised and each day will end at approximately 17:00. Instructions regarding the programme and directions to the venue will be sent to you electronically a week prior to the event.
- Award of certificate:** A certificate of completion from UCT will be awarded to those who attend the full 5 days of the contact session and successfully pass the assessments. Please ensure that you sign the attendance register each day.
- Accreditation:** There is presently no statutory framework for the accreditation of mediators in South Africa. Mediation service providers are in the process of regulating, and it is envisaged that the Dispute Settlement Accreditation Council (DiSAC) will in future regulate mediation standards. The course is accredited by DISAC.
- Course fee:** R15,000 per delegate.
- Closing date for registration:** One week prior to the seminar.
- Registration and enquiries:** Please contact the Professional Development Project:
Paula Allen on 021 650 5558
Andrea Blaauw on 021 650 5413
Fax: 021 650 5513
Email: paula.allen@uct.ac.za / andrea.blaauw@uct.ac.za / irena.wasserfall@uct.ac.za
OR visit our website: <http://www.lawatwork.uct.ac.za> to download the registration form.

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