



EXPERT REPORT WRITING COURSE

24 MAY 2024 - VIRTUAL (ONLINE VIA ZOOM)

Course Overview

Aim

Participants will appreciate the essence and content of a good legal medicine report, and will evaluate and improve their skills to establish a high standard of report writing.

Learning Outcomes

Participants will:

- Understand the expert's role and the requirements for one to be considered an expert.
- Understand the essential elements of a solicitor's letter of instruction and appreciate when further material should be requested.
- Know the essential elements required in an expert report, common to all Codes of Conduct.
- Understand the difference between assumed facts, facts and opinion.
- Understand how an opinion is properly constructed showing how any conclusions were derived.
- Appreciate the proper use of language and understand common pitfalls in an expert's report.

Who should attend?

The Expert Report Writing course will benefit any health care professionals who may be called upon to prepare expert reports. This includes medical, dental and allied health care professionals. If you are unsure about whether this course is right for you, simply call or email us to confirm.

Further Training

This is a standalone course addressing the requirements of preparing an expert report. This Expert Report Writing course is a pre-requisite to the [ACLM Expert Witness Training Program](#).

For those wishing to further their training in being an expert, we encourage participants to extend their training by attending the ACLM Expert Witness Training Program which focuses on presenting an expert report in court and includes critique of participants' submitted reports.

Location/Venue

Virtual – online via Zoom. Instructions are sent to attendees after registration, closer to the date.

Fees

AUD \$500 ACLM members (inc. GST) | AUD \$650 Non-members (inc. GST)

Optional: Additional AUD \$100 (inc. GST) for post-course submitted report marking

Cancellation Policy

A refund less \$100 administration fee will be provided for all cancellations received at least 14 days prior to the course start date. Any cancellations after this point will be non-refundable.

WWW.LEGALMEDICINE.COM.AU/EDUCATION/EXPERT-REPORT-WRITING



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Pre- and Post-course Activities

As part of this Activity, participants are expected to complete reading and activities as described below. A recommendation of time required is provided as a guide. CPD hours are allocated in accordance with these times.

Mandatory Pre-reading – 1 hour recommended

- Beran RG. *Legal medicine: How to prepare a report*, Australian Family Physician 2011; 40 (4): 246-248
<https://www.racgp.org.au/afp/2011/april/legal-medicine/>
- (Psychiatrists relevant) Guthell TG, Hilliard JT. *The treating psychiatrist thrust into the role of expert witness*, Psychiatric Services 2001; 52 (11): 1526 – 1527 <https://doi.org/10.1176/appi.ps.52.11.1526>

Additional reading resources:

- Australian Codes of Conduct for Expert Witnesses (except SA) – <https://unisearch.com.au/resources#expert-witness-code-of-conduct>
- SA Code of Conduct – [https://www.courts.sa.gov.au/wp-content/uploads/wp-download-manager-files/court-rules/02-dc-court-rules/02-dc-court-rules-earlier/01-civil-rules/District%20Court%20Practice%20Directions%202006%20\(Part%20I\).pdf](https://www.courts.sa.gov.au/wp-content/uploads/wp-download-manager-files/court-rules/02-dc-court-rules/02-dc-court-rules-earlier/01-civil-rules/District%20Court%20Practice%20Directions%202006%20(Part%20I).pdf)
- New Zealand Code of Conduct for Expert Witnesses – <https://www.legislation.govt.nz/regulation/public/2016/0225/latest/DLM6953324.html>
- Freckelton I. *Expert Evidence: Law Practice, Procedure & Advocacy*, Thomson Reuters, 6th Edition, 2019

Post-course Activity – 1 hour recommended

Each participant is asked to submit a reflective statement outlining what they have learned from the course and what they intend to apply to their future report writing. A template will be emailed to you following the course. If you choose not to complete the activity, your CPD hours will be adjusted accordingly on your certificate of completion.

Optional Post-course Submitted Report (additional \$100) – 8 hours preparation + 1 hour reflection recommended

Each participant is invited to submit a de-identified expert report/statement within two weeks following the course. Reports are critically marked to provide feedback as to how they can be improved. If you have not previously written a report/statement, you may create one based on your own clinical experience by creating a mock scenario.

This optional activity provides an opportunity for participants to apply their skills learned on the Expert Report Writing course, receive feedback and review their performance. ***We highly recommend that participants consider taking advantage of this opportunity for feedback.***

Any who go on to attend the Expert Witness Training Program will be expected to demonstrate the ability to prepare a good quality court-ready report. Reports submitted for the Expert Witness Training program which are deemed below an acceptable standard by the Teaching Faculty may be asked to repeat the course to attain a Certificate of Completion.

Note: Any report submitted for this Expert Report Writing post-course activity cannot be reused if a person attends the Expert Witness Training Program in the future.



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CPD Information

ACLM CPD Program recognition:

8.5 hours, Relevant to Legal or Forensic Medicine

CPD home submissions:

The following allocations are suggested by ACLM and will be shown on the attendance certificate. It is up to the attendee to check that the activity meets their own CPD home's requirements and to allocate the activity type according to their CPD home's guidelines.

Educational Activity: 6.5 hours

Reviewing Performance: 2 hours (-1 hour if post-course reflective statement not submitted)

Total: 8.5 hours (adjusted as per above depending on pre/post-course activities)

Program Level Requirements met:

- Maintaining and developing professionalism

RACGP CPD Program recognition:

This Activity No. 401559 has been allocated 8.5 CPD hours in the RACGP 2023-25 CPD Program. If you have any concerns about this activity, you may submit [a GP Feedback form](#) to the RACGP.

Adjustments to allocated hours:

The post-course activity (reflective statement) is optional for all attendees, however your Certificate of Completion will show adjusted CPD hours if you did not submit the activity.

CPD allocation for optional post-course submitted report:

Additional CPD hours can be claimed for those who complete the optional post-course submitted report activity. This will be shown on a separate Certificate of Completion issued by ACLM.

Educational Activity: 2 hours

Reviewing Performance: 4 hours (+ 1 hour reflection on report feedback)

Measuring Outcomes: 2 hours

Total: 9 hours

RACGP attendees please note: The optional post-course activity and hours is not pre-accredited with the RACGP so this component must be self-recorded by the individual practitioner.

 RACGP CPD <small>Approved Activity</small>		
Educational Activities	Measuring Outcomes	Reviewing Performance
6.5	0	2
hours	hours	hours



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24 MAY 2024 - VIRTUAL (ONLINE VIA ZOOM)

Program

The program times below are listed as Australian Eastern Standard Time.

Please check and ensure you join at the correct time for your location.

WA/HK Start - 7:30am (AWST/HKT)

SA Start - 9:00am (ACST)

QLD/NSW/VIC Start - 9:30am (AEST)

NZ Start - 11:30am (NZST)

Time	Session	Speaker
9:20 am (AEST)	Participants enter Zoom Meeting from Zoom waiting room	
9:30 am	Welcome – 10 minutes	ACLM Facilitator- Professor Roy Beran
9:40 am	Legal Brief – Part 1 – 50 minutes <ul style="list-style-type: none">• Introduction of the role of the expert, opinion etc• Legal considerations for being an expert• Opinion evidence• The special role of the expert• The ultimate issue rule	Barrister- George Kalimnios
10:30 am	Legal Brief – Part 2 – 45 minutes <ul style="list-style-type: none">• Working with solicitors• Various types of litigation and reports• Confidentiality• Consent• Solicitor-client privilege	Lawyer- Bill Madden
11:15 am	Morning Tea – 15 minutes	
11:30 am	Legal Brief – Part 3 – 45 minutes <ul style="list-style-type: none">• Essential elements of a Letter of Instruction• Accepting instructions• Proofing a witness• Expectations of counsel• Codes of conduct & compliance• Necessary inclusion (resume)• Confirming expert status	Lawyer- Bill Madden
12:15 pm	Breakout Groups – 20 minutes <ul style="list-style-type: none">• Solicitor example Letter of Instruction to be critically reviewed by participants (10 mins)• Report back to main group (10 mins)	ACLM Facilitator- Professor Roy Beran
12:35 pm	Morning Mini Q&A – 10 minutes <ul style="list-style-type: none">• Barrister & Solicitor extra Q&A time	All tutors
12:45 pm	Lunch – 45 minutes	



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Time	Session	Speaker
1:30 pm (AEST)	The Expert Report – Part 1: Preparation – 45 minutes <ul style="list-style-type: none">How your report is usedCommissioning and the letter of instructionAccepting the briefDiscussing terms and conditionsMaterials required	ACLM Expert- Professor Roy Beran
2:15 pm	The Expert Report – Part 2: Content & Structure – 60 minutes <ul style="list-style-type: none">Essential requirementsContentStructureFormLanguage	ACLM Expert- Dr Mark Woodrow
3:15 pm	Afternoon tea – 15 minutes	
3:30 pm	The Expert Report – Part 3: Common Pitfalls – 30 minutes <ul style="list-style-type: none">Group discussion to critique a sample report, highlighting common pitfalls	Group discussion led by ACLM Expert- Dr Mark Woodrow
4:00 pm	Break Out Groups – 45 minutes <ul style="list-style-type: none">Participants break into 4 groups with one tutor assigned per group.Participants self-critique a report using the Report Checklist, focusing on how they came to their opinion	All tutors
4:45 pm	Open Q&A session – 15 minutes	All tutors
5:00 pm	Program close	



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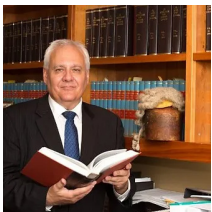
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Teaching Faculty



Professor Roy Beran – Neurologist & Professor (ACLM Facilitator & Expert)

Roy G. Beran is a consultant neurologist and accredited sleep physician. His qualifications include: MBBS, MD, FRACP, FRACGP, Grad. Dip. Tertiary Ed., Grad. Dip. Further Ed., FAFPHM, FACLM, FRCP(Edin), FAAN, FANZAN, FACBS, B Leg. S, MHL and FFFLM (Hon). He is a Conjoint Professor of Medicine at the University of NSW; Professor in the School of Medicine at Griffith University, Queensland; Conjoint Professor, Medical School, Western Sydney University; and Professor, Chair, Sechenov Moscow 1st State University, Moscow, Russia. Following Russia's invasion of Ukraine, he refused to re-sign with Sechenov University. He is: a founding Fellow of the Australasian College of Legal Medicine (ACLM); Past President thereof, stepped down in 2011, still on Council and awarded Honorary Life Fellowship. In 2019, he was appointed 'Joint Head of Teaching Faculty'. He is the Australian Governor and was elected as President of the World Association for Medical Law (WAML), in 2022, a position he still holds, having previously been Secretary General, Executive Vice President and Regional Vice President. He was the first Honorary Fellow of the Faculty of Forensic & Legal Medicine of the Royal College of Physicians (London). He has published: almost 400 papers, book chapters and letters to the editor; presented in excess of 430 papers at national and international meetings; written or edited 17 books; serves on numerous editorial boards; and is the editor in chief of the international journal, *Medicine and Law*, the official journal of the WAML.



George Kalimnios – Barrister at Law and Mediator, Legal Counsel, Kalimnios Themis Chambers

George Kalimnios commenced his legal career studying law at QUT whilst working as a clerk in the Magistrates courts and then with the Public Defender's Office. In 1989 George was admitted as a Solicitor working with several private law firms in the areas of commercial litigation. In 1996 George returned to practice in the areas of Criminal Law, Administrative Law and Coronial Inquests with the Queensland based and highly respected Law firm of Gilshenan and Luton. In 1998 George left main stream legal practice and took up full time duty in his capacity as a Reserve Legal Officer with the Royal Australian Airforce. George remains an active member of the reserve. In 2003 George returned to fulltime private legal practice as a barrister practicing in the areas of Crime, Inquires, Administrative Review, Family Law and Mediation. Throughout his career George has maintained a very keen and active interest in legal education undertaking work as a tutor at QUT and UQ, as a guest presenter with the QUT School of Management, and as an Honorary Fellow of the Australasian College of Legal Medicine.

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Teaching Faculty



Bill Madden – Special Counsel, Carroll & O'Dea Lawyers (Lawyer)

Bill Madden is a lawyer in private practice in Australia, a Fellow of the Australian Academy of Law and also an Adjunct Fellow at the School of Law and at the School of Medicine, Western Sydney University; an Adjunct Professor at the Australian Centre for Health Law Research, Queensland University of Technology and a Senior Fellow, Melbourne Law Masters, University of Melbourne.



Dr Mark Woodrow – Emergency Physician & Avant General Manager / Deputy Chief Medical Officer (ACLM Expert)

Dr Mark Woodrow graduated from the University of Queensland, and after a short time in a rural hospital and a year in surgery, has worked as an emergency physician for 30 years in the private sector. He has worked at the Wesley Hospital for most of this time and represented the emergency department as chair of the emergency medicine craft group, as a member of the Medical Advisory Committee, and is currently chair of the Quality Assurance Committee. He has completed additional training in several emergency related fields including diving and hyperbaric medicine, toxinology, prehospital life-support, burns, ultrasound and sports medicine. He completed and was an instructor for both EMST and APLS. He also became a faculty member of The Cognitive Institute, facilitating workshops in communication skills and clinical safety.

During those postgraduate years, Mark achieved a Masters of Business Administration, Graduate Diploma of Applied Law and Graduate Certificate in Arts (ethics). This eventually led to a part-time position as claims manager and medical advisor with Avant, medical defence organisation. He is now General Manager- Medical Advisory Services and Deputy Chief Medical Officer at Avant. He is also currently vice president of the Medicolegal Society of Queensland.