



## EXPERT REPORT WRITING COURSE

6 SEPTEMBER 2024 - QT QUEENSTOWN, NEW ZEALAND

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### *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**

QT Queenstown – 30 Brunswick Street, Queenstown 9300, New Zealand  
Information regarding accommodation options is sent to attendees after registration.  
*Please note: This is a face-to-face session only (no online attendance available).*

#### **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



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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, 6<sup>th</sup> 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.

Educational Activities	Measuring Outcomes	Reviewing Performance
6.5	0	2
hours	hours	hours



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### Program

The program times below are listed as local time - New Zealand Standard Time.

Time	Session	Speaker
9:00 am (NZST)	Registration	
9:30 am	<b>Welcome</b> – 10 minutes	ACLM Facilitator- Professor Roy Beran
9:40 am	<b>Legal Brief – Part 1</b> – 45 minutes <ul style="list-style-type: none"><li>• Introduction of the role of the expert, opinion etc</li><li>• Legal considerations for being an expert</li><li>• Opinion evidence</li><li>• The special role of the expert</li><li>• The ultimate issue rule</li></ul>	Barrister- Professor John Devereux
10:25 am	<b>Legal Brief – Part 2</b> – 45 minutes <ul style="list-style-type: none"><li>• Working with solicitors</li><li>• Various types of litigation and reports</li><li>• Confidentiality</li><li>• Consent</li><li>• Solicitor-client privilege</li></ul>	Lawyer- Bree Knoester
11:10 am	Morning Tea – 15 minutes	
11:25 am	<b>Legal Brief – Part 3</b> – 45 minutes <ul style="list-style-type: none"><li>• Essential elements of a Letter of Instruction</li><li>• Accepting instructions</li><li>• Proofing a witness</li><li>• Expectations of counsel</li><li>• Codes of conduct &amp; compliance</li><li>• Necessary inclusion (resume)</li><li>• Confirming expert status</li></ul>	Lawyer- Bree Knoester
12:10 am	<b>Breakout Groups</b> – 15 minutes <ul style="list-style-type: none"><li>• Solicitor example Letter of Instruction to be critically reviewed by participants (10 mins)</li><li>• Report back to main group (10 mins)</li></ul>	ACLM Facilitator- Professor Roy Beran
12:25 pm	<b>Morning Mini Q&amp;A</b> – 5 minutes <ul style="list-style-type: none"><li>• Barrister &amp; Solicitor extra Q&amp;A time</li></ul>	All tutors
12:30 pm	Lunch – 45 minutes	



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### 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.

Time	Session	Speaker
1:15 pm (NZST)	<b>The Expert Report – Part 1: Preparation</b> – 45 minutes <ul style="list-style-type: none"><li>How your report is used</li><li>Commissioning and the letter of instruction</li><li>Accepting the brief</li><li>Discussing terms and conditions</li><li>Materials required</li></ul>	ACLM Expert- Professor Roy Beran
2:00 pm	<b>The Expert Report – Part 2: Content &amp; Structure</b> – 60 minutes <ul style="list-style-type: none"><li>Essential requirements</li><li>Content</li><li>Structure</li><li>Form</li><li>Language</li></ul>	ACLM Expert- Professor Roy Beran
3:00 pm	<i>Afternoon tea – 15 minutes</i>	
3:15 pm	<b>The Expert Report – Part 3: Common Pitfalls</b> – 30 minutes <ul style="list-style-type: none"><li>Group discussion to critique a sample report, highlighting common pitfalls</li></ul>	Group discussion led by John Devereux
3:45 pm	<b>Break Out Groups</b> – 30 minutes <ul style="list-style-type: none"><li>Participants break into 4 groups with one tutor assigned per group.</li><li>Participants self-critique a report using the Report Checklist, focusing on how they came to their opinion</li></ul>	All tutors
4:15 pm	<b>Open Q&amp;A session</b> – Up to 15 minutes	All tutors
4:30 pm	<i>Program close</i>	



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### *Teaching Faculty*



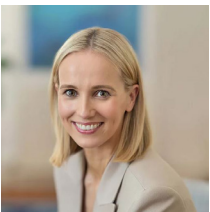
#### *Professor Roy Beran – Neurologist & Professor (ACLM Facilitator & Expert)*

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 FFLM (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.



#### *Professor John Devereux – Professor of Law, University of Queensland (Barrister)*

John Devereux teaches and researches the law of torts at the UQ Law School. He has a special interest in medical law, most notably in the areas of competency to consent to medical treatment and in epilepsy and the law. A Rhodes Scholar, John has worked as a lawyer in a variety of contexts including as a Barrister, as a consultant to a multi-national law firm, a Law Reform Commissioner for Queensland, a legal member of the Social Security Appeals Tribunal and as a Defence Force Magistrate. John was formerly Lecturer in Law at Keble College, Oxford University and Assistant Dean of Magdalen College, Oxford University. He is a former Associate Vice Chancellor of A.C.U. John is an Honorary Fellow of the Australasian College of Legal Medicine and joint Head of Teaching Faculty.



#### *Bree Knoester – Principal Lawyer, Brave Legal (Solicitor)*

Bree Knoester is the founder of Brave Legal and one of Australia's leading personal injury lawyers. Bree has practiced for over 18 years as both a barrister and solicitor; and has represented clients in some of Victoria's largest compensation settlements. In recognition of her experience and exceptional client results, Bree has won numerous industry awards including 'Lawyer of the Year' in Personal Injury Litigation (Best Lawyers® in Australia 2020), Preeminent practitioner – Asbestos & Dust Diseases Compensation (Doyle's Guide 2020), Preeminent practitioner- Work Injury Compensation (2020), and Partner of the Year Finalist- Litigation (Lawyer's Weekly 2019). As one of Victoria's most experienced personal injury lawyers, Bree is regularly approached by the media for commentary on high-profile cases and as a spokesperson for the most seriously injured.



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# *Cancellation, Privacy, and Health & Safety Policies*

By registering to attend, you agree that you have read and accept the Cancellation, Privacy and Health & Safety Policies.

### **Cancellation policy**

A refund less \$100 administration fee will be provided for all cancellations received at least 30 days prior to the event start date. Any cancellations after this point will be non-refundable.

*(Do not book and then attempt to request to cancel the ASM component of your ticket to attend only the course. Cancellations will apply to both events to ensure ASM Live attendees have the opportunity to attend the course. Any remaining spaces on the course will later be released to book for those who wish to attend the course only.)*

### Sickness:

Please do not attend the live events if you are sick with a contagious illness such as COVID-like symptoms. If you cannot attend the ASM due to illness, you will be able to attend virtually instead, including accessing the recording for later viewing. If you cannot attend the Expert Report Writing course due to illness, you will be offered a credit note.

### Contingency Planning:

If a situation occurs which significantly affects the majority of participants' ability to attend in person, the event may either be postponed to a later date or held entirely online. Any such decision will be communicated to all as soon as possible if this circumstance arises. By registering, you agree to attend the course virtually on the same dates, should this circumstance arise.

We recommend that you consider booking flexible travel and/or purchase appropriate insurance in case your plans change.

### **Privacy policy**

View the ACLM Privacy Policy here - <https://legalmedicine.com.au/policies/>

### **Health & Safety policy**

As part of our commitment to making this event safe you must comply with the following directions:

- Do not attend this event if you are unwell with a contagious illness such as COVID-like symptoms. Contact us for more options.
- Presenters must be willing to present via virtual method instead in the event of sickness, travel restrictions, or other circumstances affecting their ability to attend in person.
- You must comply with all government directions regarding health and safety if they exist.
- It is your responsibility to check the latest border, travel and quarantine restrictions to ensure you are safe and able to travel to and from this event. This may include applying for a travel permit or Visa.