

## Hand out for Delegates

I am here as the entertainment and under false pretences. I am supposed to try to give you a wiff of what it is like to be cross examined, but I have never been in a Swiss courthouse and would not understand a word of what was going on if I had.

However we did a session at the EAU meeting in London and it seemed to go down well with the delegates, including one Valerio Massimo who is responsible for letting me come to Bern.

As in London I have been given two people to cross examine. The premise of the meeting is that neither of them are rogues or liars: it is also common ground that they are distinguished doctors who know their business, but these cases (which are in fact fictional) have not turned out well and I am to use simple forensic techniques to help them to reflect on whether things should have been handled differently.

Do not expect fireworks. It is often said that the art of cross examination is not to examine crossly, but draw your witness ineluctably down a path not of his choosing. However against that, it normally takes hours if not days, and I have got 30 minutes apiece, 5 of which will be taken up with them describing the facts. So we will have to be very selective, concentrating on one or two points that seem to me to represent the nether extremity of Achilles.

I know that you will enjoy watching a colleague being slightly embarrassed and defensive if I can surprise him. However what I really hope you will all get out of it is an opportunity to see things from a slightly different point of view. I am not expecting to change anyone's way of practice, but to raise questions and maybe one or two people will be surprised and possibly even agree with me.

A word about myself. I have been a clinical defence lawyer for over 40 years – I have never acted for a patient. I have also advised the 3 Royal Colleges who have made me an Hon Fellow for longer than almost all of their staff have worked there. I Chaired NCEPOD – a professionally driven medical improvement organisation until 2015 and I am a Non-Executive Director of the Royal National Orthopaedic Hospital.

So I hope you enjoy it.

Bertie Leigh