

EUROPEAN COUNCIL OF LEGAL MEDICINE - ECLM

Minutes

10th General Assembly Meeting – Porto

Date: Saturday, June 23, 2007 11.00 hrs – ca. 13.00hrs
Place: FUNDACAO ENGENHEIRO ANTONIO de ALMEIDA,
Boavista, 231-325, R. Tenente Valadim,
4100-479, PORTO, Portugal
Room: Casa Jardim 1st Floor, Room 3

List of those Present (Alphabetical order):

Delegates: B. Brinkmann (Germany), A. Busuttil (United Kingdom), L. Frontela Carreras (Spain), D. Cusack (Ireland), P. Franklin (United Kingdom), A. Luna Maldonado (Spain), P. Mangin (Switzerland) A. Pauliukevicius (Lithuania), P. Ricci (Italy), P. Saukko (Finland), D. N. Vieira (Portugal), E. Villanueva Cañadas, (Spain)

Observers: Y. Balci (Turkey), M. Gulmen (Turkey), D. Mayer (Croatia) M. Castellano Arroyo (Spain)

Apologies: J. Balazic (Slovenia), J-P. Beauthier (Belgium), W. Eisenmenger (Germany), W. Bär (Switzerland), J. Payne-James, P. Vanezis (United Kingdom), T.O. Rognum (Norway), M. Väli (Estonia), V. Volksone (Latvia)

P. Saukko, Chairman/President of the ECLM, took the chair.

Quorum: not reached

TOP 1: Minutes 9th General Assembly, Brugge, April 24, 2004
Not taken because of lack of quorum

TOP 2: Report of the President

It was noted that a quorum was not constituted for the General Assembly of the ECLM in accordance with Statute 6 (6) of the ECLM Statutes. It was agreed by all present that a meeting should take place despite this serious difficulty and it was noted that this was the third occasion where the General Assembly was not quorate. D. Cusack agreed to act as Secretary for the meeting.

P. Saukko gave a detailed summary in relation to the EU Directive on recognition of forensic and legal medicine as a mono specialty. It was anticipated that the EU Directive would be in place possibly by October 2007. There would then follow up an update by individual EU Member States of specialisations recognised in each State. These would then be published in annexes. The UEMS process was also noted. P. Saukko had spoken with Dr. Halila, a past President of the UEMS. He advised that he had spoken with the woman official in the relevant Sectoral Directive Section and it was advised that the section will not be actively updating the specialty annexes but will wait for Member States to implement the Directive in the first instance. At that point forensic/legal medicine will fulfil the criteria as it will have the requisite number of countries recognising it as a mono specialty. The meeting was then advised that there should be application to UEMS at that point as the next practical step in progressing mono specialty recognition.

TOP 3: Report of the Secretary

The position of Secretary is formally vacant as W. Bär had stepped down from the position at the ECLM meeting in Budapest in August 2006.

TOP 4: Report of the Treasurer

P. Mangin gave a summary of the current financial situation. Due to ongoing difficulties with the ECLM General Assembly, the absence of a Secretary and the absence of accurate up to date delegate lists there had been no monies asked for, or received from delegates for several years. P. Mangin has spoken with W. Bär and understands that there is between €10,000 and €16,000 in the ECLM account.

TOP 5: Election of the President and Members of the Executive Board

In the absence of a quorum this matter could not be dealt with and was postponed to the next quorate General Assembly.

TOP 6: Varia/A.O.C.B

Most of the meeting related to discussion of the future purpose and direction of the ECLM. The following is a synopsis of the observations and comments. A. Busuttill referred to the ECLM making application to the UEMS and in particular what is the advantage to the ECLM from such an involvement. It was clear that there was no advantage to the ECLM *per se* but recognition as a mono specialty would clearly be in accord with the aims of the ECLM. A. Busuttill also raised the question of the funds currently in the account of the ECLM and what happens to it should the ECLM cease.

He also made a number of points in relation to the requirements for a quorum as set out in the ECLM Statutes and the difficulties that are being encountered. P. Saukko and D. Cusack commented on how the ECLM might proceed on a practical basis and recognising the difficulties from a legal point of view that have arisen in relation to the current statutes and forming a quorum in accordance with those statutes which are lodged in accordance with German law.

B. Brinkmann made a number of points in relation to the lobbying of the relevant people in the UEMS and EU institutions for the recognition of legal medicine as a mono specialty. P. Ricci advised the meeting of a new Directive of the Scientific Society in Italy and of new nominations for the ECLM.

D. Cusack gave an observation in relation to delegates and how they are designated under Statutes 3 (1) and 3 (6) of the ECLM statutes.

L. Frontela Carreras presented an overall review of the ECLM and its current situation. There were comments in relation to attendance. He observed that there was a problem with the English language as an obstacle to some delegates and observers. He observed a number of problems with the Statutes and would submit his observations and proposals for amendments to P. Saukko who would then transmit them to D. Cusack, P. Mangin and D. N. Vieira for review. L. Frontela Carreras had brought some 20 amendments to the meeting. Some of these, for example, related to Spanish delegates- the Society of Specialists in Legal Medicine, that government organisations can also send delegates and that there is the potential for a conflict of nominations. L. Frontela Carreras observed that in his opinion the Statutes even as re-drafted remained disorganised. The ECLM should analyse why certain countries do not attend and he also observed that there may be strong economic reasons for inability to attend by delegates from certain countries.

There was a general agreement and observation that there was a vicious cycle of not being able to constitute a quorum and thereby not being able to re-draft the ECLM Statutes. There should be clear objectives set out in the Statutes. A. Luna proposed that the meeting adopt the solution set out by D. Cusack. This solution was to the effect that all countries who have delegates listed should be again written to and asked to confirm the designated delegates from that country by a given date. Only the delegates designated by that date will then constitute the ECLM. There should then be a General Assembly with the confirmed delegates preferably before the end of 2007 if possible. That General Assembly will consider in detail the proposed new statutes.

A. Busuttill agreed in general with these proposals and also suggested that a list of countries be drawn up and in particular those whom the ECLM needs to get in touch with for delegates to be designated.

A. Luna proposed and it was agreed that the date of 15th October 2007 be the deadline for countries to designate their delegates. After that date the main purpose of the General Assembly to be called will be to review and pass new statutes.

P. Mangin proposed that there is a need to pay an administrative person to carry out these functions. It was not possible for these to be done by individual members of the Council or Executive. The meeting agreed and P. Mangin is to put a proposal to P. Saukko who has executive authority to agree such an arrangement.

L. Frontela Carreras advised the meeting that the money from the Seville Working Group was still in existence and the possibility that this could be transferred to the ECLM on the understanding that the ECLM would be regenerated and become more active again.

P. Saukko then summarised the composition of the Executive: P. Saukko (President,) B. Brinkmann (Vice-President), VACANT (Secretary), A. Busutil (Treasurer), B. Ludes, B. Cohen and P. Mangin (Members). It was noted that W. Bar had resigned as Secretary and that B. Cohen was sadly deceased.

The meeting agreed that a three person committee of P. Saukko, A. Busutil and P. Mangin would address critical issues for the ECLM. They would make a brief report in relation to objectives, strategy and budget of the ECLM amongst other matters.

TOP 7: Place, Date of next General Assembly

The meeting concluded with the following agreements. All countries eligible to designate delegates to the ECLM are to be contacted and are to advise of confirmed designated delegates no later than 15th October 2007. New delegates list will then be issued with notice of a General Assembly to take place preferably before the end of 2007. Administrative support and the arrangements for that to be agreed between P. Mangin and P. Saukko for these purposes. The main items for the agenda of the General Assembly 2007 will be the proposed new statutes, objectives, strategy and budget of ECLM.

Meeting concludes.