

# The Assessment of the Vegetative State and Minimally Conscious State Patient and the S.M.A.R.T.

by

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**Mr. Neville Sarony, Q.C., S.C.** was called to the Bar of Gray's Inn and obtained an LLB(Hons) degree from the London School of Economics. He was Recorder of the Crown Court of England & Wales from 1992 to 2005. He was Advocate of the Supreme Court of Nepal and Fractional Professor of Law, City University of Hong Kong from 2004 to 2008. He was also past Chairman of the Personal Injury Committee of the Bar Council of Hong Kong. He was a member of the UK Personal Injury Bar Association and founder member of the Professional Negligence Bar Association of the English Bar. Mr. Sarony was a member Chief Justice's Committee on Legal Aid. He was General Editor of "Personal Injury Tables Hong Kong" from 2005 to 2007 and General Editor of "Tort Law & Practice in Hong Kong" (2nd Edition). He has acted as counsel in many cases involving claimants with profound brain damage, both in the UK and Hong Kong. He has been a leading counsel in a wide variety of authoritative decisions involving personal injuries and medical negligence decided in the Privy Council, Hong Kong CFA and Court of Appeal.



**Mr. A.B. Nasir**, founder of **NASIRS®** (previously **AB NASIR & CO.®**), is a solicitor admitted in Hong Kong, England and Wales, and the Dubai International Financial Centre Courts. He is an Accredited Mediator (CEDR, HKIAC & HKMAAL), Council Member of the Law Society of Hong Kong, a member of the Law Society's Personal Injury Committee, member of the Equal Opportunities Commission and possibly the first and only person from Hong Kong to have attended and undertaken the S.M.A.R.T. Course at the Royal Hospital for Neuro-disability in Putney, London, England in January 2012. Outside the practice of law **Mr. Nasir** has a keen interest in neuro-technology and neurogaming with his Emotiv headsets, and he is an accredited trainer in NLP, Time Line Therapy and Hypnosis.

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Why would a simple fall, infection or near drowning leave a person in a vegetative state (VS), minimal conscious state (MCS), or locked-in state? What are the subtle differences between a diagnosis of a MCS and VS that make the crucial difference in the assessment, care and rehabilitation of a person who the public classify as "vegetables" and yet the book "Le Scaphandre et le Papillon" (The Diving Bell and the Butterfly) was written by journalist Jean-Dominique Bauby while he was in a locked in state.

The Sensory Modality Assessment and Rehabilitation Technique (SMART) was co-developed by Helen Gill-Thwaites and Rosalind Munday, and was considered in the recent case of **W v M (2011) EWHC 2443**. SMART is referred to by the Working Party of the Royal College of Physicians in its Report on "Prolonged disorders of consciousness National Clinical Guidelines" published towards the end of 2013.

The course will start with a short video of how SMART is applied and provide an outline of the different levels of consciousness and how they are assessed. The judgment in **W v M** will then be considered and its consequences as well as ethical issues and what the new RCP guidelines recommend.

#### The course will cover the followings:

- Stages of consciousness and wakefulness
- Prolonged Disorders of Consciousness - National Clinical Guidelines
  1. Report of Working Party 2013
- Introduction to the SMART, an assessment and treatment tool to detect awareness, functional and communicative capacity
  1. Informal (SMART-INFORMS)
  2. Formal assessment (Behavioral Observation and Sensory Assessment)
- Other tools to track consciousness
  1. The JFK Coma Recovery Scale - Revised (CRS-R)
  2. The Wessex Head Injury Matrix (WHIM)
- Prolonged Disorders of Consciousness
  1. Common causes of profound brain injury
  2. Various states of consciousness - Definitions, preconditions and criteria for Coma, VS and MCS

Scan to Calendar



Code:	<b>EVT000000032</b>	Level:	<b>Intermediate</b>
Date:	<b>21 October 2014 (Tuesday) (Amended)</b>	Language:	<b>English</b>
Time:	<b>14:30 - 17:45</b>	Accreditation(s):	<b>LSHK 3.0 CPD Points</b>
Venue:	<b>9th Floor, The Chinese Club Building 21-22 Connaught Road Central Central, Hong Kong</b>	Request for Rerun:	<b>Please Contact Us for Details</b>



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