RESEARCH CENTRE HIGHLIGHTS 2019

- **External income**: ACHLR researchers joined research team members in six successful ARC or Category 1–3 funded projects
- **Publications**: ACHLR members published 1 book, 4 book chapters, and 34 peer-reviewed journal publications in 2019
- **Higher Degree Research**: ACHLR members supervised two students completing PhDs in 2019

### EXTERNAL INCOME

#### SUCCESSFUL GRANTS (ARC AND CATEGORY 1-3) AND FELLOWSHIPS AWARDED IN 2019

1. **Elizabeth Dickson**, *People with Disability and Diabetes Project*, Australian Diabetes Educators Association (ADEA), $9,000
4. Distinguished Professor Patsy Yates. **Professor Ben White** and **Professor Lindy Willmott**, as part of a national consortium including researchers from Flinders University, University of Technology, Sydney, Palliative Care Australia, Aged and Community Services Australia, Leading Age Services Australia, Australian Healthcare and Hospitals Association, Catholic Health Australia, ‘*End of Life Directions for Aged Care*’, Commonwealth Government Department of Health (2017–2020, renewed 2020–2023)
5. **Felicity Deane**, *CRC Food Agility*, $990,000
6. **Fiona McDonald**, *DIFFerEns2 Durham International Senior Research Fellowship*, Durham University, United Kingdom (April–June 2019)

#### OTHER RESEARCH FUNDING


### FACULTY SEED FUNDING

1. 12 month Evaluation of Voluntary Assisted Dying – seed funding from Law Faculty to match Health Faculty in its IHBI Synergy grant program
2. $10 000 Law School Seed Funding, **Felicity Deane**
3. **EPBC Act Project** - Grant $25,000 (project closed off but still finalising), **Felicity Deane**
4. **Cockburn**, **Baker**, **Purser**, Cooper, Petersen and Hall: ‘Understanding and improving family agreements: reducing risk of failure, preventing elder abuse and facilitating access to justice’ ($9,998.56)

### FACULTY RESEARCH ASSISTANCE

Research funding for:
- Biobanking of paediatric tissue
- Pre-mortem interventions (deceased donation) (Shih-Ning Then)
- Aged care, CRPD and human rights (McDonald, Lewis and Purser)

### ARC GRANTS (AND CATEGORY 1-3) SUBMITTED BUT UNSUCCESSFUL

1. Louise Keough and Uni Melb colleagues, with **Lindy Willmott**, Conscientious Objection in voluntary assisted dying and abortion, ARC
2. Rob Sanson-Fisher and colleagues, **Ben White**, Elder Abuse Intervention, ARC
3. Rob Sanson-Fisher and colleagues, **Lindy Willmott, Ben White**, Advance care planning and aged care, NHMRC

4. Advance Care Planning Australia and team with **Ben White**, ‘End-of-life care for Australia’s prisoners– who has choice and control of health care decisions?’, Cth Dept of Health

5. DECRA 2020 – Enabling Ethical Dementia Research in Australia: Regulating with Respect (Shih-Ning Then)


**GRANT APPLICATIONS IN PREPARATION OR UNDER REVIEW**

1. **Bennett**, Richards, **McGee**, ‘Genomics and the Reproductive Future: Regulation, Innovation and Trust,’ Medical Research Future Fund, Genomics Health Futures Mission. Submitted. Awaiting outcome

**HIGH DEGREE RESEARCH STUDENTS**

- 2 completions: Kim Chandler, Marion Byrne

**PUBLICATIONS**

**MONOGRAPHS (PUBLISHED OR IN PRESS)**

1. Bill Madden, **Tina Cockburn** and Benjamin Madden, *Institutional Abuse of Children: Legal Remedies and Redress in Australia* (Lexis Nexis, 2019)

**JOURNAL ARTICLES**


**BOOK CHAPTERS (PUBLISHED OR IN PRESS)**


**NEW EDITIONS – BOOKS AND REVISED BOOK CHAPTERS (PUBLISHED OR IN PRESS)**


**REPORTS**


PUBLIC LECTURES AND SEMINARS

- **F McDonald & S Duckett**, “Does Section 51 (xxiia) limit politically feasible health policy options today?” Health Law and Ethics Network, Melbourne Law School, University of Melbourne, Australia – 3 September 2019.

- **F McDonald & C Horwell**, “Legal and ethical considerations of recommending or distributing facemasks for community protection from ambient air pollution events” Centre for Health Law and Society Seminar Series, La Trobe University, Australia – 2 September 2019.

- **F. McDonald**, “Ethical considerations of recommending or distributing facemasks for community protection from ambient air pollution events” *Social Interpretations and Reactions to Air Pollution Workshop*, Health and Social Theory Research Group, Department of Sociology, Durham University, England – 29 May 2019.

- **F McDonald**, “Ethical considerations of recommending or distributing facemasks for community protection from ambient air pollution event” *SCR Lecture*, Van Mildert College, Durham, England – 16 May 2019.

- **SN Then**, ‘Use of tissue for therapeutic purposes: Legal issues’ at the Exploring the concept of “attenuation” and its ethical implications with regards to commodification of medical products derived from human tissue workshop, Deakin Health Ethics, Faculty of Health, Deakin University – October 2019


- **SN Then**, ‘End of Life Law For Clinicians Workshop’ for the NSW Paediatric Network, Sydney, November 2019

- **B White & SN Then**, ‘End of Life Law For Clinicians Webinar’, Brisbane, October 2019

- **SN Then**, ‘End of Life Law For Clinicians Workshop’ at the Queensland Children’s Hospital, Brisbane, October 2019

- **SN Then**, ‘End of Life Law For Clinicians Workshop’ at the Calvary Mater/John Hunter Hospital, Newcastle, August 2019

- **SN Then** Panel Member/organiser for Australian Centre for Health Law Research public event. Capacity, Supported and Substitute Decision-Making, – May 2019

- **Kelly Purser** (organised and sat on expert panel), ‘Capacity, Supported and Substitute Decision-Making’ May 2019


LAW REFORM SUBMISSIONS

- **Willmott, Lindy, White, Benjamin P., McGee, Andrew**, Meehan, Rebecca, Neller, Penny, **Close, Eliana, Cockburn, Tina**, Ley Greaves, Laura, **Feeney, Rachel**, Hewitt, Jayne, **Purser, Kelly**, & Kelly-Austin, Avalon (2019) Submission to the Queensland Parliamentary Inquiry Into Aged Care, End-Of-Life and Palliative Care and Voluntary Assisted Dying. (Unpublished)


- **Kelly Purser, Tina Cockburn**, Submission to The Australian Guardianship and Administration Council (AGAC) and the Victorian Office of the Public Advocate (OPA), Draft national guide on financial enduring powers of attorney (July 2019)
• **Kelly Purser, Tina Cockburn** Submission to Queensland Law Society, Best Practice Guide for Practitioners in Relation to Elder Abuse (2019)

### VISITORS

- **Professor Luc Deliens**, VUB and Ghent University
- **Professor Kenneth Chambaere**, VUB and Ghent University
- Dr Tuly Rosenfeld and Dr Jane Lonie travelled to Brisbane for the seminar *Capacity, Supported and Substitute Decision-Making* May 2019

### MEMBERS TRAVEL/CONFERENCE PRESENTATIONS

- **Ben White** and **Lindy Willmott** – ICEL presentations – in addition to key notes, both gave presentations in parallel sessions
- **Ben White**, **Lindy Willmott** – approximately 30 other presentations to various audiences on end of life law etc around Australia at conferences, workshops and seminars
- **F. McDonald** & C Horwell, ‘Air pollution disasters: legal issues when recommending or distributing facemasks for community protection from ambient air pollution events’ (Australian Association of Bioethics and Health Law Conference, Dunedin, New Zealand – 23-25 November 2019)
- **F McDonald**, CJ Horwell, R Wecker, L Dominelli, M Loh, R Kamanyire, C Ugarte, D Ferdiwijaya, ‘Ethical considerations of recommending or distributing facemasks for community protection from air pollution events: an organizational perspective’ (Resistance is in the Air (Etats Generaux de l’Air de Bruxelles), Brussels, Belgium – 25-26 April 2019)
- **SN Then**, ‘End of Life Law For Clinicians’ (Australian College of Rural and Remote Medicine Conference, Gold Coast, October 2019)
- **SN Then**, Panel Discussion (Peripheral Hospitals Emergency Medicine Conference Inc (PHEMC) GEM SEM Panel Discussion, April 2019)
- **Katrine Del Villar**, ‘Recent Developments on Capacity and Mental Health in Australia’ (International Academy of Law and Mental Health, Rome, July 2019)
- **Katrine Del Villar**, ‘When is an advance directive not “directive”? The legal status of advance directives for mental health treatment in Australia’ (International Academy of Law and Mental Health, Rome, July 2019)
- **Kelly Purser** – Vancouver November 2019 as part of PDL-Long, met with:
  - Associate Professor Margaret Hall (SFU)
  - Professor Deborah O’Connor (UBC)
  - Krista James (executive director, Canadian Center for Elder Law)
  - Kathleen Cunningham (then national director British Columbia Law Institute)
- **B Bennett** and SE Davies, ‘Looking to the Future: Gender, Health and International Law’ (Australian and New Zealand Society of International Law conference, Canberra, 4 July 2019)
- **Dr Kelly Purser**, Professor Karen Sullivan, ‘Capacity’ (Queensland Law Society Succession Law Masterclass)

Dr Kelly Purser, Professor Karen Sullivan, ‘Testamentary and Financial Capacity Assessments from the Client Viewpoint’


Tina Cockburn, ‘Elder Law: Access to Justice When Family Agreements Lead to Disagreements’ (Trusts Symposium: Law Society of SA and STEP (by invitation), 8 March 2019, Adelaide)

Tina Cockburn, ‘Open Disclosure of Adverse Events in Health Care’ (University of Melbourne, Melbourne Health Law Masters, 8 May 2019, Melbourne)

Tina Cockburn, Bill Madden, ‘Health advice by fraudulent practitioners and unrecognised persons: Challenges posed by individuals and organisations’ (Obstetrics Malpractice Conference, 22 August 2019, Melbourne)

Tina Cockburn (panel chair), ‘Open Medicine’ (Open Innovation Forum, 24 October 2019 Brisbane)

Tina Cockburn, ‘Consent to innovative treatment: Liability v Innovation, Unpacking Key Connections’ (Australasian Association of Bioethics and Health Law (AAHBL) and the New Zealand Bioethics Conference, 20–23 November 2019)

**APPOINTMENTS/COMMITTEE MEMBERSHIPS**

- T Cockburn, Appointment December 2019 by Principal Research Scientist, Health and Medical Research Office
- T Cockburn, Australian Government Department of Health, as an independent peer reviewer for the Ethical, Legal and Social Issues Related to Genomics in Health Care grant opportunity under the Genomics
- T Cockburn, Health Futures Mission, funded by the Medical Research Future Fund
- T Cockburn, Sessional member Queensland Civil and Administrative Tribunal (QCAT)
- T Cockburn, Queensland Law Society Health and Disability Law Committee
- T Cockburn, Society of Trusts and Estates Practitioners, member
- Felicity Deane, Women in Research Committee (since 2015)
- Elizabeth Dickson, Panel Member, Queensland Core Skills Test Scrutiny Panel, Queensland Curriculum and Assessment Authority
- Rachel Feeney, Speech Pathology Australia Research Grants Program Review Panel
- K Purser, Succession Law Committee, Queensland Law Society
- K Purser, Society of Trust and Estate Lawyers Capacity Special Interest Group Global Steering Committee
- K Purser, Expert member, DJAG Critical Reference Group re new EPA/AHD forms and capacity assessment guidelines
- SN Then, NHMRC Organ and Tissue Working Committee member (Ministerial appointment) 2017 – current.
- SN Then, Clinical Ethics Consultation Service member – Queensland Children’s Hospital: 2018 – current
- Ben White, Medico-Legal Committee, Qld AMA
- Lindy Willmott, Board, Palliative Care Australia

**OTHER**

ACHLR was a co-host for the 3rd International Conference on End of Life Law, Ethics, Policy and Practice in Ghent Belgium. Keynotes presented by Lindy Willmott and Ben White.

**CITATIONS**

K Purser, cited and quoted in judgment In the Matter of Clara [2019] ACAT 46 [126]