RESEARCH CENTRE HIGHLIGHTS 2020

- **External income**: ACHLR researchers joined research team members in two successful Category 1 funded projects, and seven Category 2-4 funded projects.
- **Publications**: ACHLR members published 1 book, 8 book chapters, and 58 peer-reviewed journal publications in 2020
- **Higher Degree Research**: ACHLR members supervised eight students completing PhDs in 2020. 14 students continued to progress in their HDR programs, and eight new students commenced an HDR program under the supervision of ACHLR researchers.

**EXTERNAL INCOME**

**CATEGORY 1 FUNDED PROJECTS**

1. Associate Professor Coral Gartner (UQ) and others including **Professor Matthew Rimmer**, Centre of Research Excellence on Achieving the Tobacco Endgame (CREATE), $2.5 million
2. Associate Professor Louise Keogh, Professor Julian Savulescu, **Professor Lindy Willmott**, Reducing the harms associated with conscientious objection to abortion, ARC Discovery Grant, $285,385

**CATEGORY 2–4 FUNDED PROJECTS**

1. Associate Professor Tina Cockburn, Dr Kelly Purser, The Role of Financial Planners in Preventing, Recognising and Responding to Elder Financial Abuse, Financial Planners Association of Australia Grant, $5000
2. Professor Claire Horwell (Durham University) and others including project partner **Associate Professor Fiona McDonald**, FACE-UP: Factors affecting childhood exposures to urban particulates, UK Research and Innovation through the Global Challenges Research Fund (2021–2023), £1.61 million ($2.9 million)
4. **Professor Ben Mathews**, Professor Rosana Pacella, **Adjunct Professor Michael Dunne**, Professor James Scott, Professor David Finkelhor, Dr Franziska Meineck, Professor Daryl Higgins, Dr Holly Erskine, Dr Hannah Thomas, Dr Divna Haslam, Child maltreatment and its association with involvement in the criminal justice system, and adult intimate partner violence, Australian Institute of Criminology (2020–2021), $55,000
5. **Professor Ben Mathews**, Professor Rosana Pacella, **Adjunct Professor Michael Dunne**, Professor James Scott, Professor David Finkelhor, Dr Franziska Meineck, Professor Daryl Higgins, Dr Holly Erskine, Dr Hannah Thomas, Dr Divna Haslam, Prevalence and outcomes of institutional child sexual and physical abuse, Australian Department of Social Services (2020–2021), $308,000
6. **Professor Ben White**, **Professor Lindy Willmott**, Distinguished Professor Patsy Yates, and **Associate Professor Shih-Ning Then**, End of Life Law for Clinicians, Commonwealth Department of Health (2020–2023), $789,092
7. Distinguished Professor Patsy Yates and others including **Professor Ben White** and **Professor Lindy Willmott**, End of Life Directions for Aged Care, Commonwealth Department of Health (2020–2023), $15.9m

# HDR student
** Adjunct member
* Undergraduate student
CONSULTANCIES

1. Associate Professor Fiona McDonald, Australia – National Registration System, Canadian Medical Association, $15,000

INTERNAL COMPETITIVE QUT FUNDING FOR 2020

1. Dr Peta Stephenson, Limits on the Use of Executive Power by Governments, QUT Early Career Funding, $17,284
2. Dr Stephen Bartlett, Associate Professor Deb Duthie, Professor Mark Brough, Mr Chris Emzin, Professor Viv Tippett and Dr Jo Stephens, Racialised Logics at the Intersection between Paramedic and Police Practice, Health Law Indigenous Seed Funding, $17,284

HIGHER DEGREE RESEARCH STUDENTS

HDR COMPLETIONS IN 2020

1. Dr Eliana Close, Navigating Conflicts about Life-Sustaining Treatment in a Health System with Limited Resources: Reconciling Law, Policy and Practice. Professor Lindy Willmott (Principal Supervisor), Professor Ben White (Associate Supervisor)
2. Dr Bronwyn Betts, Patient refusal of paramedic treatment: Promoting paramedic decision making through use of a legal framework to assess the validity of refusals in the pre-hospital setting. Professor Lindy Willmott (Principal Supervisor), EM/Professor Gerard Fitzgerald (Associate Supervisor), Professor Ben White (Associate Supervisor)
3. Dr Stephanie Jowett, Legal Barriers to Consent for Medical Treatment of Trans and Gender Diverse Youth: A Comparative and Medico-Legal Analysis. Professor Ben Mathews (Principal Supervisor), Associate Professor Shih-Ning Then (Associate Supervisor), Dr Malcolm Smith (External Supervisor)
4. Dr Muhammad Zaheer Abbas, Community-Based Patent Opposition Model in India: Access to Medicines, Right to Health and Sustainable Development. Professor Mathew Rimmer (Principal Supervisor), Professor Richard Johnstone (Associate Supervisor)
5. Dr Sunita Singh Bois, Food and Nutrition Security, Free Trade and Pacific Small Island Developing States (SIDS): A Legal Analysis. Associate Professor Felicity Deane (Principal Supervisor), Professor Belinda Bennett (Associate Supervisor), Professor Ben White (Associate Supervisor)
6. Dr Katrine Del Villar, Capacity, Voluntariness and Mental Illness: Using Mental Health Advance Directives to Promote Autonomy. Professor Ben White (Principal Supervisor), Associate Professor Shih-Ning Then, Professor Lindy Willmott (Associate Supervisors)
7. Dr Catherine Niven, Evaluating Australian And Us Consumer Product Safety Regulatory Responses to Hazardous Children’s Products. Professor Kirsten Vallmur (Principal Supervisor), Professor Ben Mathews (Associate Supervisor)
8. Dr Amanda Beem, Governing Cannabis Highs and Harms: Australia’s Neoliberal Harm Minimisation Illicit Drugs Framework. Professor John Scott (Principal Supervisor), Associate Professor Mark Lauchs, and Professor Melissa Bull (Associate Supervisors)

UNDER EXAMINATION

1. Anthony Wilkinson, Medical Device Regulation and Litigation: A Comparative Analysis of Australia, The United Kingdom and The United States of America. Associate Professor Fiona McDonald (Principal Supervisor), Professor Ben Mathews (Associate Supervisor)
CONTINUING HDR STUDENTS

1. Sanath Sameera Wijesinghe, A Global Policy Coherence for Plain Packaging Of Tobacco Products. Dr Kylie Pappalardo (Principal Supervisor), Professor Nicolas Suzor (Mentoring Supervisor), Dr Bridget Lewis and Dr Hope Johnson (Associate Supervisors)
2. Anne Walsh, Regulation of Research Integrity. Associate Professor Fiona McDonald (Principal Supervisor), Associate Professor Shih-Ning Then and Dr Peta Stephenson (Associate Supervisors)
3. Jodhi Rutherford, What Would the Doctor Prescribe? Doctors’ Perspectives and Experiences of The Voluntary Assisted Act 2017 (Vic). Professor Lindy Willmott (Principal Supervisor), Professor Ben White and Dr Kelly Purser (Associate Supervisors)
4. Linda Renouf, Connections to Country and Culture for Aboriginal Young People in Out of Home Care. Associate Professor Kelly Richards (Principal Supervisor), Professor Ben Mathews, Associate Professor Deb Duthie (Associate Supervisors).
5. Ian Pieper, Relational Autonomy in Clinical Research. Associate Professor Fiona McDonald (Principal Supervisor), Professor Ben White, Associate Professor Andrew McGee (Associate Supervisors)
6. Michelle King, The Transition to Adulthood of People with Severe Intellectual Disabilities in Australia: A Socio-Legal Examination. Associate Professor Shih-Ning Then (Principal Supervisor), Dr Elizabeth Dickson (Associate Supervisor)
7. Tammy Johnson, The Regulation of Commercial Surrogacy in Australia: A Harm Analysis. Professor Lindy Willmott (Principal Supervisor), Professor Ben White (Associate Supervisor)
8. Antonia Horst, Regulation in The Face of Technological Change – 3D Printed Medical Products. Associate Professor Fiona McDonald (Principal Supervisor), Dr Stephen Whyte (Associate Supervisor)
9. Stephen Edward De Weger, Reporting Clergy Sexual Misconduct Against Adults to Roman Catholic Church Authorities: An Analysis of Survivor Perspectives. Professor John Scott (Principal Supervisor), Professor Ben Mathews, Associate Professor Kelly Richards (Associate Supervisors)
10. Natasha Ayling, Barriers and Facilitators to Mandatory Reporting of Child Abuse and Neglect in Early Childhood Education. Professor Kerryann Walsh (Principal Supervisor), Professor Kate Williams, Professor Ben Mathews (Associate Supervisors)
11. Michelle Gunn, Bedside Rationing: Reconciling Surgeon’s Perceived Duties to the Individual and Community. Associate Professor Fiona McDonald (Principal Supervisor), Dr Kelly Purser (Associate Supervisor), Dr Glenn Gole (External Supervisor)
12. Julia Duffy, The Indivisibility of Human Rights and Decision-making By, With and For Adults with Cognitive Disabilities. Professor Ben White (Principal Supervisor), Associate Professor Andrew McGee, Professor Lindy Willmott (Associate Supervisors)
13. Ramon Sailor, Enablers, Barriers and Treatments within health service delivery for Aboriginal and Torres Strait Islander PLHIV in Brisbane. Professor John Scott (Principal Supervisor), Professor Peter Anderson (Associate Supervisor)
14. Stephanie Miller, Treatment and Regulation of the Mentally Ill: A Human rights Analysis with Particular Emphasis on the Position in Queensland. Associate Professor Andrew McGee (Principal Supervisor), Professor Sara Davies**

NEW HDR STUDENTS IN 2020

1. Samantha Wooding, Government as Choice Architect; Should the Australian Government be “Nudged” into stronger policy measures concerning the dismantling of obesogenic environments? Associate Professor Andrew McGee (Principal Supervisor), Associate Professor Fiona McDonald (Mentoring Supervisor)
2. Kristina Chelberg, Construction of Ageing and Dementia in Australian Aged Care Public Discourse and Law. Professor Kieran Tranter (Principal Supervisor), Associate Professor Shih-Ning Then (Associate Supervisor)
3. Michele Davis, Disentitling Conduct, Human Rights and Moral Ambiguity: An Analysis of the Impact of Elder Abuse in Family Provision Claims in Queensland and New South Wales. **Associate Professor Tina Cockburn** (Principal Supervisor), **Dr Kelly Purser** (Associate Supervisor)

4. Melissa Gillbard, The Barriers for Justice for Victims of Elder Financial Abuse. **Associate Professor Tina Cockburn** (Principal Supervisor), **Dr Kelly Purser** (Associate Supervisor)

5. Samuel Roach, Vaccine Hesitancy in Australia: Devising an Ethical Policy that Promotes Adult Vaccination. **Associate Professor Andrew McGee** (Principal Supervisor), **Professor Belinda Bennett** (Mentoring Supervisor)

6. Jade Kelly, Health Care AI and Robotics in Australia: Privacy Issues and Solutions. **Professor Belinda Bennett** (Principal Supervisor), Associate Professor Mark Burdon (Associate Supervisor), **Dr Stephanie Jowett** (Associate Supervisor)

7. Julie Withers, A Human Rights Examination of the Barriers and Enablers which Impact Police Investigation into the Alleged Financial Abuse of Older Australians. **Associate Professor Tina Cockburn** (Principal Supervisor), **Dr Kelly Purser** (Associate Supervisor)

8. Lisa Ashley, Duty of Care and Parental Consent in Medical Practice: whether it applies in the context of non-therapeutic male circumcision on minors in Australia (MPhil). **Associate Professor Shih-Ning Then** (Principal Supervisor), **Dr Steph Jowett** (Associate Supervisor)

### PUBLICATIONS

#### MONOGRAPHS (PUBLISHED OR IN PRESS)


#### BOOK CHAPTERS


4. Terry Carney & **Shih-Ning Then** ‘Support for Decision-making as People Age with a Cognitive Impairment’ in Michelle Putnam and Christine Bigby (eds), Handbook of Aging with Disability (Routledge, 2020)


5. Sam Boyle, ‘Is the Wisdom of a Person’s Decision Relevant to Their Capacity to Make That Decision’ (2020) 46(1) Monash University Law Review 39 [Faculty of Law Quality List]

6. Xing J Lee et al including Ben P White and Lindy Willmott, A Stepped-Wedge Randomised-Controlled Trial Assessing the Implementation, Impact and Costs of a Prospective Feedback Loop to Promote Appropriate Care and Treatment for Older Patients in Acute Hospitals at the End of Life: Study Protocol’ (2020) 20(1) BMC Geriatrics 262 [Q1]


25. B Bennett and A Daly, ‘Recognising Rights for Robots: Can We? Will We? Should We?’ (2020) 12(1) Law, Innovation and Technology 60 [Q1]


33. Lindy Willmott, Ben White, et al., ‘Nurses’ Knowledge of Law at the End of Life and Implications for Practice: A Qualitative Study’ (2020) 34(4) Palliative Medicine 524 [Q1]

34. Benignus Logan, Aisling Fleury, Lillian Wong, Sally Fraser, Anne Bernard, and Ben White, ‘Characteristics of patients Referred for Assessment of Decision-Making Capacity in the acute Medical Setting of an Outer-Metropolitan Hospital - A Retrospective Case Series’ (2020) 39(1) Australasian Journal on Ageing e49-e54 [Q1]


38. A Horst# & F McDonald, ‘Uncertain but Not Unregulated: Medical Products Regulation in the Light of 3D Printed Medical Products” (2020) 7(5) 3D Printing and Additive Manufacturing 248 [Q1]


42. Ben Matthews and Elizabeth Dallaston, ‘Reform of Civil Statutes of Limitation for Child Sexual Abuse Claims: Seismic Change and Ongoing Challenges’ (2020) 43(2) University of New South Wales Law Journal 386 [Quality List Law Q1]


44. Jodhi Rutherford,* **Lindy Willmott** and Ben White, ‘Physician Attitudes to Voluntary Assisted Dying: A Scoping Review’ (2020) BMJ Supportive and Palliative Care (preprint) [Q1]


48. F van Haran et al including A McGee, ‘Conflicts of Interest in the Context of End of Life Care for Potential Organ Donors in Australia’ (2020) 59 Journal of Critical Care 166 [Q1]


57. **D Cooper** and P Trowse, ‘Have Indian Surrogates Been Harmed by Commercial Surrogacy Transactions?’ (2020) 27 *Journal of Law and Medicine* 914 [Q3]


**EDITORIALS**


**PROFESSIONAL JOURNALS**


3. Claire J Horwell, **Fiona McDonald**, Ewa Wojkowska & Lena Dominelli, A New Age of Effective Community Respiratory Protection? (October 2020) *Disasters: Preparedness and Mitigation in the Americas*

**PUBLICATIONS BY PHD STUDENTS**


2. Sean Dicks, **Ian Pieper**, Holly Northam, Frank van Haran & Douglas Boer ‘Why Did You Not Act on Our Suggestion? Regulatory and Growth-Oriented Opportunities During Ethical Review: A Case Study’ 10(2) *Sage Open* 1-15 [Q2]


8. **Jodhi Rutherford**, ‘Conscientious Participants and the Ethical Dimensions of Physician Support for Legalised Voluntary Assisted Dying” (2020) *Journal of Medical Ethics* (online first) [Q2]
NON-TRADITIONAL RESEARCH OUTPUTS/OTHER

DIGITAL PRODUCT

- White, Ben & Willmott, Lindy (2020) *Law-making on voluntary assisted dying must be based on reliable evidence.* [Digital or visual products]

COFFEE WITH A COLLEAGUE

- Matthew Rimmer & Muhammad Abbas: *IP, access to medicines and COVID-19* (recorded 20 November 2020)
- Shih-Ning Then & Prof Dominique Martin (Deakin Medical School), *Collaboration across ethics and law in research and medical education.*

CENTRE-HOSTED HDR WORKSHOPS OR TRAINING EVENTS IN 2020

- Coffee with the HDRs (speaker Fiona McDonald) 6 May 2020
- Coffee with the HDRs (speaker Tina Cockburn) 2 June 2020
- Coffee with the HDRs (speaker Shih-Ning Then) 5 August 2020
- Coffee with the HDRs (speaker Lisa Kruck, alumni and Senior Lecturer, Griffith University) 13 October 2020


8. B Bennett and A Daly, “Recognising Rights for Robots: Can We? Will We? Should We?” (2020) 12(1) *Law, Innovation and Technology* 60-80.


MEMBERSHIPS OF NATIONAL AND INTERNATIONAL ACADEMIC OR PROFESSIONAL COMMITTEES OR ORGANISATIONS

- **Eliana Close and Shih-Ning Then** are part of the Queensland Children’s Hospital Clinical Ethics Consultation Service.
- **Eliana Close, Ben White and Lindy Willmott** part of ICU surveillance COVID19
- **Tina Cockburn** continues as sessional member of the Queensland Civil and Administrative Tribunal.
- **Tina Cockburn** continues as a member of the Queensland Law Society’s Health and Disability Committee
- **Bridget Lewis** is a member of the Academic Advisory Group to the Queensland Human Rights Commission and the Human Rights Expert Panel for the Queensland Parliament.
- **Ben Mathews** continues as a member of the American Professional Society on the Abuse of Children (APSAC), Expert Committee on Child Abuse Mandatory Reporting Laws
- **Ben Mathews** continues as a consultant to the UK Department of Education.
- **Fiona McDonald** organizing committee Human Research Ethics Committee Conference November 2020 Brisbane Queensland
- **Kelly Purser** member of Society for Trusts and Estates Practitioner Capacity Global Special Interest Group Steering Committee
- **Kelly Purser** continues as a member of the Queensland Law Society’s Succession Committee.
- **Kelly Purser** was expert member, DJAG Critical Reference Group re new EPA/AHD forms and capacity assessment guidelines.
- **Shih-Ning Then** continues as a member of the National Health and Medical Research Council’s Organ and Tissue Working Committee (Ministerial appointment) (since 2017)
- **Ben White and Lindy Willmott**, Editorial Board, Journal of Law and Medicine
- **Ben White**, Associate Editor, Australian Health Review

END-USER ENGAGEMENT 2020

INDUSTRY, GOVERNMENT AND NON-PROFIT PUBLISHED REPORTS

- **R Grewal, F McDonald** and L Sweatman (2020) *“National” Licensure in Medicine: What Legal Future Can We Create?* (Canadian Medical Association, Ottawa, Canada (report under embargo).

SUBMISSIONS

- **Kelly Purser, Bridget Lewis, Tina Cockburn and Sharon Christensen**, Submission Responding to the Australian Government Attorney-General’s Department Enhancing Protections Related to the use of EPOA Instruments Consultation RIS
- **Andrew McGee** helped the Queensland Law Society draft its submission to the Voluntary Assisted Dying inquiry, some sections of which were quoted in the Report on Voluntary Assisted Dying.
- **G. Fitzgerald et al (including F McDonald)**, *Submission to the Bushfire Royal Commission* (2020).


**MEDIA CITATIONS, APPEARANCES AND AUTHORED PIECES**


• **Andrew McGee** “Don’t overplay the conscience card: The case for voluntary assisted dying” *Sydney Morning Herald* May 24 2020.

• **Andrew McGee** “Don’t overplay the conscience card: The case for voluntary assisted dying” *Brisbane Times* May 24, 2020.

• Jamie Walker, Minor parties to kill off euthanasia reform in a hung parliament, The Australian; Canberra, A.C.T. [Canberra, A.C.T]03 Aug 2020: 7], citing **White Willmott** VAD Model Bill


• Francis Sullivan, Queensland Election: Lessons from COVID must inform the euthanasia debate, The Australian, 15 October, cited **Ben White and Lindy Willmott’s** Model VAD Bill

• Isaac Davison, New Zealand Herald, ‘Australian doctor who helps people die The Euthanasia Debate: For and Against’ 26 Sept 2020 (PDF saved); quoted **Ben White**

• Jamie Walker, Queensland election: Hospital chain 'won't allow euthanasia', The Australian, 15 October, cited **Ben White and Lindy Willmott’s** Model VAD Bill


**THE CONVERSATION AND OTHER ONLINE SOURCES**

• O'Donnell, Melissa, Shlonsky, Aron, **Mathews, Ben**, Arney, Fiona, Stanley, Fiona, Bromfield, Leah, et al. (2020) *What governments can do about the increase in family violence due to coronavirus*. The Conversation, 8 April 2020. [Featured article]

• Haslam, Divna & **Mathews, Ben** (2020) Be careful with photos, talk about sex: How to protect your kids from online sexual abuse. The Conversation, 11 June 2020. [Featured article]

• Haslam, Divna, **Mathews, Ben**, & Walsh, Kerryann (2020) Use proper names for body parts, don’t force hugs: How to protect your kids from in-person sexual abuse. The Conversation, 10 June 2020. [Featured article]


• **Donna Cooper** “Co-parenting in the time of corona virus: if you and your ex don’t agree what are your legal rights?” The Conversation (2 April 2020) and republished on SBS website:

- **Donna Cooper** “Mediating with technology: the new normal?” Published online April 2020 on Queensland Law Society website on COVID-19 resources at https://www.qls.com.au/For_the_profession/Recently_asked_questions and on the LAWTALK Blog.


**INVITED INDUSTRY SEMINARS, KEYNOTES, PUBLIC LECTURES**


- Tina Cockburn, Medico Legal Congress, Sydney 12-13 March 2020: conference chair and facilitator, panel discussion End of Life Decision Making


- Ben White, Public Forum on VAD chaired by Aaron Harper MP, Chair of Qld Parliament Health Committee, 24 August 2020


- Eliana Close, ‘Legal Considerations in COVID-19 Triage’ Palliative Care Australia, Australian COVID-19 Palliative Care Working Group, 1 October 2020

- **M Abbas** The Role of Specialized Civil Society Organizations in the Patent System as Defenders of the Public Interest: An Analysis’ Sixth Annual IP Mosaic Conference (October 30-31, 2020) Institute for Intellectual Property and Social Justice, Washington D.C, USA

• Tina Cockburn and Bill Madden,** Obstetrics Malpractice Conference, ‘Wrongful Birth Claims and the Failure to provide information about genetic risks without patient consent’ Obstetric Malpractice Conference, 8 October 2020

• Ben White “Voluntary Assisted Dying” Queensland Human Research Ethics Training Conference, 19 November 2020

• Professor Bridget Crawford, Dr Kelly Purser and Tina Cockburn, ‘Post-Pandemic Wills’ 2020 University of Chicago Legal Forum Symposium on Law for the Next Pandemic

• Tina Cockburn, Kelly Purser, Sherrena Buckby, Kirsty Paynter, ‘The Role of Financial Planners in preventing, recognising and responding to elder financial abuse’ Personal Finance and Investment Symposium 2020 (24 November 2020) Brisbane

PROFESSIONAL EDUCATION WORKSHOPS OR TRAINING EVENTS (INCLUDING QUT EX)

• Tina Cockburn, University of Melbourne, Melbourne Masters, ‘Open Disclosure of Adverse Medical Events’ 5 May 2020 (via zoom).

• Katrine Del Villar, ‘Refusal of Treatment in the Context of a Suicide Attempt’, legal member of panel for Medical Grand Round, Monash Health, 26 August 2020

SYMPOSIUMS / CONFERENCES / PUBLIC EVENTS HOSTED


• Professor David Studdert, Gun Violence in America, 8th Annual ACHLR Oration, Wednesday, 9 December 2020

OTHER CENTRE RESEARCH ACHIEVEMENTS

• Ben Mathews named Number 5 of QUT Academic Authors in The Conversation for the year to September 2020.


• The Queensland Parliamentary Committee Report on Voluntary Assisted Dying recommended that the Queensland Government should introduce legislation to legalise voluntary assisted dying based on draft legislation submitted to the Committee by Professors Lindy Willmott and Ben White.

• The Queensland Parliamentary Committee Report on Voluntary Assisted Dying cited a range of End of Life (EOL) research from ACHLR researchers including Ben White, Lindy Willmott, Andy McGee, Kelly Purser, Eliana Close, Rachel Feeney.

• Fiona McDonald appointed Senior Research Fellow, New Zealand Centre for Public Law, Victoria University of Wellington, New Zealand.

• Ben White and Lindy Willmott invited to advise WA VAD Implementation Working Group

• Ben White and Lindy Willmott invited to address Tasmanian Legislative Council (also shown to Legislative Assembly) on 15 September prior to their VAD Bill being given second reading speech
• South Australian Parliamentary Committee’s report into End of Life Choices heavily cited Lindy Willmott and Ben White’s submission and research.

• *Institutional Abuse of Children: Legal Remedies and Redress in Australia*, by Bill Madden**, Tina Cockburn** and Benjamin Madden, (LexisNexis Butterworths, 2019) reviewed by The Honourable Margaret Beazley AC QC, (2020) 94 ALJ 562