

ACLM 2021 ANNUAL SCIENTIFIC MEETING
LEGAL ASPECTS OF CHILD & ADOLESCENT HEALTH
11 & 12 September 2021 | **Virtual (Online)**

Program

SATURDAY 11 SEPTEMBER 2021

- 9:30 am **DR ADAM GRIFFIN**
President's Welcome
- 9:35 am GUEST: **HER EXCELLENCY THE HONOURABLE BARBARA BAKER AC Governor of Tasmania**
Opening Address
- 9:50 am **PROF. ERWIN LOH**
Introduction to the Maurice Wallin Address
- 9:55 am MAURICE WALLIN ADDRESS:
HIS HONOUR CORONER SIMON MCGREGOR
Coronial Insights Into Recent Death Trends
- 10:55 am **PROFESSOR ROY BERAN**
Adolescent Drivers – Are We Doing Enough?
- 11:25 am *Morning tea*
- 11:45 am GUEST: **SENIOR SERGEANT MARCUS CRYER**
Youth in Custody
- 12:30 pm **DR KATHERINE ROBINSON**
Interpreting the Toxicological Analysis of Hair in Children From Clandestine Laboratories
- 1:15 pm *Lunch*
- 2:15 pm **DR SANDRA JOHNSON**
Children and Technology
- 3:00 pm GUEST: **DR GEORGE WILLIAMS**
Autism in Children –
A Personal Medicolegal Series
- 3:30 pm GUEST: **THE HONOURABLE RUTH FORREST MLC**
Pill Testing – The Pathway to Reform
- 4:00 pm **PROF. ALBERT LEE**
Rights to Health for Children & Adolescents
- 4:30 pm *ASM Day 1 close*

SUNDAY 12 SEPTEMBER 2021

- 9:30 am GUEST: **THE HONOURABLE ELISE ARCHER MP**
Address
- 9:35 am GUEST: **MR BILL MADDEN**
Financial Compensation for Child Sex Abuse Victims
- 10:15 am **DR MARIA DUDYCZ**
Rapid Uptake of Telehealth During COVID-19 for Adolescent Mental Health – Medical and Legal Challenges
- 10:45 am *Morning tea*
- 11:00 am GUEST: **DR JOHN KASINATHAN**
Treatment of Sexual Deviant Disorders in Adolescents and Young People: Opportunities to Reduce Harm
- 11:45 am **PROF. MIKE O'CONNOR & GUEST: MR BILL MADDEN**
Treatment for Gender Dysphoria in Children and the Role of the Courts
- 12:45 pm *ASM Day 2 close*



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Speakers and Abstracts

HER EXCELLENCY THE HONOURABLE BARBARA BAKER AC

Governor of Tasmania

Opening Address

Biography

Tasmania's 29th Governor, Her Excellency the Honourable Barbara Baker AC, was sworn to Office at Government House on Wednesday 16 June 2021.

On 14 June 2021 Her Excellency was appointed a Companion of the Order of Australia (AC) for her eminent service to the people of Tasmania through leading contributions to the law, to the judiciary and to the administration of justice, particularly in the area of family law, to professional legal organisations, and as a mentor and role model for young women.

Her Excellency retired as a judge of the Federal Circuit Court of Australia on 31 January 2021 after becoming the first Tasmanian woman to be appointed as a Federal Magistrate in 2008. Prior to her appointment as Governor, she practised as a barrister at Burbury Chambers.

Prior to her appointment to the Federal Magistrates Court, Her Excellency worked as a legal practitioner for over 23 years ultimately specialising in family law and relationship matters. Her Excellency was one of the first lawyers to join the Tasmanian Bar, practising exclusively in family law.

Her Excellency graduated from the University of Tasmania with a combined Arts/Law degree in 1980. She was admitted to the Supreme Court of Tasmania in 1983. After working as a solicitor at Simmons Wolfhagen and then as a Legal Officer at the Office of the Solicitor General of Tasmania, she joined the law firm of Murdoch Clarke, becoming the first female partner in 1993.

Throughout her career, Her Excellency has held numerous additional responsibilities including serving as:

- member of the Law Council Tasmania (1994 – 1996)
- member of the executive of the Law Council Tasmania (1995 and 1996)
- Chairperson of the Public Relations Committee of the Law Council Tasmania (1994 – 1996)
- member of the organising committee of the National Family Law Conference Hobart (1998)
- law reporter for the Council of Law Reporting (1995 – 1998)
- Chairperson of Legal Aid conferences (1996 – 2000)
- President of the Family Law Practitioners' Association (2002)
- appointee to the Disciplinary Tribunal of the Tasmanian Law Society (2007 – 2008).

Additionally, during her years in private practice and at the Tasmanian Bar, Her Excellency has made significant contribution to the profession and to the Tasmanian Legal Practice Course having:

- mentored junior practitioners and provided professional training and support
- lectured in Family Law Practice and Procedure at the Tasmanian Legal Practice Course
- been involved in professional advice and support of legal practitioners as a member of the judiciary
- presided over moot interim hearings for the Legal Practice Course students; and
- delivered an annual lecture about practice and procedure in the Federal Circuit Court.

Her Excellency is known for her enormous contributions made to the administration of justice, the advancement of specialist advocacy in the family law jurisdiction and the promotion of women at the bar. She is renowned for her firm but fair demeanour and clear and decisive decision-making.

Her Excellency is married to Distinguished Emeritus Professor Don Chalmers AO FAAL FAHMS, has two daughters and is grandmother to two grandsons. She enjoys reading, the Arts, walking her two border collies and spending time with family and friends.

(Source: <https://www.govhouse.tas.gov.au/governor/curriculum-vitae>)



CORONER SIMON MCGREGOR

Coroner
BA LLB Monash University



Coronial Insights Into Recent Death Trends

A coroner sits at a multidisciplinary crossroad that defines life itself. What trends are we seeing and from where? The news is not good for children, with a 150% rise in preventable deaths during the lockdown era, and the suicide becoming the most common cause of unexpected death for Koori children.

Biography

Prior to being appointed as a Coroner in 2018, His Honour was a Victorian (common or garden) Barrister for 21 years. He was President Winneke's researcher and a Court of Appeal Registrar before he read with H.H. Jack Forrest Q.C., then six readers of his own, and two indigenous lawyer mentees. He both practised and published in administrative and human rights law, health and regulatory law, inquests, commissions, proceeds of crime and other investigation spaces.

During his career, he worked on the Police Shootings trials, the HMAS Melbourne/Voyager litigation, the Kerang Train Collision, the Royal Commission into Institutional Responses to Child Sexual Abuse and was counsel assisting in several coronial inquests, including deaths in custody, and the Parolee Murder cluster inquests.

In addition to his coronial duties, His Honour now lectures in both Death Investigation and Forensic Evidence at his Monash University.

His longest trial was about false imprisonment and ran for 63 days, which started to feel like its own form of imprisonment. His historical skills were tested in a five week pro bono case about a dispute between charitable trusts which required surveying almost 100 years of detrimental reliance upon a single letter from a wealthy benefactor as a result of which, he has ever since been inspired to choose his words very carefully...

PROFESSOR ROY BERAN

Consultant Neurologist and accredited Sleep Physician
MBBS, MD, FRACP, FRACGP, Grad. Dip. Tertiary Ed., Grad. Dip. Further Ed., FAFPHM, FACLM, FRCP, FACBS, B Leg. S, MHL and FFLM (Hon)



Adolescent Drivers – Are We Doing Enough?

Introduction: The minimum eligible driving age in Australia is 15 years 9 months, in the Australian Capital Territory (ACT), and 16 years elsewhere in the country. Approval to drive mandates: appropriate age; completing computer-generated testing; and monitored Graduated Licensing Schemes. The National Road Safety Strategy 2011- 2020, released by the Australian Transport Council, either has been or is being implemented, including sponsorship of the Australasian College of Road Safety and establishing Cabinet representation for road safety.

What Provokes Adolescent Road Accidents: Factors include: driving ability; developmental factors; personality; demographics; general environment; and driving environment. The Graduated Licensing process has counted driver inexperience but immaturity and peer pressure remain additional considerations.

Potential Modes of Intervention: Complementing Graduated Licensing, parental and respected directives and guidance are essential to minimise negative peer pressure. Specific counselling and other targeted interventions may also assist.

Special Consideration: Attention Deficit Hyperactivity Disorder (ADHD) or adolescent epilepsy demand appropriate management to facilitate driving in accordance with the AUSTRROADS Guidelines.

Conclusion: A composite targeted approach is required to deal with adolescent road fatalities and injuries.

Biography

Professor Beran is trained as a consultant neurologist and accredited sleep physician, in addition to working within legal, military and aviation medicine. He is a Conjoint Professor of Medicine in the South Western Clinical School at the University of New South Wales and Liverpool Hospital, Professor in the School of Medicine at Griffith University, Queensland, and Professor Chair, Medical Law, at Sechenov Moscow First State University, Moscow, Russia. He is a founding Fellow of the Australasian College of Legal Medicine, a Past President thereof, having stepped down in 2011, and only the second elected Honorary Fellow of the College and is an Honorary Fellow of the Faculty of Forensic & Legal Medicine of the Royal College of Physicians (London).

SENIOR SERGEANT MARCUS CRYER

Queensland Police

Youth in Custody

Legislated change on 12 Feb 2018, aligned Queensland with all other states moving seventeen-year-old's into the Youth Justice System. Two months later, both of Queensland Youth Detention Centers reached capacity and Industrial Action by Unions, saw legislated capacity numbers capped with Brisbane Youth Detention center doors closing on new child offender admissions. Centre closures led to over 65 children being held at one stage within the Brisbane City Watchhouse for periods of up to 42 days. Indigenous children as young as 11, were flown from North Queensland and held in custody until being flown back to Townsville (Cleveland) Youth Detention Centre.

Biography

Marcus Cryer is a Senior Sergeant of Police, with over 29 years of policing experience and qualified as a current Police Negotiator. As the Officer in Charge of Qld's largest watchhouse for 7 years, he has positively inspired and improved the culture and capabilities of 93 staff (60 sworn and 33 staff members) by building trust and respect, encouraging diversity and inclusion through participative leadership. He is currently seconded as the Capability lead, working with GSA Consulting to lead the QPS Service Delivery Redesign Project, conducting a project with future introduction scheduled across all policing districts in Qld. In late 2019, he finished his Master of Professional Studies, with his research results leading to a current trial involving the Qld Office of the Director of Public Prosecutions and Police Prosecutions, surrounding the timely presentation of evidence and engagement of the ODPP to overview criminal matters presented before Queensland Higher Courts, to enable shorter case dispositions.



DR KATHERINE ROBINSON

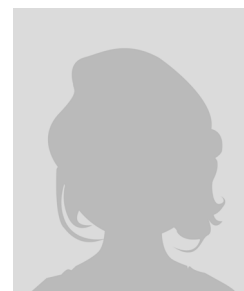
Forensic Medical Officer, Queensland Clinical Forensic Medicine Unit
MBBS, MForensMed, FACLM

Interpreting the Toxicological Analysis of Hair in Children from Clandestine Laboratories

Drugs and trace elements circulating in the body may be incorporated into growing hair, where they remain for the life of the hair. Unlike blood and urine, which provide short-term evidence of exposure to a drug, hair may be used as evidence of historical exposure. The analysis of consecutive segments of hair may allow for the construction of a timeline of exposure. One application of hair testing is in the evaluation of children removed from dwellings containing clandestine drug laboratories, where evidence of exposure to methylamphetamine and precursor chemicals may be found in hair. This presentation will discuss the utility of hair testing in this unique population.

Biography

Dr Robinson graduated from the University of Queensland with her medical degree in 1996. After completing her residency at the Royal Brisbane Hospital, Katherine worked as a registrar in Histopathology and a Senior Medical Officer in the Intensive Care Unit of The Wesley Hospital. It was here that Katherine completed research in hormonal fluctuations in critical illness. In 2014, Katherine commenced work as a Forensic Physician in the Clinical Forensic Medicine Unit in Brisbane, Queensland. She has a special interest in Hair Toxicology and its application to Forensic Medicine.



DR SANDRA JOHNSON

Developmental Paediatrician and Clinical Associate Professor at the Children's Hospital Westmead Clinical School of the University of Sydney

MBChB, DPaed, FRACP, FRCPCH, FACLM, FCLM (Hon), Fellow Royal Society of Medicine (UK)

Rapid Uptake of Telehealth During COVID-19 for Adolescent Mental Health – Medical and Legal Challenges

Digital technology has an impact in all our lives and especially in the lives of young children as they grow and develop in this new technological world. Children now have more exposure to screen time and mobile technology than ever before, and data is collected whenever we are online. Apart from the issue of privacy and data security, parents grapple with finding the balance between allowing their children to learn within a digital world while keeping them safe. Parents worry that their children will be left behind in learning about this technology but understand the importance of encouraging their children to have normal human social interactions. This presentation will cover what we know about children's exposure to technology and parental concerns about such exposure. Some recommendations for parents about children's use of digital technology will be discussed.

Biography

Sandra Johnson is a Clinical Associate Professor at the Children's Hospital Westmead Clinical School of the University of Sydney and she is a developmental paediatrician who has been in private practice in Sydney for the past 30 years. She has worked in the field of Paediatrics since 1983 having spent the prior 3 years in General Practice and Adult Medicine. She did her training in Paediatrics at teaching hospitals in Cape Town, London, Toronto, Boston and Sydney. Sandra is a Fellow of the Royal Australasian College of Physicians (FRACP), Fellow of the Royal College of Paediatrics and Child Health UK (FRCPCH), Fellow of the Australasian College of Legal Medicine (FACLM) and Fellow of the Royal Society of Medicine (UK). She is also an Honorary Fellow of the American College of Legal Medicine. She has been a member of ACLM since 1997, was secretary for Council from 2009-2013, Vice President Academic from 2014-2017, and President from 2017-2019. Sandra is the main author of "A clinical handbook on child development paediatrics" written for doctors and allied health professionals; she is the publisher and author of a book for parents "Your child's development"; she has written a chapter in the textbook "Legal Medicine" (Editor: Beran); and she has written several peer reviewed journal articles. Her current study is in AI Ethics in Healthcare and the impact of technology in children. She enjoys writing and teaching topics related to Paediatrics and Legal Medicine.



ADJUNCT PROFESSOR DR GEORGE WILLIAMS

Paediatrician



Autism in Children - A Personal Medicolegal Series

LM, a 35 year old G5P4 was known to have large babies. In her third pregnancy in July 2002, she gained 25 kgs in weight. She came in labour at 41 weeks and shoulder dystocia was noted. Various obstetric manoeuvres were attempted. Forceps delivery was successful after 13 hours of labour. AA had Apgar scores 01 15 with a birth weight 4675 grams, length 55.5 cms and head size of 35 cms. He had a left Erb's palsy. He was colonised with Group B haemolytic Streptococci. Active resuscitation was instituted, and he was transferred to KGV in first few hours. He had HIE, seizures at 6 hours, intratentorial subarachnoid haemorrhage on MRI and spend 38 days hospital. EEG showed a diffuse encephalitic pattern. AA had global developmental delay with feeding difficulties and mouth of objects at 3 years. I met him at 5 years with a scarred face and he diagnosed in next three years with severe autism, mild cognitive disability, challenging behaviour, pica, language/communication disorder, relative motor weakness on one side, and a social skills deficit. DH successfully sued the birth hospital in 2009.

RH was a multigravida who had a Caesarean section with second baby. She an intellectual disability and ruptured her uterus whilst in labour. The CTG showed tachysystole and type 2 decelerations. There was foetal bradycardia and the uterus tender to touch. AB was born by emergency C/S after some delay. She had grade 3 HIE with shock and anaemia. MRI of the brain showed severe white and grey matter damage.

MB was born with Down syndrome and an AV canal defect. She developed NEC on day 3 which caused gangrene and perforation of the bowel. She operated on and an ostium was created after bowel resection. She developed severe sepsis and was catheterised thru an infected umbilicus. She had severe developmental delay, feeding difficulties and severe cognitive disability. The case was settled out of court in plaintiff's favour in 2018 when plaintiff was 11 years of age.

TH had mild autism and at age 10 attended a special school. The building was an old hospital which was painted with paints which contained lead components. TH had pica and ingested a lot of lead whilst there. Biological samples confirmed lead poisoning. His autism and behaviour deteriorated significantly and improved when removed from the contaminated environment. The plaintiff's family received compensation.

Biography

Dr Williams trained as a neonatal paediatrician in 1978 to 1980 at The McMaster University, Hamilton, Ontario, Canada, as a fellow in perinatal medicine. This is a prestigious state referral centre for Southern Ontario for high risk obstetric and neonatal care. He then worked as a neonatal consultant in a high risk obstetric unit at The Crown Street Women's Hospital from 1980 to 1982.

From 1982 to 1986, Dr Williams was director of the newborn intensive care unit at The Royal Alexandra Hospital for Children, Camperdown. It was a state referral centre and I provided advice to NSW paediatricians and obstetricians. From 1988 to 2000 he set up in private practice for perinatal/paediatric consultation. Dr Williams practiced perinatal medicine as a private consultant to The Hurstville Community Private and St George Private maternity hospitals. He provided consultant advice to obstetricians about complicated pregnancies and labour, and used to attend problematic labours and provide resuscitation for these infants.

Dr Williams has been resuscitating newborn babies and children since 1970. He has been a tutor in newborn resuscitation for the New South Wales Ambulance Service as well as all the obstetric hospitals that he has worked in. He was the medical advisor and tutor to the resuscitation program at The St George Private Hospital. The courses are conducted twice/year and are mostly attended by nursing staff, residents and registrars. Occasionally anaesthetists and obstetricians enroll to update their skills. Dr Williams was the newborn consultant to the simulation course is conducted at the Skill Centre at St George Public Hospital.

Since 1988 Dr Williams has developed a clinical and research interest in developmental disabilities. In March 2005 he completed the Extended Griffiths Developmental Scale course. He trained in 2006 with Drs A Chalfant and Robin Gabriels in the assessment, diagnosis and intervention of Autistic Spectrum Disorder. Dr Williams was instrumental in setting up the Infant Mental Health Program at Cumberland College. He worked closely with the psychologists and psychiatrists in the program. He was a foundation lecturer for the course and provided literature and lectures on infant development.

Dr Williams has been awarded the OAM for paediatrics and developmental disabilities in September 2019. He was appointed Adjunct Professor in the Dept of Psychology in the University of Western Sydney in 2019.

THE HONOURABLE RUTH FORREST MLC

Independent Member for Murchinson, Member of the Tasmanian Legislative Council

Pill Testing – The Pathway to Reform

Biography

Ruth was elected to the Tasmanian Legislative Council in the Parliament of Tasmania in 2005 to the seat of Murchison. She is the first woman to hold this seat. She has since been re-elected in 2011 (un-opposed) and in 2017. In 2017 she was elected to the position of Deputy President and Chair of Committees and has sat on and chaired a number of Parliamentary Committees over these years.

Ruth is a vocal advocate for North West Tasmania and regularly visits all parts of her large electorate. As a former nurse and midwife, she maintains a strong interest in health and access to health care. Ruth is also a strong advocate for women and supporting other women into and in leadership positions. Ruth is currently the Tasmanian Parliament Member of the Commonwealth Women Parliamentarians Steering Committee.

Ruth was born in Burnie in 1962. The second of four children of Margaret and Keith Emmerton, she was raised on a dairy, beef and potato growing farm at Riana and has lived on the North West Coast all her life. Ruth attended Riana Area School, Ulverstone High School and Hellyer College.

Ruth worked as a nurse and midwife since commencing her General Nurse training in 1979 in Burnie until elected to the Legislative Council in 2005.



MR BILL MADDEN

*Lawyer, Carroll & O'Dea Lawyers
BA LLB (Hons)(Macq), FAAL*

Financial Compensation for Child Sex Abuse Victims

In contrast to the 2002 law reforms restricting financial compensation for persons impacted by medical negligence, more recent reforms for child sex abuse victims made easier the recovery of 'common law' compensation and created an optional 'redress scheme' pathway. Medical practitioners may well have patients who would benefit from the recent reforms, which are explained in this session.

Biography

Bill Madden is a lawyer in private practice with Carroll & O'Dea Lawyers, specialising in civil liability litigation (medical litigation and intentional torts). Bill's medical law practice includes matters arising from birth trauma, brain injury, delayed cancer diagnosis and wrongful birth. His intentional tort practice includes institutional child sexual abuse matters.

Bill is a fellow of the Australian Academy of Law, and an accredited Mediator through the Law Society of New South Wales. He has adjunct appointments in both the law and medical schools at Western Sydney University, in the Australian Centre for Health Law Research at Queensland University of Technology and in the Melbourne Law Masters program at the University of Melbourne.



PROFESSOR ALBERT LEE

*Clinical Professor of Public Health and Primary Care, The Chinese University of Hong Kong
MB BS (Lond) LLB (Hons-Lond) MPH LLM (Distinc-Arb & DR-CityU HK) MD (CUHK) FRACGP FACLM FCLM (US)
FRCP (lond & IreI) Hon FFPH (UK) FCIArb (UK) Accredited Mediator (CEDR-UK) GDLP (Aus.Coll.Law)*



Rights to Health for Children and Adolescents

The Convention on the Rights of the Child (UNCRC) in 1989 has recognised the children's entitlement to rights according to their special needs. Under Article 24 of UNCRC, it gives recognition of the right of the child to the enjoyment of the highest attainable standard of health and the States have obligation to strive to ensure no child being deprived of right of access to health care services conducive to health. Under sections 2b and 2f, it emphasises the development of primary care to provide medical assistance and healthcare to children and also preventive health care respectively. The International Covenant on Economic, Social and Cultural Rights (ICESCR) article 12 also provides that "The States Parties to the present Covenant recognise the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." The Committee on ESCR General Comment 14 explains that "right to health embraces a wide range of socio-economic factors that promote conditions in which people can lead a healthy life extending to the underlying determinants of health Governments should strengthen or create a legal framework, such as a constitutional or statutory right to health, to ensure rights-based Universal Health Coverage on the basis of principles of equity and non-discrimination for children and adolescents, and the essential elements should consist of 5As:

1. Availability- public health and basic healthcare facilities for growth and development of children and adolescents
2. Accessibility- non-discriminative, without barrier, right to seek and receive health information to meet the needs
3. Affordability (economic accessibility)
4. Acceptability- sensitive to culture, gender and life-cycle requirements
5. Assurance of quality- skilled healthcare personnel, quality healthcare facilities, evidence-based healthcare practice, safety targeted towards the needs for children and adolescents

In this presentation, the presenter will discuss how the 5As should be incorporated in children and adolescents health services with special focus on primary healthcare and school health.

Biography

Albert Lee is Clinical Professor of Public Health and Primary Care, and Founding Director of Centre for Health Education and Health Promotion, The Chinese University of Hong Kong. He received medical degree (1984) and law degree (2015) from University of London with specialist training in Family Medicine, Public Health, Legal Medicine, and Arbitration and Dispute Resolution awarded with Fellowships of Academic Colleges/Institutes in UK, Australia and Ireland, and admitted as lawyer in Australia (NSW) in 2021. He has dedicated to develop primary health care and equities in health with over 250 scientific publications. His work is recognised by his election as International Member of National Academy of Medicine, USA in 2012, and Honorary Fellow of Faculty of Public Health, UK in 2018.

THE HONOURABLE ELISE ARCHER MP

*Attorney-General, Minister for Justice, Corrections, Workplace Safety & Consumer Affairs, and the Arts,
Liberal Member for Clark*

Biography

Elise Archer completed a Bachelor of Laws Degree at the University of Tasmania before obtaining her Certificate of Legal Studies. She was admitted to practise as a Barrister and Solicitor in the Supreme Court of Tasmania as well as the Federal Courts and High Court of Australia in 1994.

Elise then practised law for 17 years prior to entering the Tasmanian Parliament in 2010, predominantly in the areas of employment (industrial relations), anti-discrimination and insurance law. She was a member of the Employment and Equal Opportunity Committee and the Litigious Issues Committee of the Law Society of Tasmania, the Tasmanian Bar Association, and she has had extensive experience in civil and criminal trials. Immediately before her election to Parliament, Elise was a senior associate in litigation at Dobson Mitchell & Allport in Hobart.

Elise was elected as the Liberal Member for Denison (now Clark) in the Tasmanian House of Assembly in 2010.

Elise's decision to enter state politics stemmed from a passion to improve the lives of those less fortunate in her community; an ethos she developed early in life while volunteering for a number of charities and organisations, and working in her family's small businesses throughout her school and university years. She has a strong focus on creating a strong economy to create jobs, to support our health and education systems and Tasmanians in need.

Elected unopposed as Speaker of the House of Assembly in 2014, Elise was the first female Speaker in Tasmanian House of Assembly's then 157 year history. As Speaker, Elise introduced significant changes to the Standing Orders of the House of Assembly to allow for automatic maternity leave and more flexibility for female Members with infants upon their return to work, and a dedicated education program for visiting students to Parliament.

On 2 October 2017, Elise joined the Cabinet as Minister for Justice, Minister for Corrections, Minister for Environment and Parks, and Minister for the Arts before taking on other portfolios throughout the last term in Government. In her first six months as a Minister, Elise implemented significant legislative reform in Justice and the Arts, and delivered significantly increased investments in Corrections, Parks and Environment, and Building and Construction.

After the Liberals' March 2018 election success, Elise was elevated further to one of the most senior roles of the Tasmanian Government as Attorney-General, the First Law Officer for the State of Tasmania. She was re-appointed as Attorney-General, Minister for Justice, Corrections, Workplace Safety and Consumer Affairs, and the Arts after the May 2021 State election.

Married to Dale, they both strongly value community and family responsibilities. Elise maintains a strong personal and professional interest in the law, arts, business, science, sport and recreation.



DR MARIA DUDYCZ

Medical Doctor and Academic Tutor at University of Melbourne
MB BS, LL.B[Hons], FACLM, GAICD



Rapid Uptake of Telehealth During COVID-19 for Adolescent Mental Health – Medical and Legal Challenges

Engagement is the cornerstone of establishing the doctor/patient therapeutic relationship facilitating trust to enable shared decision making in youth mental health. Adolescence is a challenging time to establish such a relationship. With the accelerated introduction of telehealth during Covid-19, benefits and further challenges arose in mental health. Telehealth offered the ability to stay connected to youth during physical lockdown. However, if using only the phone, no visual cues were available to view adolescents or surroundings. Ramifications include identification of who is on the phone, determining legal consent/mature minor, ensuring confidentiality, ascertaining legal duties under reportable requirements, determining safety to self and others. How successful are our medical and legal duties met to the mentally ill adolescent when at the outset engagement is weakened and we are operating without our sense of sight?

Biography

Dr Maria Dudycz has degrees in both medicine and law (honours) from the University of Melbourne. She served as a Senior Tribunal Member of Victorian Civil and Administrative Tribunal for 15 years in the Human Rights divisions leading reforms in particular to restrictive options with respect to sterilisation of disabled persons under the Guardianship Act 1986 (Vic) and reforming oversight of usage of physical, mechanical and chemical restraints under the Disability Act 2006(Vic). Maria also has extensive governance experience as an inaugural Director of the National Breast Cancer Centre, Chair of the Advisory Panel on Marketing in Australia of Infant Formula (WHO obligation) where she was able to break a 2-year deadlock of a non-functional Panel implementing procedural reforms, and Victorian Chair and Councillor of the Australasian College of Legal Medicine during its early years. In 2017, she was awarded an inaugural Victorian Women's Leadership Scholarship to undertake the Australian Institute of Company Director's Course to upskill on current governance issues facing organisations. In 2018, she was recognised for her contributions to vulnerable Victorians/Australians by being inducted onto the Victorian Honour Roll of Women. She currently is on the Alumni Council for the University of Melbourne, mentors students at the same University and works as a general practitioner for Headspace.2012, and Honorary Fellow of Faculty of Public Health, UK in 2018.

DR JOHN KASINATHAN

Conjoint Senior Lecturer UNSW, Visiting Fellow ANU,
Consultant Forensic, Child, Adolescent and Generalist Psychiatrist



Treatment of Sexual Deviant Disorders in Adolescents and Young People: Opportunities to Reduce Harm

Objective: To outline current understanding and recommended treatments for paraphilic or sexual deviant disorders in adolescents and youth.

Method: An overview of the diagnosis, development and scope of paraphilic disorders. Evidence and an algorithm for pharmacological treatments in youth are outlined.

Results: Paraphilic disorders are relatively common in adolescents and youth, with fantasies and urges preceding the onset of deviant behaviour by a handful of years. Research in youth is sparse, but the available evidence supports that paraphilic disorders respond favourably to psychological and pharmacological treatments.

Conclusions: The detection of paraphilic disorders in adolescents and youth presents a window of opportunity, where treatment may be provided before deviant behaviour occurs, potentially reducing the future incidence of sexual abuse.

Biography

Dr John Kasinathan is a senior forensic, child and adolescent psychiatrist, a conjoint senior lecturer with UNSW and visiting fellow with the ANU. His specialist appointments are as Clinical Director for adolescent forensic psychiatry in NSW; visiting medical officer with forensic mental health services in Canberra, and Medical Director for a private adolescent and youth inpatient program at Northside Clinic St Leonards.

PROFESSOR MIKE O'CONNOR AM

*Professor of Obstetrics & Gynaecology, School Of Medicine, Western Sydney University
AM, MD (Syd) MHL MForensMed(Monash) DCH DDU FRCOG FRANZCOG FACLM*



Treatment for Gender Dysphoria in Children and the Role of the Courts

(Co-presented with Mr Bill Madden)

The diagnosis of gender dysphoria in children relies on a self-declaration by those whose gender identity or expression does not match the sex they received at birth. There is no definitive biological test which would enable clinicians to determine if the child's claim is long lasting. Approximately 88 percent of children who express gender dysphoria 'desist', mostly by the onset of puberty.

The Family Court of Australia has recently restricted its determinations of gender transformation in children to more controversial cases involving disagreement between the parties. (Re: Kelvin [2017] FamCAFC 258 (30 November 2017).

Hitherto the second stage treatment of gender dysphoria in children required a court order under s 67ZC of the Family Law Act 1975 (Cth) as parents were not considered at liberty to make that decision. The appellate court held that stage 2 treatments can no longer be considered a medical procedure for which consent lies outside the bounds of parental authority and so it no longer requires the imprimatur of the court. Now transgender children and their families who are in agreement need not to seek authorization of the Court to undertake either Stage 1 (pubarche blockade with gonadotrophin releasing hormone agonists) or Stage 2 treatment (cross hormone therapy such as oestrogen for transgender males). Stage 1 treatment to suppress pubarche would nowadays be commenced at Tanner stage 2[1] which commences as early as 9.96 years in girls and 10.14 years in boys. Suppression of puberty would continue until the age of 16 years when cross hormonal treatment would begin.

The assertion that suppression of puberty by GnRH analogues either in cases of precocious puberty or gender dysphoria is 'safe and reversible' (Bell & Bell, 2017[2]) may warrant revisiting, despite the FCA having already accepted that assertion.

This paper argues that Stage 1 & 2 treatments for gender dysphoria in children and adolescents are not innocuous and that, given the high rate of revocation, some form of independent arbiter should still be required to sanction such treatment. It is further argued that an objective biological test of gender dysphoria would be useful to identify true cases of gender dysphoria which will persist beyond adolescence.

Biography

Mike O'Connor is Professor of O&G at Western Sydney University and a Visiting Obstetrician & Gynaecologist at The St George Hospital, Kogarah, and St George Private Hospital, where he is Chairman of the Patient Care and Clinical Review Committee. He is a Conjoint Senior Lecturer at UNSW in the Division of Women's and Children's Health and Lecturer at Sydney University. From 1981-1983 he was Medical Superintendent at the Women's Hospital (Crown St.) in Sydney. For 6 years Mike O'Connor was a Federal Councillor of the Royal Australian & New Zealand College of Obstetricians & Gynaecologists, representing NSW and served as Vice President of the College from 2002-2004. His College work included the development of an Indigenous Health Worker training program in antenatal care, adult and neonatal resuscitation courses as well as courses on the management of sexual assault. He established the Chapter of Military O&G in the RANZCOG and is its Chairman. Mike O'Connor was awarded the Gold Medal of the RCOG at the MRCOG exams in 1975 and in 1982 he was awarded the degree of Doctor of Medicine (Sydney University). He holds Diplomas in Diagnostic Ultrasound & Child Health. He is an active member of the ACLM, the ASCCP and the ASUM. He has a Master's degree in Health Law from Sydney University and a Master's degree in Forensic Medicine from Monash University. He acts for both Plaintiffs and Defendants as an expert witness. He is a section editor for the Journal of Law and Medicine. In 2009 he was created a Member of the Order of Australia in recognition of his longstanding work in Indigenous Health.