

# RBWH Grand Rounds

## Integrity in Health series 2021

Providing medical care without consent:  
exploring the ethical and legal issues

**DATE:**

Monday July 19, 2021

**TIME:**

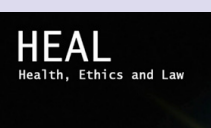
1pm–2pm

**VENUE:**

Education Centre  
RBWH

Hosted by the Jamieson Trauma Institute and RBWH, join our expert guest panellists as they discuss **‘Providing medical care without consent: exploring the ethical and legal issues’** with a focus on the emergency principle as a protection against a claim of trespass when providing care in the emergency setting.

JAMIESON TRAUMA INSTITUTE



Clinical Excellence Queensland  
*Creating solutions for better healthcare*

Metro North  
Health



Queensland  
Government

## *Integrity in Health series 2021:*

# Providing medical care without consent: exploring the ethical and legal issues

**RBWH Grand Rounds, July 19, 2021, 1pm-2pm**

Hosted by the **Jamieson Trauma Institute** and **RBWH**, join our expert guest panelists as they discuss ‘Providing medical care without consent: exploring the ethical and legal issues’ with a focus on the emergency principle as a protection against a claim of trespass when providing care in the emergency setting.

Event in partnership with the Queensland Integrity Commissioner, Avant, Health Ethics and Law, Australian Centre for Health Law Research (ACHLR), & the Queensland Health Ombudsman.

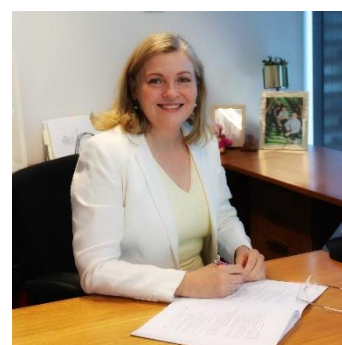
## About our panel:

### Facilitator

**Dr Nikola Stepanov** is the 5<sup>th</sup> Queensland Integrity Commissioner, and the first female Commissioner. During her time as commissioner, she has also acted as Queensland Health Ombudsman. She is an ethicist, lawyer, and mediator. She holds six degrees and remains accredited in a number of different fields including in law and health. She completed her PhD with Melbourne Medical School and School of Global and Population Health on the limitations to parental rights to consent to non-therapeutic treatment involving children.

She is well recognised for her work in medical ethics and law, including as co-author of a book chapter with the founder of Evidence-based Medicine, Professor Gordon Guyatt O.C. (Order of Canada). As well, together with international colleagues, she was interviewed by journalists from prestigious journal, ‘Nature’, and her work was featured in one of their articles.

Among other appointments she is an Adjunct Professor with the Division of Tropical Health and Medicine, James Cook University; a member for the steering committee for HEAL, the Queensland Chapter of the Australasian Association of Bioethics and Health Law; and an associate member of the Medico-Legal Society of Queensland. Together with Chair, Professor Alan Fels and Prof Michael Kidd among others board members, she is on the Governing Board of ALIVE- the landmark \$10 million NHMRC funded National Centre for Mental Health



Research. She also continues to supervise PhD and master's students, and to research and publish on a wide range of matters.

## Panelists

**Associate Professor Anthony Lynham** is a well-respected Maxillofacial Surgeon, and the Clinical Director of Australia's leading Trauma research organisation, the Jamieson Trauma Institute (JTI).

A/Prof Lynham is a long-standing advocate for the rights of the community. Having, for many years, personally witnessed the senseless effects of trauma and violence in society, he entered politics in 2014 to engineer change.

He was elected as a Member of Parliament in 2014 and went on to also be a Senior Government Minister. As a Minister, A/Prof Lynham was responsible for a raft of measures that are still in effect and making a significant difference.

A/Prof Lynham continued his community health advocacy during his time as a Minister, and to research and publish. In 2020 he retired from politics in 2020 to return to the health and research setting and to take up the position with JTI.



**Dr Sam Boyle** is an admitted solicitor and a lecturer in the Australian Centre for Health Law Research at the Queensland University of Technology.

Dr Boyle's primary interests are in: how the law determines legal capacity, involuntary treatment for mental illness, and consent for medical treatment. He has a PhD from the University of Queensland in the area of mental health law. He has published on health law in the USA, the UK, and Australia, and last year presented on the law of consent to medical treatment to Australian Medical Association Queensland.

Along with Dr Stepanov he has recently published on the law that applies to medical treatment given in an emergency without consent in the Australasian Journal of Emergency Medicine.



**Ms Tracy Pickett** is a Medico-Legal Advisor and in that role is responsible for responding to member calls to Avant's Medico-legal Advisory Service. She provides members with prompt practical responses to their medico-legal questions. As a member of the Avant advisory team, Tracy is kept abreast of significant developments in the Australian medico-legal environment.

She has extensive experience in relation to medico-legal complaint management and litigation over more than 20 years. She has acted for the health professionals indemnified by most of the major Australian medical defence organisations, as well as Queensland Health. As a result, Ms Pickett has a keen awareness of the needs of Avant's members and seeks to provide prompt, effective and pro-active solutions to their widely varied medico-legal concerns.

As an example of the extraordinary high regard she is held in by her peers, in 2020 she was voted by her peers in the category of Leading Queensland Defendant Medical Negligence Lawyers as one of two pre-eminent practitioners in Queensland.

As well, Ms Pickett is actively involved in Brisbane's medico-legal community. She is the immediate past president of the Medico-Legal Society of Queensland, a committee member for the Uniting Care Health Human Research Ethics Committee, and a member for the steering committee for HEAL, the Queensland Chapter of the Australasian Association of Bioethics and Health Law.

Tracy is a former director of the Queensland Doctors' Health Programme, and remains committed to supporting the wellbeing of health professionals in Queensland.



**Adjunct Professor Shelley Nowlan** has provided leadership within Queensland Health in Executive Director of Nursing and Midwifery, Director of Nursing, Chief Operational Officer and acting Chief Executive roles. As the Queensland Chief Nursing and Midwifery Officer, university faculty member and International Council of Nurses (ICN) Global Nursing Policy Leadership Institute Alumni, her advocacy for nursing and midwifery informs policy development at state, national and international levels influencing clinical innovation, strategic planning, research, curricula and workforce commissioning.



She has held executive leadership roles within Queensland Health and is currently serving as the states Chief Nursing and Midwifery Officer in Queensland. Professor Nowlan has earned a reputation in her 30 plus year career as a people orientated nurse leader who is experienced in clinical innovation, leading strategic planning, government policy and significant nursing workforce commissioning. Through the Chief Nursing and Midwifery Officer position, professorial roles and faculty membership Professor Nowlan's strong advocacy for nursing and midwifery informs policy development at State and National level for clinical practice innovation, research, curricula and workforce development.

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