
Bernadette Maree McSherry

PERSONAL PROFILE

Emeritus Professor, Melbourne Law School, University of Melbourne

Fellow, Academy of Social Sciences in Australia

Fellow, Australian Academy of Law

Immediate Past President, Australian and New Zealand Association of Psychiatry, Psychology and Law

Commissioner, Victorian Law Reform Commission

Business Address: Level 7, Melbourne Law School, 185 Pelham Street, Carlton, Vic 3053

Email: Bernadette.McSherry@unimelb.edu.au

Twitter: @bmcsherr

QUALIFICATIONS

- 2016 Graduate Certificate in Novel Writing, Stanford University
- 2001 Graduate Diploma of Psychology
Monash University, Melbourne, Australia
- 1996 PhD
Osgoode Hall Law School, York University, Toronto, Canada Thesis – *Insanity, Automatism and Criminal Responsibility: Towards a New Defence of Mental Impairment*
- 1990 Master of Laws
University of Melbourne, Melbourne, Australia
Thesis – *Criminal Responsibility and Mental Illness*
- 1984 Bachelor of Laws (Hons)
Bachelor of Arts (Hons) (First Class in Political Science)
University of Melbourne, Melbourne, Australia

Barrister and Solicitor, Supreme Court of Victoria and the High Court of Australia

AWARDS AND SCHOLARSHIPS

- 2017 Inaugural Kayes Fletcher Walker Visiting Scholar Award at Auckland University of Technology
- 2016 The Mental Health Services (TheMHS) Award for Exceptional Contribution to Mental Health Services
- 2010 Vice-Chancellor's Special Commendation for Postgraduate Supervision
- 2007 Australian Research Council Federation Fellow
- 1999 Recipient of one of the two Monash University Vice-Chancellor's Awards for Distinguished Teaching

Recipient, Vision Australia Foundation Tilly Aston Award for 15 years service to Radio for the Print Handicapped

1995-1996 Newman College Archbishop Mannix Travelling Scholarship
1984 Spero Wilson Memorial Scholarship for Civil Liberties
1982 Dwight Memorial Final Examination Prize in Political Science
(Placed first in Honours year)

CURRENT APPOINTMENTS

2021- Emeritus Professor, University of Melbourne
2018- Commissioner, Victorian Law Reform Commission

PREVIOUS APPOINTMENTS

2013-2021 Foundation Director, Melbourne Social Equity Institute, University of Melbourne
2019-2021 Commissioner, Royal Commission into Victoria's Mental Health System
2013-2018 Adjunct Professor, Faculty of Law, Monash University
2013-2021 Adjunct Professor, Melbourne Law School, University of Melbourne
2016-2018 President, Australian and New Zealand Association of Psychiatry, Psychology and Law
2010-2012 Director of the Centre for the Advancement of Law and Mental Health (CALMH),
Monash University
2007-2012 Australian Research Council Federation Fellow
December 2007 Professor of Law (tenured), Monash University
2005-2007 Louis Waller Chair of Law and Associate Dean (Research), Faculty of Law, Monash
University, Melbourne
2002 Visiting Professor, Osgoode Hall Law School, York University, Canada, Fall Semester
1991-2005 Member of Teaching Staff, Faculty of Law, Monash University, Melbourne, Australia
1991-1992 Sessional Lecturer in Business Law, Bowater Faculty of Business, Deakin University,
Melbourne, Australia
Sep-Oct 1996 Visiting Scholar, Faculty of Law, Australian National University and the Australian
Institute of Health, Law and Ethics
Jun 1995-Jul 1996 Visiting Scholar, Program in Psychiatry, Ethics and Law, McGill Centre for Medicine,
Ethics and Law, McGill University, Montreal, Canada
1990 Legal Officer, Office of Chief Parliamentary Counsel, Victoria, Australia. My duties
involved assisting in drafting parliamentary statutes and regulations.
1987-1990 Associate to Mr Justice Gobbo of the Supreme Court of Victoria, Australia
1985-1987 Practising Lawyer, Melbourne, Australia (Coltmans, Solicitors)
1983-1985 Part-time Tutor in Political Sociology in the Politics Department,
Faculty of Arts, University of Melbourne

Dec 1982-Dec 1983 Research Assistant to Dr Graham Little in the Politics Department, Faculty of Arts,
University of Melbourne

RESEARCH AND SCHOLARSHIP

Doctoral Thesis

Insanity, Automatism and Criminal Responsibility (337 pages). Oral examination successfully conducted in March 1996 before Professor Alan Young, Osgoode Hall Law School, Professor Shelley Gavigan, Osgoode Hall Law School, Professor Michael Mandel, Osgoode Hall Law School, Professor Kent Roach, Faculty of Law, University of Toronto and Emeritus Professor Hans Mohr, York University, Toronto.

Masters Thesis

Criminal Responsibility and Mental Illness (170 pages). Minor thesis passed in fulfilment of the requirements for the award of the degree of Master of Laws at the University of Melbourne (no grade or mark is given for this degree).

Politics Honours Fourth Year Thesis

The Politics of Percy Bysshe Shelley: The Links Between his Early Life, Patterns of Behaviour and the Political Content of His Poetry and Prose (76 pages). Awarded First Class Honours.

Doctoral Supervision

Currently co-supervising 3 doctoral students and previously supervised/co-supervised 17 doctoral students to completion.

PUBLICATIONS

Books

Bernadette McSherry, *Managing Fear: The Law and Ethics of Preventive Detention and Risk Assessment* (New York: Routledge, 2014) 262 pages including index.

Simon Bronitt and **Bernadette McSherry**, *Principles of Criminal Law* (Sydney: LBC, 2001); Second Edition (Sydney: Thomson, 2005); Third Edition: (Sydney: Thomson Reuters, 2010); Fourth Edition (Sydney: Thomson Reuters, 2017) 1,041 pages plus index and bibliography. Author of first drafts of Chapters 3,4,5,6,7,9,10, 11 and co-author Chapters 8 and 15.

Bernadette McSherry and Patrick Keyzer, *Sex Offenders and Preventive Detention: Politics, Policy and Practice* (Sydney: Federation Press, 2009) 131 pages plus index.

Annegret Kämpf, **Bernadette McSherry**, James Ogloff and Alan Rothschild, *Confidentiality for Mental Health Professionals: A Guide to Ethical and Legal Principles* (Brisbane: Australian Academic Press, 2009) 122 pages plus index.

Bernadette McSherry and Bronwyn Naylor, *Australian Criminal Laws: Critical Perspectives* Sydney: Oxford, 2004. 621 pages. Author of first drafts of nine of the twelve chapters.

Books – Edited

Bernadette McSherry and Yvette Maker (eds), *Restrictive Practices in Health Care and Disability Settings: Legal, Policy and Practical Responses* (London: Routledge, 2021) 301 pages plus Index.

Bernadette McSherry and Ian Freckelton (eds), *Coercive Care: Rights, Law and Policy* (London: Routledge, 2013) 336 pages.

Bernadette McSherry and Patrick Keyzer (eds), *Dangerous People: Policy, Prediction and Practice* (New York: Routledge, 2011), 298 pages.

Bernadette McSherry and Penny Weller (eds), *Rethinking Rights-Based Mental Health Laws* (Portland: Hart, 2010), 430 pages.

Bernadette McSherry, Alan Norrie and Simon Bronitt (eds), *Regulating Deviance: The Redirection of Criminalisation and the Futures of Criminal Law* (Portland: Hart, 2009) Edition in the Oñati International Series in Law and Society, 293 pages plus index.

Bernadette McSherry (ed), *International Trends in Mental Health Laws* (Annandale: Federation Press, 2008) Special Edition of Law in Context, 159 pages plus index.

Edited Journals

Brendan D Kelly, Eric Drogin, **Bernadette McSherry** and Mary Donnelly, "Mental Health, Mental Capacity, Ethics, and the Law in the Context of COVID-19", Special edition of the *International Journal of Law and Psychiatry* 11 November 2020, Volume 73.

Bernadette McSherry and **Leanna Darvall**, "Public Health and Human Rights", Special edition of the *Journal of Law and Medicine* April 2008, Volume 15(5), 147 pages.

Bernadette McSherry and Jan Duke, "The Costs of Health", Special edition of the *Journal of Law and Medicine* November 1999, Volume 7(2), 127 pages.

Chapters in Books

Bernadette McSherry, 'Neuroscience and Neurointerventions: Ethical and Legal Issues' in Marcia Rioux and Jose Viera (eds), *Handbook of Disability: Critical Thought, Human Rights and Social Change in a Globalizing World* (Springer, In Press).

Bernadette McSherry, "Australian Mental Health Laws and Human Rights" in Melissa Castan and Paula Gerber (eds) *Contemporary Perspectives on Human Rights Law in Australia* (Sydney: ThomsonReuters, Forthcoming, 2021).

Bernadette McSherry and Yvette Maker, "Restrictive Practices: Options and Opportunities" in B McSherry and Y Maker (eds) *Restrictive Practices in Health Care and Disability Settings: Legal, Policy and Practical Responses* (London: Routledge, 2021) 3-15.

Bernadette McSherry and Yvette Maker, "Regulating Restrictive Practices: Challenges and Possibilities" in B McSherry and Y Maker (eds) *Restrictive Practices in Health Care and Disability Settings: Legal, Policy and Practical Responses* (London: Routledge, 2021) 295-301.

Bernadette McSherry, "The Intractable Use of Restraint, Organisational Culture and 'Othering'" in B McSherry and Y Maker (eds) *Restrictive Practices in Health Care and Disability Settings: Legal, Policy and Practical Responses* (London: Routledge, 2021) 219-235.

Bernadette McSherry and Lisa Waddington, "The *Convention on the Rights of Persons with Disabilities* and the Challenge to Treatment without Consent of Individuals with Psychosocial Disabilities" in Polli Hageaars, Marlena Plavsic, Nora Sveaass, Ulrich wagner and Tony wainwright (eds) *Human Rights Education for Psychologists* (London: Routledge, 2020) 165-178.

Bernadette McSherry, "Predictive Algorithms, Risk and Preventive Justice: Back to the Future?" in John Pratt and Jordan Anderson (eds) *Criminal Justice, Risk and the Revolt against Uncertainty* (London: Palgrave Macmillan, 2020) 17-42.

Bernadette McSherry, "Pre-Trial and Civil Detention of "Dangerous" Individuals in Common Law Jurisdictions" in Darryl Brown, Jenia Turner and Bettina Weißer (eds) *Oxford Handbook of Criminal Process* (New York: Oxford University Press, 2019) 521-540.

Bernadette McSherry, "Containment versus Rehabilitation: Managing High-Risk Offenders with Complex Needs" in Claire Spivakovsky, Kate Seear and Adrian Carter (eds) *Critical Perspectives on Coercive Interventions: Law, Medicine and Society* (London: Routledge, 2018) 199-211.

Bernadette McSherry, "Preventive Justice, Risk of Harm and Mental Health Laws" in Tamara Tulich, Rebecca Ananian-Walsh, Simon Bronitt and Sarah Murray (eds) *Regulating Preventive Justice: Principle, Policy and Paradox* (London: Routledge, 2017) 61-74.

Bernadette McSherry, "'New' Rights for Mental Health Laws? The Right to the Enjoyment of the Highest Attainable Standard of Health and the Rights of Carers" in Gerard Quinn and Charles O'Mahoney (eds) *The United Nations Convention on the Rights of Persons with Disabilities: Comparative, Regional and Thematic Perspectives* (Cambridge: Intersentia, 2013).

Bernadette McSherry, "From Coercion to Coordination? The Role of the Law in Service Provision for Individuals with Coexisting Disorders" in **Bernadette McSherry** and Ian Freckelton (eds) *Coercive Care: Law and Policy* (London: Routledge, 2013) 172-189.

Bernadette McSherry and Ian Freckelton, "Coercive Care: Rights, Law and Policy" in **Bernadette McSherry** and Ian Freckelton (eds) *Coercive Care: Law and Policy* (London: Routledge, 2013) 3-12.

Bernadette McSherry and Ian Freckelton, "Where to From Here for Coercive Care?" in **Bernadette McSherry** and Ian Freckelton (eds) *Coercive Care: Law and Policy* (London: Routledge, 2013) 283-286.

Bernadette McSherry, "Australian Mental Health Laws and Human Rights" in Paula Gerber and Melissa Castan (eds) *Contemporary Human Rights in Australia* (Sydney: Thomson Reuters, 2013) 371-393.

Bernadette McSherry, "Post-Sentence Incapacitation of Sex Offenders and the Ethics of Risk Assessment" in Marijke Malsch and Marius Duker (eds) *Incapacitation: Trends and New Perspectives* (Aldershot: Ashgate, 2012) 77-96.

Bernadette McSherry, "The Preventive Detention of Suspected Terrorists: Better Safe than Sorry?" in **Bernadette McSherry** and Patrick Keyzer (eds), *Dangerous People: Policy, Prediction and Practice* (New York: Routledge, 2011) 97-107.

Bernadette McSherry and Patrick Keyzer, "'Dangerous' People: An Overview" in **Bernadette McSherry** and Patrick Keyzer (eds), *Dangerous People: Policy, Prediction and Practice* (New York: Routledge, 2011) 3-12.

Bernadette McSherry and Patrick Keyzer, "'Dangerous' People: The Road Ahead for Policy, Prediction and Practice" in **Bernadette McSherry** and Patrick Keyzer (eds), *Dangerous People: Policy, Prediction and Practice* (New York: Routledge, 2011) 251-254.

Bernadette McSherry, "Rethinking Rights-based Mental Health Laws" in **Bernadette McSherry** & Penny Weller (eds), *Rethinking Rights-based Mental Health Laws* (Portland: Hart Publishing, 2010).

Bernadette McSherry, "The Right of Access to Mental Health Care: Voluntary Treatment and the Role of the Law" in **Bernadette McSherry** & Penny Weller (eds), *Rethinking Rights-based Mental Health Laws*, (Portland: Hart Publishing, 2010).

Bernadette McSherry, "Regulating Deviance: The Redirection of Criminalisation and the Futures of Criminal Law" in **Bernadette McSherry**, Alan Norrie and Simon Bronitt (eds) *Regulating Deviance: The Redirection of Criminalisation and the Futures of Criminal Law* (Portland: Hart, 2009) 1-10.

Bernadette McSherry, "Expanding the Boundaries of Inchoate Crimes: The Growing Reliance on Preparatory Offences" in **Bernadette McSherry**, Alan Norrie and Simon Bronitt (eds) *Regulating Deviance: The Redirection of Criminalisation and the Futures of Criminal Law* (Portland: Hart, 2009) 141-164.

Bernadette McSherry, "Justice Kirby's Contribution to Criminal Law" in Ian Freckelton and Hugh Selby (eds) *Appealing to the Future: Michael Kirby and His Legacy* (Sydney: Thomson Reuters, 2009) 291-312.

Bernadette McSherry, "'Dangerous' Legislation" in Katarina Fritzon and Paul Wilson (eds) *Forensic Psychology and Criminology: An Australian Perspective* (North Ryde: McGraw-Hill Australia Pty Ltd, 2008) 227-236.

Bernadette McSherry, "International Trends in Mental Health Laws: Introduction" in **Bernadette McSherry** (ed) *International Trends in Mental Health Laws* (Annandale: Federation Press, 2008) Special edition Volume 26(2) of *Law in Context* 1-9.

Bernadette McSherry, "Protecting the Integrity of the Person: Developing Limitations on Involuntary Treatment" in **Bernadette McSherry** (ed) *International Trends in Mental Health Laws* (Annandale: Federation Press, 2008) Special edition Volume 26(2) of *Law in Context* 111-124.

Bernadette McSherry, "Epilepsy and Confidentiality: Ethical Considerations" in Roy G Beran (ed) *Epilepsy: A Question of Ethics* (Tel Aviv: Yozmot Pub. Ltd, 2002) 39-52.

Bernadette McSherry, "General Principles of Criminal Law" in Ian Freckelton (ed) *Criminal Law, Investigation and Procedure in Victoria* Volume 1 (Sydney: LBC, 2000) 35-145. (Revised 2006, pp 1-1025-1-1635).

Monographs

Piers Gooding, **Bernadette McSherry**, Cathy Roper and Flick Grey (2018) *Alternatives to Coercion in Mental Health Settings: A Literature Review*, Melbourne: Melbourne Social Equity Institute, University of Melbourne (210 pages).

Yvette Maker, Jeannie Marie Paterson, **Bernadette McSherry**, Lisa Brophy, Anna Arstein-Kerslake, Alex Callahan and Eugene Teo (2018) *Thanks a Bundle: Improving Support and Access to Online Telecommunications Products for Consumers with Cognitive Disabilities*, Australian Communications Consumer Action Network, Sydney and Melbourne Social Equity Institute, University of Melbourne (128 pages).

Andrea David, Karen Gelb, **Bernadette McSherry**, Victoria Moore and Felicity Stewart, *High-Risk Offenders: Post-Sentence Supervision and Detention, Discussion and Options Paper*, Prepared for the Sentencing Council, (240 pages) (January 2007).

Bernadette McSherry, Patrick Keyzer and Arie Freiberg, *Preventive Detention for Dangerous Offenders in Australia: A Critical Analysis and Proposals for Policy Development*, Report to the Criminology Research Council, Melbourne, (103 pages) (December 2006).

Bernadette McSherry, *High-Risk Offenders: Continued Detention and Supervision Orders, Community Issues Paper*, Prepared for the Sentencing Advisory Council, (56 pages) (August 2006).

Bernadette McSherry, *Risk Assessment by Mental Health Professionals and the Prevention of Future Violent Behaviour*, Report prepared for the Criminology Research Council, (110 pages) (2003).

Bernadette McSherry, Jamie Walvisch and Stephen Farrow, *Defences to Homicide Issues Paper*, Prepared for the Victorian Law Reform Commission, (129 pages) (March 2002).

Bernadette McSherry and Margaret Anne Sommerville, *Sexual Activity Among Institutionalized Persons in Need of Special Care*, Prepared for the McGill Centre for Medicine, Ethics and Law, Montreal, (90 pages) (February 1996).

Refereed Journal Articles

Anna Arstein-Kerslake, Piers Gooding and **Bernadette McSherry**, "Supported Decision-Making in Criminal Proceedings – A Socio-Legal Empirical Study" (2021) *Journal of Disability Policy Studies*, First Published July 4, DOI: <https://doi.org/10.1177/10442073211026332>

Andrew Carroll and Bernadette McSherry, "Risk Management in an Era of Recovery and Rights" (2020) *BJ Psych Advances* 1-11 First View 2 December, DOI: <https://doi.org/10.1192/bja.2020.88>

Piers Gooding, **Bernadette McSherry** and Cath Roper, "Preventing and reducing "Coercion" in Mental Health Services: A Scoping Study" (2020) 142 *Acta Psychiatrica Scandinavica* 27-39, doi: 10.1111/ACPS.13152

Bernadette McSherry, "Preventing Harm to Others as a Criterion for Compulsory Treatment: An Overview of Criticisms and Current Research" (2020) 27(3) *Journal of Law and Medicine* 570–573.

Anna Arstein-Kerslake, Piers Gooding, Sarah Mercer, Marlena Raymond and **Bernadette McSherry**, "Implementing a Participatory Human Rights-Based Research Methodology: The Unfitness to Plead Project" (2019) 11(3) *Journal of Human Rights Practice* 589-606.

Bernadette McSherry, Rajan Darjee and Danny Sullivan, "Post-Sentence Detention and Supervision: The Role of Multi-Agency Panels" (2019) 27(1) *Journal of Law and Medicine* 29-36.

Bernadette McSherry, "Electroconvulsive Therapy Without Consent: The Influence of Human Rights Law" (2019) 26(4) *Journal of Law and Medicine* 732-736.

Lisa Brophy, Renata Kokanovic, Jacinthe Flore, **Bernadette McSherry** and Helen Herrman, "Community Treatment Orders and Supported Decision-Making" (2019) 10 *Frontiers in Psychiatry* 198-209, Article 414, doi: 10.3389/fpsy.2019.00414.

Yvette Maker and **Bernadette McSherry**, "Regulating Restraint Use in Mental Health and Aged Care Settings: Lessons from the Oakden Scandal" (2019) 44(1) *Alternative Law Journal* 29-36.

Piers Gooding and **Bernadette McSherry**, "Alternatives to Compulsory Detention and Treatment and Coercive Practices in Mental Health Settings", (2018) 26(2) *Journal of Law and Medicine* 300-305.

Andrew Carroll and **Bernadette McSherry**, "Making defensible decisions in the era of recovery and rights", (2018) 26(5) *Australasian Psychiatry* 474-477.

Yvette Maker, Anna Arstein-Kerslake, **Bernadette McSherry**, Jeannie Marie Paterson and Lisa Brophy, "Ensuring Equality for Persons with Cognitive Disabilities in Consumer Contracting: An International Human Rights Law Perspective" (2018) 19(1) *Melbourne Journal of International Law* 178-199.

Yvette Maker, Jeannie Marie Paterson, Anna Arstein-Kerslake, **Bernadette McSherry** and Lisa Brophy, "From Safety Nets to Support Networks: Beyond 'Vulnerability' in Protection for Consumers with Cognitive Disabilities" (2018) 41(3) *University of New South Wales Law Journal* 818-845.

Renata Kokanović, Lisa Brophy, **Bernadette McSherry**, Jacinthe Flore, Kristen Moeller-Saxone and Helen Herrman, "Supported Decision-Making from the Perspectives of Mental Health Service Users, Family Members Supporting Them and Mental Health Practitioners" (2018) 52(9) *Australian & New Zealand Journal of Psychiatry* 826-239.

Bernadette McSherry, "Computational Modelling, Social Media and Health-Related Datasets: Consent and Privacy Issues" (2018) 25(4) *Journal of Law and Medicine* 894-898.

Bernadette McSherry and Yvette Maker, "International Human Rights and Mental Health: Challenges for Law and Practice" (2018) 25(2) *Journal of Law and Medicine* 315-19.

Lisa Brophy, Vrinda Edan, Piers Gooding, **Bernadette McSherry**, Tatum Burkett, Sue Carey, Andrew Carroll, Sascha Callaghan, Anne Finch, Margaret Hansford, Sarah Hanson, Steven Kisely, Sharon Lawn, Edwina Light, Sean Maher, Gunvant Patel, Christopher James Ryan, Keir Saltmarsh, Anthony Stratford, Juan Jose Tellez, Maggie Toko, Penelope Weller, "Community Treatment Orders: Towards a New Research Agenda" (2018) 26(3) *Australasian Psychiatry* 299-302, <https://doi.org/10.1177/1039856218758543>.

Piers Gooding, Anna Arstein-Kerslake, Sarah Mercer and **Bernadette McSherry**, "Supporting Accused Persons with Cognitive Disabilities to Participate in Criminal Proceedings in Australia: Avoiding the Pitfalls of Unfitness to Stand Trial Laws" (2017) 35(2) *Law in Context: A Socio-Legal Journal* 64-84.

Anna Arstein-Kerslake, Piers Gooding, Louis Andrew and **Bernadette McSherry**, "Human Rights and Unfitness to Plead: The Demands of the Convention on the Rights of Persons with Disabilities" (2017) 17(3) *Human Rights Law Review* 399-420, <https://doi.org/10.1093/hrlr/ngx025>.

Bernadette McSherry, "Regulating Seclusion and Restraint in Health Care Settings: The Promise of the Convention on the Rights of Persons with Disabilities" (2017) 53 *International Journal of Law and Psychiatry* 39-44.

Piers Gooding, **Bernadette McSherry**, Anna Arstein-Kerslake and Louis Andrew, "Unfitness to Stand Trial and the Indefinite Detention of Persons with Cognitive Disabilities in Australia: Human Rights Challenges and Proposals for Change" (2017) 40(3) *Melbourne University Law Review* 816-866.

Yvette Maker, **Bernadette McSherry**, Lisa Brophy, Jeannie Paterson and Anna Arstein-Kerslake, "Supporting People with Decision-Making Impairments: Choice, Control, and Consumer Transactions" (2017) 24(4) *Journal of Law and Medicine* 756-762.

Bernadette McSherry and Lisa Waddington, "Treat with Care: The Right to Informed Consent for Medical Treatment of Persons with Mental Impairments in Australia" (2017) 23(1) *Australian Journal of Human Rights* 109-129.

Stuart Kinner, Carol Harvey, Bridget Hamilton Lisa Brophy, Catherine Roper, **Bernadette McSherry** and Jesse Young, "Attitudes Towards Seclusion and Restraint in Mental Health Settings: Findings from a Large, Community-based Survey of Consumers, Carers and Mental Health Professionals" (2016) 26(5) *Epidemiology and Psychiatric Sciences* 1-10, DOI: 10.1017/S2045796016000585.

Bernadette McSherry and Juan José Tellez, "Current Challenges for the Regulation of Chemical Restraint in Healthcare Settings" (2016) 24(1) *Journal of Law and Medicine* 15-19.

Lisa Waddington and **Bernadette McSherry**, "Exceptions and Exclusions: The Right to Informed Consent for Medical Treatment of People with Psychosocial Disabilities in Europe" (2016) 23(3) *European Journal of Health Law* 279-304.

Lisa Brophy, Catherine Roper, Bridget Hamilton, Juan José Tellez and **Bernadette McSherry**, "Consumers' and their Supporters' Perspectives on Barriers and Strategies to Reducing Seclusion and Restraint in Mental Health Settings" (2016) 40(6) *Australian Health Review* 599-604 (with Lisa Brophy, Bridget Hamilton, Cath Roper and Juan José Tellez) <<http://www.publish.csiro.au/ah/pdf/AH15128>> (accessed 5 February 2018).

Lisa Brophy, Catherine Roper, Bridget Hamilton, Juan José Tellez and **Bernadette McSherry**, "Consumers and Their Supporters' Perspectives on Poor Practice and the Use of Seclusion and Restraint in Mental Health Settings: Results from Australian Focus Groups" (2016) 10(6) *International Journal of Mental Health*

Systems 1-10 <<http://ijmhs.biomedcentral.com/articles/10.1186/s13033-016-0038-x>> (accessed 5 February 2018).

Catherine Roper, **Bernadette McSherry** and Lisa Brophy, "Defining Seclusion and Restraint: Legal and Policy Definitions Versus Consumer and Carer Perspectives" (2015) 23(2) *Journal of Law and Medicine* 297-302.

Bernadette McSherry and Andrew Butler, "Support for the Exercise of Legal Capacity: The Role of the Law" (2015) 22(4) *Journal of Law and Medicine* 739-744.

Bernadette McSherry and Kay Wilson, "The Concept of Capacity in Australian Mental Health Law Reform: Going in the Wrong Direction?" (2015) 40 *International Journal of Law and Psychiatry* 60-69.

Bernadette McSherry, "Decision-making, Legal Capacity and Neuroscience: Implications for Mental Health Laws" (2015) 4(2) *Laws* 125-138.

Patrick Keyzer and **Bernadette McSherry**, "The Preventive Detention of Sex Offenders: Law and Practice" (2015) 38(2) *University of New South Wales Law Review* 784-814.

Bernadette McSherry, "Mental Health Laws: Where to From Here?" (2014) 40(1) *Monash University Law Review* 175-197.

Bernadette McSherry, "Throwing Away the Key? The Ethics of Risk Assessment for Preventive Detention Schemes (RG Myers Memorial Lecture)" (2014) 21(5) *Psychiatry, Psychology and Law* 779-790.

Bernadette McSherry, "Locked Mental Health Wards: The Answer to Absconding?" (2014) 22(1) *Journal of Law and Medicine* 17-21.

Bernadette McSherry, "The Legal Regulation of Seclusion and Restraint in Mental Health Facilities" (2013) 21(2) *Journal of Law and Medicine* 251-254.

Patrick Keyzer and **Bernadette McSherry**, "The Preventive Detention of "Dangerous" Sex Offenders in Australia: Perspectives at the Coalface" (2013) 2 *International Journal of Criminology and Sociology* 296-305<<http://www.lifescienceglobal.com/home/cart?view=product&id=719>> (accessed 5 February 2018).

Bernadette McSherry and Piers Gooding, "Torture and Ill-Treatment in Health Care Settings: Lessons from the United Nations" (2013) 20(4) *Journal of Law and Medicine* 712-718.

Bernadette McSherry, "Legal Capacity under the Convention on the Rights of Persons with Disabilities" (2012) 20(1) *Journal of Law and Medicine* 22-27.

Bernadette McSherry and Kay Wilson, "Detention and Treatment Down Under: Human Rights and Mental Health Laws in Australia and New Zealand" (2011) 19(4) *Medical Law Review* 548-580.

Bernadette McSherry and Sarah Lenthall, "Laws to detain individuals with substance dependency: breaching human rights or restoring health?" (2011) 19(2) *Journal of Law and Medicine* 225-31.

Bernadette McSherry and Susan Klauber, "Who Do I Turn To? Resolving Complaints by Mental Health Consumers and Carers" (2011) 18(4) *Journal of Law and Medicine* 663-670.

Prasanna Venkataraman and **Bernadette McSherry**, "Incorporating Carers' Rights in Mental Health Legislation" (2010) 17(4) *Journal of Law and Medicine* 481-486.

John Ellery Gray, **Bernadette McSherry**, Richard L O'Reilly and Penelope Weller, "Australian and Canadian Mental Health Acts Compared" (2010) 44(12) *Australian and New Zealand Journal of Psychiatry* 1126-1131.

Surabhi Kumble and **Bernadette McSherry**, "Seclusion and Restraint: Rethinking Regulation from a Human Rights Perspective" (2010) 17(4) *Psychiatry, Psychology and Law* 1-11.

Elizabeth Richardson and **Bernadette McSherry**, "Diversion Down Under - Programs for Individuals with Mental Illnesses in Australia" (2010) 33 *Journal of Law And Psychiatry* 249-257.

Damien Bruckard and **Bernadette McSherry**, "Mental health laws for those "compliant" with treatment" (2009) 17(1) *Journal of Law and Medicine* 16-21.

Bernadette McSherry, "Hospital Orders for Offenders with Mental Illnesses: An Appropriate Diversionary Option" (2009) 16(4) *Journal of Law and Medicine* 568-573.

Miriam Cullen and **Bernadette McSherry**, "Without Sex: Slavery, Trafficking in Persons and the Exploitation of Labour in Australia" (2009) 34(1) *Alternative Law Journal* 4-10.

Shrikanth Rangarajan and **Bernadette McSherry**, "To Detain or Not to Detain" (2009) 16(2) *Psychiatry, Psychology and Law* 288-302.

Bernadette McSherry, "Health Professional-Patient Confidentiality: Does the Law Really Matter?" (2008) 15(4) *Journal of Law and Medicine* 489-493.

Bernadette McSherry, "The United Nations Convention on the Rights of Persons with Disabilities" (2008) 16(1) *Journal of Law and Medicine* 17-20.

Bernadette McSherry and Susan Kneebone, "Trafficking in Women and Forced Migration: Moving Victims Across the Border of Crime into the Domain of Human Rights" (2008) 12(1) *The International Journal of Human Rights* 67-87.

Bernadette McSherry, "Mental Health and Human Rights: The Role of the Law in Developing a Right to Enjoy the Highest Attainable Standard of Mental Health in Australia" (2008) 15(5) *Journal of Law and Medicine* 773-781.

Andrew Carroll, **Bernadette McSherry**, Debra Wood and Steven Yannoulidis, "Drug-Associated Psychoses and Criminal Responsibility" (2008) 26(5) *Behavioural Sciences and the Law* 633-653.

Bernadette McSherry, "Justice for Individuals with Mental Illnesses" (2008) *Pandora's Box* 39-45.

Annegret Käempf, **Bernadette McSherry**, Stuart Thomas and Helen Abrahams, "Psychologists' Perceptions of Legal and Ethical Requirements for Breaching Confidentiality" (2008) 43(3) *Australian Psychologist* 194-204.

Anna Macleod and **Bernadette McSherry**, "Regulating Mental Healthcare Practitioners: Towards a Standardised and Workable Framework" (2007) 14(1) *Psychiatry, Psychology and Law* 45-55.

Bernadette McSherry, "Trafficking in Persons: A Critical Analysis of the New Criminal Code Offences" (2007) 18(3) *Current Issues in Criminal Justice* 385-398.

Bernadette McSherry and Miriam Cullen, "The Criminal Justice Response to Trafficking in Persons: Practical Problems with Enforcement in the Asia-Pacific Region" (2007) 19(3) *Global Change, Peace & Security* 205-220.

Bernadette McSherry and Azadeh Dastyari, "Providing Mental Health Services and Psychiatric Care to Immigration Detainees: What Tort Law Requires" (2007) 14(2) *Psychiatry, Psychology and Law* 260-271.

Bernadette McSherry, "Access to Confidential Medical Records by Courts and Tribunals: The Inapplicability of the Doctrine of Public Interest Immunity" (2006) 14(1) *Journal of Law and Medicine* 15-19.

Bernadette McSherry, "The Government's Duty of Care to Provide Adequate Health Care to Immigration Detainees" (2006) 13(3) *Journal of Law and Medicine* 281-284.

Annegret Kämpf and **Bernadette McSherry**, "Confidentiality in Therapeutic Relationships: The Need to Develop Comprehensive Guidelines for Mental Health Professionals" (2006) 13(1) *Psychiatry, Psychology and Law* 124-131.

Anna Macleod and **Bernadette McSherry**, "Regulating to Ensure Patient Safety in Hospitals: Towards a Comprehensive Framework" (2006) 14(2) *Journal of Law and Medicine* 228-243.

-
- Bernadette McSherry**, "Sex, Drugs and Evil Souls: The Growing Reliance on Preventive Detention Regimes" (2006) 32(2) *Monash University Law Review* 237-274.
- Bernadette McSherry**, "Indefinite and Preventive Detention Legislation: From Caution to an Open Door" (2005) 29(2) *Criminal Law Journal* 94-110.
- Bernadette McSherry**, "Men Behaving Badly: Current Issues in Provocation, Automatism, Mental Impairment and Criminal Responsibility" (2005) 12(1) *Psychiatry, Psychology and Law* 15-22.
- Bernadette McSherry**, "Afterword: Options for the Reform of Provocation, Automatism and Mental Impairment" (2005) 12(1) *Psychiatry, Psychology and Law* 44-49.
- Bernadette McSherry**, "It's a Man's World: Claims of Provocation and Automatism in 'Intimate' Homicides" (2005) 29(3) *Melbourne University Law Review* 905-929.
- Bernadette McSherry**, "The Introduction of Terrorism-Related Offences in Australia" (2005) 12(2) *Psychiatry, Psychology and Law* 279-288.
- Bernadette McSherry**, "Posthumous Reproduction" (2005) 13(1) *Journal of Law and Medicine* 15-18.
- Bernadette McSherry**, "Abortion and the Criminal Law" (2004) 11(4) *Journal of Law and Medicine* 409-413.
- Bernadette McSherry**, "Consenting to Shared Electronic Health Records: The Proposed HealthConnect System" (2004) 11(3) *Journal of Law and Medicine* 269-273.
- Bernadette McSherry**, "Criminal Responsibility, 'Fleeting' States of Mental Impairment and the Power of Self-Control" (2004) 27 *International Journal of Law and Psychiatry* 445-457.
- Bernadette McSherry**, "Third Party Access to Shared Electronic Mental Health Records: Ethical Issues" (2004) 11(1) *Psychiatry, Psychology and Law* 53-62.
- Bernadette McSherry**, "Epilepsy and Confidentiality: Ethical Considerations" (2004) 23 *Medicine and Law* 133-145
- Bernadette McSherry**, "Ethical Issues in HealthConnect's Shared Electronic Health Record System" (2004) 12(1) *Journal of Law and Medicine* 60-68.
- Bernadette McSherry**, "Risk Assessment by Mental Health Professionals and the Prevention of Future Violent Behaviour" (2004) July, No 281, *Trends and Issues Paper*, Australian Institute of Criminology 1-6.
- Bernadette McSherry**, "Terrorism Offences in the Criminal Code (Cth): Broadening the Boundaries of Australian Criminal Laws" (2004) 27(2) *University of New South Wales Law Journal* 354-372.
- Bernadette McSherry**, "Voluntariness, Intention and the Defence of Mental Disorder: Toward a Rational Approach" (2003) 21 *Behavioral Sciences and Law* 581-599.
- Bernadette McSherry**, "Legal Issues in Canada" (2003) 10(4) *Journal of Law and Medicine* 394-398.
- Bernadette McSherry**, "The Doctrine of Necessity and Medical Treatment" (2002) 10(1) *Journal of Law and Medicine* 10-16.
- Bernadette McSherry**, "Confidential Communications Between Clients and Mental Health Care Professionals: The Public Interest Exception" (2002) 37 *The Irish Jurist* (ns) 269-281.
- Bernadette McSherry**, "Epilepsy, Automatism and Culpable Driving" (2002) 21 *Medicine and Law* 133-153.
- Bernadette McSherry**, "Confidentiality of Psychiatric and Psychological Communications: The Public Interest Exception" (2001) 8(1) *Psychiatry, Psychology and Law* 12-22.
- Samuel Hopper and **Bernadette McSherry**, "The Insanity Defence and International Human Rights Obligations" (2001) 8(2) *Psychiatry, Psychology and Law* 161-173.

Bernadette McSherry, "Expert Testimony and the Effects of Mental Impairment: Reviving the Ultimate Issue Rule" (2001) 24(1) *International Journal of Law and Psychiatry* 13-21.

Owen Griffiths and **Bernadette McSherry**, "Human Cloning Offences: The Gene Technology Act 2000 (Cth)" (2001) 9(1) *Journal of Law and Medicine* 14-17.

Justin Oakley and **Bernadette McSherry**, "Indicators of Risk-adjusted Clinical Performance" (2001) 8(3) *Journal of Law and Medicine* 240-244.

Samuel Hopper and **Bernadette McSherry**, "The Pharmaceutical Industry and Ethical Conduct" (2000) 8(1) *Journal of Law and Medicine* 18-22 (with Samuel Hopper).

Bernadette McSherry, "Confidentiality and the Duty to Warn" (2000) 7(3) *Journal of Law and Medicine* 239-242.

Bernadette McSherry, "Breaching Confidentiality in the Public Interest: Guidance from Canada?" (2000) 19(3) *Monash Bioethics Review* 28-34.

Bernadette McSherry, "Mental Impairment and Criminal Responsibility: Recent Australian Legislative Reforms" (1999) 23 *Criminal Law Journal* 135-144.

Bernadette McSherry, "A Review of the New South Wales Law Reform Commission's Report People with an Intellectual Disability and the Criminal Justice System" (1999) 25(1) *Monash University Law Review* 166-180.

Beth Wilson and **Bernadette McSherry**, "Consumer Complaints and Competition in Health Services" (1999) 7(2) *Journal of Law and Medicine* 205-211.

Bernadette McSherry, "Consent to Medical Treatment in Theory and Practice" (1999) 7(1) *Journal of Law and Medicine* 11-12.

Bernadette McSherry, "Psychological and Psychiatric Testimony and the Ultimate Issue Rule" (1999) 7(1) *Journal of Law and Medicine* 9-11.

Bernadette McSherry, "Criminal Detention of Those with Mental Impairment" (1999) 6 *Journal of Law and Medicine* 216-221.

Bernadette McSherry, "Third Annual Conference, Australian Institute of Health, Law and Ethics" (1998) 5(4) *Journal of Law and Medicine* 30.

Bernadette McSherry, "Mental Impairment and Criminal Responsibility: Recent Legislation" (1998) 6(1) *Journal of Law and Medicine* 10-15.

Bernadette McSherry, "Homicide and Antenatal Injury" (1998) 5(3) *Journal of Law and Medicine* 204-208.

Bernadette McSherry, "Euthanasia and Knowledge of Wrongfulness" (1998) 5(3) *Journal of Law and Medicine* 208-209.

Bernadette McSherry and Margaret Sommerville, "Sexual Activity Among Institutionalized Persons in Need of Special Care" (1998) 16 *Windsor Yearbook of Access to Justice* 90-131.

Bernadette McSherry, "Getting Away with Murder? Dissociative States and Automatism"(1998) 21(2) *International Journal of Law and Psychiatry* 163-176.

Bernadette McSherry, "Sexual Assault Against Individuals with Mental Impairment: Are Criminal Laws Adequate?" (1998) 5(1) *Psychiatry, Psychology and Law* 107-116.

Bernadette McSherry, "Dangerousness and Public Health" (1998) 23(6) *Alternative Law Journal* 276-279.

Bernadette McSherry, "The Reformulated Defence of Insanity in the Australian Criminal Code Act 1995 (Cth)" (1997) 20(2) *International Journal of Law and Psychiatry* 183-197.

Simon Bronitt and **Bernadette McSherry**, "The Use and Abuse of Counseling Records in Sexual Assault Trials: Reconstructing the 'Rape Shield'?" (1997) 8(2) *Criminal Law Forum: An International Journal* 259-291.

Thomas Faunce and **Bernadette McSherry**, "Chinese Whispers: Judicial Narratives and the Regulation of Clinical Medicine" (1997) 4(4) *Journal of Law and Medicine* 326-335.

Bernadette McSherry, "Force-Feeding and Anorexia" (1997) 5(1) *Journal of Law and Medicine* 8-13.

Bernadette McSherry, "Access to Medical Records: What Legislation Must Take into Account" (1997) 4(3) *Journal of Law and Medicine* 211-213.

Bernadette McSherry, "Access to Medical Records", *Australian Institute of Health, Law and Ethics, Issues Paper No 1*, Canberra, November 1996, 1-8.

Bernadette McSherry, "Automatism in Australia Since Falconer's Case" (1996) December *International Bulletin of Law and Mental Health* 3-8.

Bernadette McSherry, "Research Involving Interviews with Individuals Who Have Experienced Traumatic Events: Some Guidelines" (1995) 2(2) *Psychiatry, Psychology and Law* 111-120.

Bernadette McSherry, "Report on Mental Disorder and Criminal Justice Conference" (1995) 3 *Journal of Law and Medicine* 102-104.

Bernadette McSherry, "The Law Commission of New Zealand's Report on Preventive Detention" (1995) 2 *Journal of Law and Medicine* 260-261.

Bernadette McSherry, "Medical Negligence and Artificial Donor Insemination" (1995) 2 *Journal of Law and Medicine* 180-181.

Bernadette McSherry, "Mental Impairment and Criminal Responsibility: The Criminal Code Bill 1994 (Cth)" (1995) 2 *Journal of Law and Medicine* 181-182.

Bernadette McSherry, "Human Rights and Mental Illness: The Legal Framework:" (1994) 1 *Journal of Law and Medicine* 205-207.

Bernadette McSherry, "The High Court and Non-Therapeutic Sterilisation of Intellectually Disabled Children" (1994) 2 *Journal of Law and Medicine* 6-7.

Bernadette McSherry, "The XXth International Congress on Law and Mental Health" (1994) 2 *Journal of Law and Medicine* 91-92.

Bernadette McSherry, "Mental Disease and Intention in Criminal Law" (1994) 2 *Journal of Law and Medicine* 92-93.

Bernadette McSherry, "Premenstrual Syndrome and Criminal Responsibility" (1994) 2 *Psychiatry, Psychology and Law* 139-151.

Bernadette McSherry, "The Return of the Raging Hormones Theory: Premenstrual Syndrome, Postpartum Disorders and Criminal Responsibility" (1993) 15 *Sydney Law Review* 292-316.

Bernadette McSherry, "Defining What is a 'Disease of the Mind'; The Untenability of Current Legal Interpretations" (1993) 1 *Journal of Law and Medicine* 76-90.

Bernadette McSherry, "Failing to Advise and Warn of Inherent Risks in Medical Treatment: When Does Negligence Occur?" (1993) 1(1) *Journal of Law and Medicine* 5-7.

Bernadette McSherry, "Informed Consent to Medical Treatment: A Recent Research Study" (1993) 1(1) *Journal of Law and Medicine* 7-8.

Bernadette McSherry, "Non-therapeutic Sterilisation of Intellectually Disabled Children: Should the Courts Decide?" (1993) 1(2) *Journal of Law and Medicine* 69-71.

Bernadette McSherry, "Death by the Withholding of Medical Treatment and Death By Lethal Injection: Is there a Difference?" (1993) 1(2) *Journal of Law and Medicine* 71-72.

Bernadette McSherry, "Mentally Incapacitated Adults and Decision-Making" (1993) 1(3) *Journal of Law and Medicine* 137-138.

Bernadette McSherry, "The Right to Die" (1993) 1(3) *Journal of Law and Medicine* 138-140.

Bernadette McSherry, "Some Observations on the Role of Lord Denning in the Development of International Law" (1984) 14 *Melbourne University Law Review* 721-725.

Bernadette McSherry, "Power and Subjugation: Australian Society in the Fiction of David Ireland and Peter Carey" (1983-1984) 15 *Melbourne Journal of Politics* 82-90.

Other Contributions to Refereed Journals

Brendan D Kelly, Eric Drogin, **Bernadette McSherry** and Mary Donnelly, "Editorial: Mental Health, Mental Capacity, Ethics, and the Law in the Context of COVID-19 (Coronavirus)" (2020) 73 *International Journal of Law and Psychiatry* <https://doi.org/10.1016/j.ijlp.2020.101632>

Bernadette McSherry, "Editorial: Public Health and Human Rights" (2008) 15(6) *Journal of Law and Medicine* 665-668.

Bernadette McSherry, "Case Note: PD v Harvey and Chen" (2003) 11(1) *Journal of Law and Medicine* 18-19.

Bernadette McSherry, "Editorial: Amici Curiae and the Public Interest in Medical Law Cases" (2003) 11(1) *Journal of Law and Medicine* 5-8.

Bernadette McSherry, "Case Commentary: R v Stone" (2000) 8(2) *Psychiatry, Psychology and Law* 279-283.

Bernadette McSherry, "Editorial: The Costs of Health" (1999) 7(2) *Journal of Law and Medicine* 105 (with Jan Duke).

Bernadette McSherry, "Case Note: R v. Falconer" (1991) 18 *Melbourne University Law Review* 476-481

Non-Refereed Journal Articles

Bernadette McSherry, "The Preventive Detention of 'Dangerous' People" (2012) *Precedent* September/October edition, 4-8.

Bernadette McSherry, "Legal Snapshot – Provocation" (2007) 19(4) *LegalDate* 9.

Ian Freckelton and **Bernadette McSherry**, "The Model Forensic Procedures Bill" (1996) 12(1) *Liberty* 89-96.

Bernadette McSherry, "No! (means no?)" (1993) 18 *Alternative Law Journal* 27-30.

Bernadette McSherry, "Self Defence and Provocation: Time for a New Approach" (1992) 66 *Law Institute Journal* 151-152.

Bernadette McSherry, "Revising the M'Naghten Rules" (1990) 64 *Law Institute Journal* 725-727.

Select Conference Presentations

Bernadette McSherry, "Researching, Writing and Publishing Beyond a Single Disciplinary Focus", Presentation delivered via video at the XXVIIth International Academy of Law and Mental Health Conference, Rome, 26th July 2019.

Bernadette McSherry, "Promoting Human Rights in Mental Health" presented at TheMHS Summer Forum 2019: Community Mental Health Systems, Human Rights and Services, Sydney, Australia, 28 February 2019.

[Invited Keynote Speaker] **Bernadette McSherry**, "Disciplinary Proceedings for Mental Health and Substance Use Issues: Comparisons Across Professions", presented at To Err is Human? Professional Disciplinary Tribunals: Reserch and Practice, Auckland University of Technology, 15 February 2019.

Bernadette McSherry, "Risk, Recovery and rights in forensic mental health", presented to Forensic Leave Panel, Department of Health and Human Services, Melbourne, 6 December 2018.

Bernadette McSherry, "Predictive Algorithms, Risk and Preventive Justice: Back to the Future?", presented at Anti-risk Symposium, Victoria University of Wellington, New Zealand, 29 November 2018.

Bernadette McSherry, "The quest for certainty: predictive algorithms, risk and preventive justice", presented at Australian and New Zealand Association of Psychiatry, Psychology and Law Annual Congress, Hobart, Australia, 23 November 2018.

Bernadette McSherry, "Human Rights and mental health laws: from coercion to choice?" presented at Mental Health and Human Rights: Queensland Intersections and the Future of Care, Griffith Health, Brisbane, Queensland, 12 October 2018.

Yvette Maker and **Bernadette McSherry**, "Reducing the use of restraint across health-care settings in Australia: a human rights perspective" presented at Law at the Crossroads Conference, Law and Society, Ontario, Canada, 7-10 June 2018.

Bernadette McSherry, "Supported decision-making: the expectations held by people with lived experiences of mental illness" presented at World Psychiatric Association's Thematic Congress, Innovating in Psychiatry: Effective Interventions for Health and Society, Melbourne, Australia, 25-28 February 2018.

Bernadette McSherry, "Who's afraid of international human rights law? The promise of the WHO QualityRights program for mental health practice" presented at World Psychiatric Association's Thematic Congress, Innovating in Psychiatry: Effective Interventions for Health and Society, Melbourne, Australia, 25-28 February 2018.

Yvette Maker and **Bernadette McSherry**, "The future of coercive practices in mental health services: an international human rights perspective" presented at Australian and New Zealand Association of Psychiatry, Psychology and Law Annual Congress, Perth, 23-25 November 2017.

Bernadette McSherry, "Big Research Ideas" presented at 2017 Research and Research Training Conference, The University of Melbourne, 9-10 November 2017.

Bernadette McSherry, "Legal Regulation of Seclusion and Restraint in Health Care" presented at University of Otago, Dunedin, New Zealand, 13 October 2017.

[Invited Keynote Speaker] **Bernadette McSherry**, "A Simple Case of Support: Disability, Disadvantage and Unfitness to Plead" presented at Unfitness To Stand Trial Conference, Perils and Portents of Unfitness to Stand Trial: International and Comparative Perspectives, Centre for Non-Adversarial Justice and the Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL), New Zealand, 9-10 October 2017.

Bernadette McSherry, "The Right to Liberty, Risk of Harm and Mental Health Laws" presented at XXXVth International Congress on Law and Mental Health, International Academy of Law and Mental Health, Prague, Czechoslovakia, 9-14 July 2017.

[Invited Keynote Speaker] **Bernadette McSherry**, "Regulating Chemical Restraint: The Final Frontier?" presented at Towards Elimination of Restrictive Practices 11th National Forum, Western Australian Association for Mental Health, Perth, Australia, 4-5 May 2017.

[Invited Keynote Speaker] **Bernadette McSherry**, "Regulating Restrictive Practices in Mental Health Care: Challenges and Choices" presented at Flinders University, Australian College of Mental Health Nurses Inc, Government of South Australia, Adelaide, Australia, 1 May 2017.

Bernadette McSherry, MGSE Dean's Lecture: "Breaking Bad: Regulating the Responses of Teachers to Students' 'Behaviours of Concern'" presented at University of Melbourne, Australia, 29 November 2016.

Bernadette McSherry, Introduction: "Persons with Disabilities: Cure or Accommodate?" presented at State Library of Victoria, Australia, 8 November 2016.

[Invited Keynote Speaker] **Bernadette McSherry**, "Unfitness to Plead and Indefinite Detention of Persons with Cognitive Impairments: Addressing the Legal Barriers and Creating Appropriate Alternative Supports in the Community" presented at Building Access to Justice: Overcoming Inequities, Tasmania. Australia, 23 September 2016.

Bernadette McSherry, Webinar: "Mental Health Policy, ENCORE Program" presented at University of Melbourne, 21 September 2016.

Bernadette McSherry, "Intervention, Prevention and Punishment: Authenticity and Capacity in Mandated Treatment" presented at Academy of the Social Sciences in Australia, 31 August 2016.

Bernadette McSherry, "Interdisciplinary Research at the University of Melbourne" presented at Mentor's Group University of Melbourne, 31 August 2016.

Bernadette McSherry, "International Human rights Legislation and Convention on the Rights of Persons with Disabilities" presented at Judicial College of Victoria, 12 August 2016.

Bernadette McSherry, "Supported Decision-Making for Individuals with Severe Mental Health Problems: Findings from Focus Groups and Interviews" presented at European Association of Psychology and Law, Toulouse France, 5 July 2016.

Bernadette McSherry, "Options for Supported Decision Making to Enhance the Recovery of People with Severe Mental Health Problems: Workshop" presented at Monash University, 16 June 2016.

Bernadette McSherry, "Rethinking the Use of Restraints in Health Care Settings" presented at Melbourne Law School, 9 May 2016.

Bernadette McSherry, "Realising the Right to the Enjoyment of the Highest Attainable Standard of Mental Health: Challenges and Opportunities" presented at Health and Human Rights, Monash University, 7 March 2016.

Bernadette McSherry, "Support to exercise legal capacity: findings from focus groups" presented at Disability, Human Rights and Social Equity Conference, The University of Melbourne, 4-5 February 2016.

Lisa Brophy, Helen Herrman, Renata Kokanović and **Bernadette McSherry**, "Options for Supported Decision-Making in Mental Health Care and Treatment" presented at 2015 Joint Conference: Systems, Clients and Patients, Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL) and Royal Australian and New Zealand College of Psychiatrists (RANZCP), Canberra, Australia, 25-28 November 2015.

[Invited Keynote Speaker] **Bernadette McSherry**, "Reviewing the Mental Health Act 2001: Lessons from Downunder" presented at Skype link to Dublin, Mental Health Reform Conference, 24 November 2015.

[Invited Presentation] **Bernadette McSherry**, "'Just Leadership' Program's Mental and Physical Disability Law" presented at Monash University, 25 August 2015.

[Invited Presentation] **Bernadette McSherry**, "Mental Health Laws and their Effect on Practice" presented at Melbourne School of Population and Global Health, The University of Melbourne, 19 August 2015.

[Invited Presentation] **Bernadette McSherry**, "Melbourne Research Institutes and Hallmark Research Initiatives" presented at The University of Melbourne, 22 July 2015.

Bernadette McSherry, "Mental Health Laws and Human Rights: Help or Hindrance?" Law's Promise and Law's Pathos in the Global North and Global South, Law and Society Association, Seattle, Washington, USA, 28-31 May 2015.

[Invited Presentation] **Bernadette McSherry**, "Preventive Justice, Risk of Harm and Mental Health Laws" presented at Regulating Preventive Justice Workshop, University of Queensland, 24-25 April 2015.

Bernadette McSherry, Public Lecture: "Capacity, Informed Consent and the Convention on the Rights of Persons with Disabilities" presented at Auckland University of Technology, 20 February 2015.

Bernadette McSherry, "Perspectives on Barriers to and Strategies for Reducing Seclusion and Restraint: Key results from the National Mental Health Commission Project" presented at Te Pou, National Centre of Mental Health Research, Information and Workforce Development, Auckland, New Zealand, 18 February 2015.

[Invited Keynote Speaker] **Bernadette McSherry**, "Risk, Recovery and Human Rights: current tensions in mental health law, policy and practice" presented at The Second Mental Health and Social Justice Symposium, *University of Auckland*, New Zealand, 16 February 2015.

Bernadette McSherry, "Recovery, rights, risk and responsibility: Implications for practice" presented at Australian and New Zealand Association of Psychology, Psychiatry and Law (ANZAPPL), 34th Annual Congress - Vulnerability and Responsibility: National and International Perspectives, Sydney, Sydney, 20 November 2014.

Bernadette McSherry, "Perspectives on Barriers to and Strategies for Reducing Seclusion and Restraint: Key Results from the National Mental Health Commission's Seclusion and Restraint Project" presented at Aggression Management Forum, Lecture, Melbourne, 14 November 2014.

Bernadette McSherry, "Seclusion and restraint" presented at Law Institute of Victoria, Health and Disability Law Committees' Roundtable, Melbourne, 28 October 2014.

[Invited Keynote Speaker] **Bernadette McSherry**, "Neuroscience, decision-making and the challenge for mental health law reform" presented at Australasian Association of Bioethics and Health Law Conference, Perth, 1 October 2014.

Bernadette McSherry, "Coercive Care: balancing the need for (involuntary) treatment with human rights" presented at Faculty of Medicine, Nursing and Health Sciences, Monash University, Lecture, Melbourne, 6 September 2014.

Bernadette McSherry, "Australian Mental Health Laws: Current Debates and Reforms" presented at Centre for Forensic Behavioural Science and Legal Studies, Swinburne University, Melbourne, 20 August 2014.

Bernadette McSherry, "Preventive detention laws in Australia and New Zealand" European Association of Psychology and Law, Annual Conference, St Petersburg State University, Russia, 26 June 2014.

Bernadette McSherry, "Health and Human Rights: legal capacity, mental health and human rights" presented at Nossal Institute for Global Health, Lecture, Melbourne, 23 July 2014.

Bernadette McSherry, "The future of involuntary treatment laws: from risk to recovery" presented at North West Mental Health, Colloquium, Royal Melbourne Hospital, Melbourne, 14 April 2014.

Bernadette McSherry, "National Mental Health Commission: Seclusion and Restraint Project" Safety and Quality Partnership Standing Committee, Sydney, 21 March 2014.

Bernadette McSherry, "The right to physical integrity: reducing seclusion and restraint in mental health services" presented at Melbourne Social Equity Institute, Inaugural Conference: Imagining Social Equity, Melbourne, 28 February 2014.

Bernadette McSherry, "Do the ends justify the means for detention and treatment?" presented at The Future of Mental Health Laws, Bendigo Health, 21 November 2013

Bernadette McSherry, "Throwing Away the Key? The Ethics of Risk Assessment for Preventive Detention Schemes" R.G. Myers Memorial Lecture, Australian and New Zealand Association of Psychiatry, Psychology and Law (Vic), Melbourne, November 2013.

Bernadette McSherry, "Dolly Stainer", presented at Macquarie University, 24 October 2013

Bernadette McSherry, Melbourne Research Institutes presented to Academic Board, University of Melbourne, Melbourne, 24 October 2013.

Bernadette McSherry, "Preventive Detention and Risk Assessment: The Australian Experience" presented at the University of Otago, New Zealand, 13 October 2013.

[Invited Plenary Speaker] **Bernadette McSherry**, "Debating Mental Health Laws – From Coercion to Choice" Keynote Presentation in S Robertson et al, presented at Forging the Future, Contemporary TheMHS in Mental Health Services, Melbourne, Conference Proceedings 2013, TheMHSConference, Melbourne, Victoria [accessible via http://www.themhs.org/data/2013/TheMHS_Conf_2013_KeynoteSpeakers.pdf (accessed 23 February 2018)]

Bernadette McSherry, "We all Need Somebody to Lean On": Supported Decision-Making, Law Reform and Mental Health Care" presented at Advance Care Planning and End of Life Care Conference 2013 – putting words into action, Melbourne, Australia, 11 May 2013.

[Invited Keynote Speaker] **Bernadette McSherry**, "Laws Relating to Seclusion and Restraint: International Trends" 8th National Seclusion and Restraint Forum: New beginnings embedding cultural change, Queensland Government, Cairns, 29-30 October 2012.

[Invited Keynote Speaker] **Bernadette McSherry**, "Assessing capacity: Functional? Physical? Clinical? Contractual? Which is the term we need?" presented at 2nd World Congress on Adult Guardianship, Guardianship and the United Nations Disabilities Convention: Australian and International Perspectives, Australian Guardianship and Administration Council, Melbourne, 15-16 October 2012.

[Invited Keynote Speaker] **Bernadette McSherry**, "Can I tell you a secret? The law and ethics of confidentiality in mental health nursing" to be presented at 13th Victorian Collaborative Psychiatric Nursing Conference. Melbourne, Australia, 9-10 August 2012.

[Invited Keynote Speaker] **Bernadette McSherry**, "International Trends in Mental Health Laws" presented at Mental Health Reform: New Perspectives and Challenges, The Centre for Disability, Law and Policy at the School of Law NUI Galway and Amnesty International, Ireland, 23 June 2012.
<<http://conference.ie/Conferences/index.asp?Conference=173>> (accessed 23 February 2018).

[Invited Keynote Speaker] **Bernadette McSherry**, "Everything Old is New Again: Laws of Preventive Detention for 'Risky' Individuals" presented at Third Annual Forensic Disabilities Conference, New Paradigms, Old Challenges, Australian Community Support Organisation (ACSO), Melbourne, 11-12 October 2011.

[Invited Keynote Speaker] **Bernadette McSherry**, "Reforming Mental Health Laws: Guidance from the United Nations?" Leadership Matters: Forum for Senior Mental Health Leaders, Queensland Health, Brisbane, 17 November 2011.

Bernadette McSherry, "Pre-charge Detention of Suspected Terrorists: Key Issues" presented at Australian and New Zealand Society of Criminology, 23rd Annual Conference: Cross-border and Transnational Crime: Risks and Responses, Alice Springs, 27-30 September 2010.

Bernadette McSherry, "Perceptions of the Effectiveness of Preventive Detention Regimes in Reducing Risk" presented at Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL), 2010 Congress: Prediction - The Holy Grail, Gold Coast, 26-29 August 2010.

Bernadette McSherry, "Evidence of Risk for the Preventive Detention of Sex Offenders: The Judiciary Strikes Back" presented at International Association of Forensic Mental Health Services, 10th Annual Conference: Mental Health and Forensic Practice Across the Lifespan: Prevention and Promotion, Vancouver, 25-27 May 2010.

[Invited Keynote Speaker] **Bernadette McSherry**, "Risk Assessment for the Courts: Finding the Middle Ground" presented at Risk Management Authority, Working in Partnership: Principles and values in multi-agency Risk Management, Scotland, 12 May 2010.

Bernadette McSherry, "Protecting the Interests of Carers and Family Members through Mental Health Legislation: Recent Trends" Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL), 29th Annual Congress: Families in Law: Investigation, Intervention and Protection, Fremantle, Western Australia, 26-29 November 2009.

Bernadette McSherry, "Preventive Detention of Sex Offenders: Themes from the Case Law" Australian & New Zealand Society of Criminology (ANZSOC), 22nd Annual Conference: Crime and Justice Challenges in the 21st Century: Victims, Offenders and Communities, Perth, 22-25 November 2009.

[Invited Keynote Speaker] **Bernadette McSherry**, "Managing Fear: Preventive Detention and the Role of Mental Health Professionals" presented at International Association of Forensic Mental Health Services, 9th Annual Conference, Facing the Future: Forensic Mental Health Services in Change, Scotland, 26 June 2009.

Bernadette McSherry, "Agents of State Control: The Ethics of Risk Assessment Testimony for Preventive Detention Schemes" Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL) Autumn Symposium: Control and the Professionals, Yarra Valley, VIC, 16-17 May 2009.

Bernadette McSherry, "Rethinking Mental Health Laws: International Trends" Greek/Australian International Legal and Medical Conference, 12th Annual Conference: Our Challenged World: How can Law and Medicine Respond? Greece, 4 June 2009.

Bernadette McSherry, "The Precautionary Principle: Why Security Always Trumps Individual Rights" Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL) 28th Annual Congress: Risks vs Rights Sydney, 24 October 2008.

Bernadette McSherry, "Hospital Orders For Mentally Ill Offenders In Australia: An Appropriate Diversionary Option?" International Association of Forensic Mental Health Services - 8th Annual Conference: The Interface between Forensic and General Mental Health Services Vienna, Austria, 16 July 2008.

Bernadette McSherry, "From Prediction to Precaution: Criminalisation in a Time of Uncertainty" The Australian Society of Legal Philosophy - Annual Conference, University of Melbourne Law School, 14 June 2008.

[Invited Plenary Speaker] **Bernadette McSherry**, "From Prediction to Precaution: The Politics of Uncertainty and the Role of Mental Health Professionals Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL), Victorian Branch, 10 May 2008.

[Invited Keynote Speaker] **Bernadette McSherry**, "Rethinking Mental Health Laws" Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL), South Australian Branch, Clare Country Club, 19 April 2008.

[Invited Keynote Speaker] **Bernadette McSherry**, "Drug-Associated Psychoses and Criminal Responsibility" Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL), South Australian Branch, Clare Country Club, 18 April 2008.

[Invited Keynote Speaker] **Bernadette McSherry**, "Expanding the Boundaries of Inchoate Crimes: The Growing Reliance on Preparatory Offences" Regulating Deviance Workshop Oñati, Spain, 14 June 2007.

[Invited Plenary Speaker] **Bernadette McSherry**, "Mental Health and Human Rights: Developing a Right to Enjoy the Highest Attainable Standard of Mental Health" Public Health and Human Rights Conference, Prato, Italy, 9 June 2007.

[Invited Plenary Speaker] **Bernadette McSherry**, "Providing Mental Health Services and Psychiatric Care to Immigration Detainees: What the Law Requires" presented at Monash University, Seeking Asylum in Australia: 1995-2005, Monash Caulfield Campus, Melbourne, 27 November 2005.

[Inaugural Lecture] **Bernadette McSherry**, "Sex, Drugs and Evil Souls: Is Preventive Detention Justifiable?" Louis Waller Chair, Melbourne 18 August 2005.

[Invited Plenary Speaker] **Bernadette McSherry**, "The Investigation, Detention and Prosecution of Suspected Terrorists: Goodbye to the Right to Liberty?" Australian and New Zealand Association of Psychiatry, Psychology and Law , Victorian Branch, Queenscliff, 27 August 2005.

[Invited Plenary Speaker] **Bernadette McSherry**, "Terrorism Related Offences in Australia: Their Use and Implications for Australian Domestic Law" presented at Australian and New Zealand College of Forensic Psychiatry Conference, Gold Coast, 13 August 2005.

Bernadette McSherry, "Mental Health and Human Rights: The Australian Experience" International Academy of Law and Mental Health, Paris, 5 July 2005.

Bernadette McSherry, "Preventive Detention: The High Court Opens the Door" International Association of Forensic Mental Health, Melbourne, 20 April 2005.

[Plenary Address] **Bernadette McSherry**, "Indefinite and Preventive Detention Legislation: The High Court's Cautious Approach" presented at 24th Annual Congress, Australian and New Zealand Association of Psychiatry, Psychology and Law , Port Douglas, 17 July 2004.

Bernadette McSherry, "Electronic Mental Health Records: Ethical, Legal and Administrative Issues Concerning Consent to Disclosure" presented at 4th Annual International Association of Forensic Mental Health Services Conference, Stockholm, 7 June 2004.

Bernadette McSherry, "Ethical Issues in the HealthConnect System" presented at Presentation, Symposium on Shared Electronic Health Records, Deakin University, Toorak Campus, 23 April 2004.

[Invited Plenary Paper] **Bernadette McSherry**, "Getting Away with Murder? Involuntary Conduct and Loss of Self-Control as 'Special' Defences to Murder" presented at Annual Conference of The Royal Australian and New Zealand College of Psychiatrists, Section of Forensic Psychiatry, Geelong, 8 November, 2003.

Editorships

2017-	Associate Editor, <i>International Journal of Psychiatry, Psychology and Law</i>
2019-	Editor, Mental Health Law Issues Column, <i>Journal of Law and Medicine</i>
2011-2013	Member, Editorial Board, <i>Journal of Commonwealth Criminal Law</i>
1996-2019	Co-editor, Legal Issues Column, <i>Journal of Law and Medicine</i>
1996-	Member of Editorial Committee, <i>Psychiatry, Psychology and Law : An Interdisciplinary Journal</i>
1999	Guest Editor with Jan Duke, November edition, <i>Journal of Law and Medicine</i>
1997-1998	Series Editor, <i>Topics for Attention Issues Papers</i> , Australian Institute of Health, Law and Ethics.
1993-1995	Legal Developments Editor, <i>Journal of Law and Medicine</i>

GRANTS

- 2021** Funding from the Essential Services Commissioner for *Sensitive and Appropriate Engagement with Consumers Experiencing Vulnerability: Guidance and Principles for Action* with Yvette Maker and Nina Hudson
<https://www.esc.vic.gov.au/sites/default/files/documents/C%2021%202937%20%20MSEI%20Engagement%20report%20-%20FINAL%20January-2021%282%29.pdf>
- 2020** Funding from the Essential Services Commissioner for *Enhancing Access and Support for Water Customers with Cognitive Disabilities: A Guide for Water Services* with Yvette Maker, Alex Callahan, Jeannie marie Paterson, Lisa Brophy and Anna Arstein-Kerslake.
https://socialequity.unimelb.edu.au/_data/assets/pdf_file/0010/3420982/Guide-for-Water-Businesses-PDF-version.pdf
- 2019** United Nations Special Rapporteur on the Rights of Persons with Disabilities (\$25,000) Alternatives to Coercion in Mental Health Services, with Dr Piers Gooding, Cath Roper and Flick Grey.
- 2018** Funding from Telstra, City West Water, South East Water, Yarra Valley Water, Origin Energy, AGL, Energy Australia (\$68,568) Thriving Communities: Supported Decision Making in Consumer Transactions for People with Cognitive Disabilities, with Lisa Brophy, Jeannie Paterson, Anna Arstein-Kerslake and Yvette Maker
https://socialequity.unimelb.edu.au/_data/assets/pdf_file/0007/3041665/Improving-Access-and-Support-Guide-for-Retailers-PDF.pdf
- 2018** Australian Communications Consumer Action Network Ltd, (\$69,427) Thanks a bundle: Making telecommunications services more accessible for people with decision-making impairments, with Lisa Brophy, Anna Arstein-Kerslake, Jeannie Paterson, Yvette Maker
- 2018-2019** Volkswagen Foundation, (\$1.4 million) Sexual and gender-based violence: refugee experiences from Displacement to Arrival, with Jenny Phillimore, (University of Birmingham) Hannah Bradby (Uppsala University), Saime Ozcurumez (Bilkent University), Bernadette McSherry, Cathy Vaughan, Karen Block (UoM)
- 2016-2017** Research Disability Working Group, Department of Social Services, (\$514,936) Unfitness to plead and indefinite detention of persons with cognitive impairments, with Anna Arstein-Kerslake, Kerry Arabena, Eileen Baldry, Ruth McCausland, Piers Gooding
- 2016-2020** ARC Discovery Grant, (\$367,866) Regulating the Use of Restraint on Persons with Disabilities: Model Laws and Guidelines, with Partner Investigators, Prof Peter Bartlett, University of Nottingham and Professor Lisa Waddington, University of Maastricht, Netherlands.
- 2013-2014** National Mental Health Commission, (\$558,747) Seclusion and Restraint Project, [Lead CI, with Janet Clinton, Stuart Kinner, Lisa Brophy, Bridget Hamilton, Cath Roper, Carol Harvey, Juan Tellez, Kay Wilson, Annegret Kaempf, Dee Al-Nawab and Piers Gooding].
- 2013-2017** ARC Linkage Grant (\$471,295) Supported Decision Making for People with Severe Mental Health Problems, with Associate Professor Renata Kokanović, Professor Helen Hermann and Dr Lisa Brophy
- 2007-2012** ARC Federation Fellowship (\$2.5 million) Rethinking Mental Health Laws: An Integrated Approach

-
- 2008-2010** ARC Discovery Grant (\$279K) Preventive Detention of High Risk Offenders: The Search for Effective and Legitimate Parameters, with Professor Patrick Keyzer; Professor Sam Blay; Professor John Petrila and Dr Raj Darjee
- 2006-2008** ARC Linkage Grant (\$144K) Australia's Response to Trafficking in Women: Towards A Model for the Regulation of Forced Migration in the Asia-Pacific Region [With Julie Debeljak and Susan Kneebone]
- 2006-2008** ARC Discovery Grant (\$222K) Confidentiality in Therapeutic Relationships: Developing Guidelines for Mental Health Professionals, with James Ogloff, John Crichton, Thomas Hadjistavropoulos, Lindsay Thomson
- 2006** Criminology Research Council (\$64K) Preventive Detention for 'Dangerous' Offenders in Australia: A Critical Analysis and Proposals for Policy Development with Arie Freiberg and Patrick Keyzer
- 2005** Council of Australasian Tribunals (COAT) (\$50K) Tribunal Members' Manual with Pam O'Connor, Peter Sallman, Ian Freckelton and Bill Potter
- 2005** Monash University Small Grant (\$2K) Mental Health Law and Human Rights.
- 2002-2004** Australian Research Council Large Grant (\$79K) Electronic Health Records: Achieving an Effective and Ethical Legal and Recordkeeping Framework with Dr Danuta Mendelson, Livia Iacovino and Moira Paterson
- 2002** Monash University Small Grant (\$6K) Disclosure of Confidential Psychiatric Information: Legal and Ethical Issues.
Strategic Monash University Research Fund (\$4K) The Role of the International Criminal Court in Combatting Terrorism.
- 2002-2003** Criminology Research Council Grant (\$46K) Risk Assessment by Mental Health Professionals and the Prevention of Future Violent Behaviour, with Professor Paul Mullen
- 2001** Monash University Small Grant (\$10K) Criminal Responsibility and Impaired Consciousness: Legal versus Psychological Concepts.
- 2000** ARC Small Grant (\$5K) Research on Confidentiality of Psychiatric and Psychological Communications, Dangeousness and the Duty to Warn.
- 1998** ARC Large Grant Incentive Scheme (\$2K).
Law Book Company Research Grant (\$3K).
NAB Banking Law Centre Grant and Law Faculty Funding for Computer Based Assessment of Criminal Procedure (\$12K).
Affirmative Action Co-ordinating Committee Grant and Law Faculty Funding for Questionnaire of Female Staff (\$4K).
- 1996** Monash University Research Travel Fund Grant to attend the International Academy of Law and Mental Health Congress in Montreal (\$2K).
Affirmative Action Co-ordinating Committee Grant and Law Faculty Funding for Three Seminars for Female Staff (\$4K).
- 1994** Monash University Research Travel Fund Grant to attend the International Academy of Law and Mental Health Congress in Montreal (\$2K).
- 1993** Osgoode Hall Competition Fellowship (\$5K).

PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

Government Appointments

Commissioner, Victorian Royal Commission into Mental Health, 2019-2021

The Royal Commission into Mental Health has been established by the Victorian Government to provide a comprehensive set of recommendations on how to best reform the state's mental health system and support Victorians with mental illness, including those at risk of suicide.

Commissioner, Victorian Law Reform Commission, 2018-

The Commission is an independent, government-funded organisation that develops, reviews and recommends reform of Victoria's state laws.

Legal Member, Mental Health Tribunal / Mental Health Review Board, Victoria 2001-July 2018.

The Tribunal (Board pre-2014) hears appeals and reviews the detention of those with mental disorders who have been involuntarily committed or who are security patients.

Member, Expert Review Panel, Sex Offender Supervision and Detention Legislation, (Harper Review) 2016.

Legal Member, Psychosurgery Review Board, Victoria 2005-2010.

The Board oversees decisions to conduct psychosurgery on those who have been involuntarily committed.

Member, Criminal Law Justice Statement Advisory Group 2005-2007.

The Group was chaired by the Victorian Department of Justice and comprises representatives from the Courts, Victoria Police, the Director of Public Prosecutions, Victoria Legal Aid, the Criminal Bar Association, the Bar Council, the Law Institute of Victoria, Chief Parliamentary Counsel and the Department of Premier and Cabinet. It is currently advising the Attorney-General as to a review of the Crimes Act 1958 (Vic). I am the only academic representative.

Member, Expert Advisory Panel, Victorian Government Courts and Programs Development Unit 2005-2007.

The Panel consisted of ten members who provide advice on government programs such as family violence initiatives, sexual assault reform and Koori courts.

Member, Consultative Committee for the Victorian Law Reform Commission's Review of Guardianship Legislation.

External Memberships

Member, World Psychiatric Association Taskforce and the Working Group for the WPA/Royal Australian and New Zealand College of Psychiatry (RANZCP) Joint Project on Minimising Coercion in Mental Health Care, 2019-2020.

Immediate Past President, Australian and New Zealand Association of Psychiatry, Psychology and Law 2018-

President, Australian and New Zealand Association of Psychiatry, Psychology and Law November 2015-November 2018.

Member, Mental Health Law and Policy Institute, Simon Fraser University, Vancouver, Canada 2012-.

Member, Australian Research Council, Future Fellowships Selection Committee 2010.

Member, Australian Research Council, Humanities and Creative Arts Research Evaluation Panel for the Trial Process of Excellence in Research Australia project, 2009.

Member, Victorian Law Reform Commission Guardianship Review Committee, 2009-2011.

Member, Australian Research Council Federation Fellowship Selection Panel, 2008.

President, Australian and New Zealand Association of Psychiatry, Psychology and Law (Vic), 1997 - 1999.
Immediate Past President, 2000-2002.

Member, Southern Health Care Network Bioethics Working Party, 1998-2001

Member, International Scientific Committee, XXIVth, XXVth, XXVIIIth International Congresses of Law and Mental Health, 1999, 2000, 2003.

Member, New York Academy of Sciences, 1999-

Member, Australian Institute of Criminology 1996-

Producer and Co-presenter, Talking Law, one hour weekly radio programme, Radio 3RPH, 1999.

Committee Member, Australian Institute of Health, Law and Ethics, 1996-1998

Member, Australian Focus Group on Epilepsy and Law, 1998, 2000.

Committee Member, the Australian and New Zealand Association of Psychiatry, Psychology and the Law, 1992-1996, 2003.

Committee Member, Working Group on Mental Health Policy, National Centre for Socio-Legal Studies, La Trobe University, 1992-1994.

Producer and co-presenter of "A Look at the Arts", one hour weekly radio programme, Radio 3RPH, 1991-1994, 2001.

Interviewer for the Australasian Law Students' Association (Inc) Summer Clerkship Exchange Programme, 1992.

Co-convenor, Medicine and the Law Interest Group, Monash University, 1991.

Advisory Board Member, International Organisation of Mental Health Tribunals (IOMHT), October 2009.

Advice and Consultancies

Expert Opinions for the Coroners Court of Victoria, Medical Investigations into the deaths of ML and AD 2021.

Written submission with Dr Yvette Maker and Dr Piers Gooding, *Response to the Disability Royal Commission Issues Paper on Restrictive Practices*, October 2020.

Written submission with Dr Jessica Heerde to the Inquiry into Homelessness in Victoria, Legal and Social Issues Committee (Legislative Council), Parliament of Victoria, 5 December 2019.

Written submission with Dr Yvette Maker to the Royal Commission into Aged Care Quality and Safety on Regulating the Use of Restraint in Aged Care Services, 22 August 2019.

Expert Opinion on a Matter Involving Electroconvulsive Therapy for the Northern Territory Health and Community Services Complaints Commissioner 2018. This Opinion was favoured over that of two independent psychiatrists, leading to The Northern Territory Minister for Health instituting law reform endeavours: *Hansard* (pp 124 onwards) <http://www.territorystories.nt.gov.au/jspui/retrieve/28387b2b-5e4c-4e31-985b-adcf5eb7e30c> Report of the Northern Territory HCSCC available at: https://www.hcsc.nt.gov.au/wp-content/uploads/2019/08/FINAL-INVESTIGATION-REPORT-DE-IDENTIFIED-2018-00066-67_13B49.pdf

Written submission with Dr Yvette Maker, Professor Jeannie Patterson, Dr Anna Arstein-Kerslake and Professor Lisa Brophy to the Royal Commission into Aged Care Quality and Safety, 5 June 2019.

Written submission with Dr Yvette Maker to the Aged Care Quality Agency Online Public Consultation, May 2018.

Written submission to the Commonwealth Department of Health, *Fifth National Mental Health Plan, Draft for Consultation* December 2016.

Appointed by the Minister for Corrections, The Hon Wade Noonan to a three person Expert Review Panel, Review of the Continuing Detention and Supervision Scheme for Adult Sex Offenders, Department of Justice, June-October 2015 [\$63K].

Written submission to the Northern Ireland Assembly on the Mental Capacity Bill 7th July 2015.

Written submission with Anna Arstein-Kerslake and Eileen Baldry to the Social Services Legislation Amendment Bill 2015 inquiry, Australian Senate, 15 May 2015.

Review of Draft Mental Health Bill, Victorian Department of Health: Legislation Expert Panel, September 2013 [\$19K].

Report on Australia's international human rights obligations in the mental health field, NSW Mental Health Commission, October 2013 [\$8K].

Expert consultation regarding Department of Health guidelines on the use of restrictive interventions, Australian Catholic University, May 2014 [[\$2K].

Young People and Mental Health Law: A Research Report for the Commissioner for Children and Young People (WA) (with Dr Penelope Weller and Kay Wilson), 2012 [\$10K].

Review of Draft Report on Mental Health Laws for Amnesty International Ireland (with Dr Annegret Kämpf), 2012 [\$2K].

Review of the National Statement of Mental Health Rights and Responsibilities for the Victorian Department of Health (with Dr Penelope Weller and Annegret Kämpf) 2011 [\$47K].

Invited by the Mental Health Commission, Western Australia to present / recommend options for reform of their mental health legislation, September 2010.

Quality review of the Tasmanian Mental Health Bill 2009 (with Dr Penelope Weller and Julian Gardner), December 2009 [\$28K].

Submission to the National Justice CEOs Group entitled "Diversion and Support for People with Mental Illness" (with Prasanna Venkataraman), August 2009.

Submission to the Community Consultation Panel on the Review of the Mental Health Act 1986 (Vic), February 2009, available at <http://www.health.vic.gov.au/mentalhealth/mhactreview/submissions/sub90.pdf> (with follow-up consultation meeting with Julian Gardner and Emma Montgomery), March 2009.

Consultant to the Sentencing Advisory Council on Preventive Detention for High-Risk Offenders 2006-2007.

Peer reviewer for Fafo's (a Norwegian independent research foundation) research survey on Australian laws dealing with the issue of private sector liability for grave breaches of international law. The survey was conducted as part of the project "Commerce, Crime and Conflict: Identifying Civil and Criminal Law Norms Governing Economic Activity in Zones of Conflict", July 2006.

Classified as an "Expert Assessor of International Standing" in the Australian Research Council's Assessment Process. Assessed ARC applications 2003, 2005 and 2006 and as an OzReader, 2009, 2010.

Member of the Peer Review Group, School of Law, University of Limerick, Ireland, May 2004.

Member of the Victorian Law Reform Commission Defences to Homicide Advisory Committee (2003-2004).

Written submission to the Health Department on Section 93(1)(d) and (e) of the Sentencing Act 1991 (Vic) and Parts 3-4 of the Mental Health Act 1986 (Vic), February 2004.

Consultant to the Victorian Law Reform Commission on Defences to Homicide (2002).

Consultant to the Mental Health Legal Centre on Mental Illness and the Criminal Justice System: Your Rights (July, 2002).

Member of the Advisory Committee on Sexual Offences to the Victorian Law Reform Commission (2001).

Written and oral submission to the Victorian Law Reform Committee on Criminal Liability for Self-Induced Intoxication (1999).

Written submission to the Senate Affairs References Committee, Report on Access to Medical Records June 1997.

Written submission with Joanna Kyriakakis on behalf of the Castan Centre to the Senate Legal and Constitutional Legislation Committee regarding the Inquiry into the Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004, February 2005.

Member of the Peer Review Group, School of Philosophy and Bioethics, Monash University, October 2006.

Assessor for the Mock RQF, James Cook University, April 2007.