



Short Course

Forensic Geriatric Medicine Short Course

Course Convenors



Professor Joseph Ibrahim
Head, Health Law and Ageing Research Unit,
Victorian Institute of Forensic Medicine



Professor David Ranson
Head, Forensic Services Division,
Victorian Institute of Forensic Medicine



Dr Kerrie Shiel
Senior Clinical Neuropsychologist
Ballarat Health Services

Friday 8th - Saturday 9th November 2019

Course Description

This course is designed for medical specialists in all fields who work with older people as well as senior managers, medical administrators and academics. The workshop will address how to take a structured approach to examining medico-legal and forensic medical issues relevant to older people.

Medical practitioners need a better understanding of the law, regulation and social expectations in managing their older patients. The Australian Law Reform Commission into elder abuse has highlighted the nature and extent of physical, sexual, psychological, emotional and financial abuse in the community. The Royal Commission into the Quality and Safety of Aged Care has highlighted substandard clinical care, and egregious harm to older persons receiving residential and home base care.

Respecting the rights and choices of older people, especially those with cognitive impairment and vulnerabilities requires more than continuing a longstanding clinical approach of paternalism. It is important for medical practitioners to understand the boundaries between their duty of care and supporting older people to make their own choices.

These challenges posed by our growing population aged population include the appropriate and timely engagement of forensic medical investigative services. Current issues include the medical investigation of physical abuse and sexual offences in older people injuries, evaluation of health care delivery, as well as mental state, cognitive capacity and assessment of their capacity to engage in activities that may generate a risk of harm to others.

Course Facilitators

Prof Joseph E Ibrahim, Prof David Ranson and Dr Kerrie Shiel

Prior Learning

It is preferable for those wishing to participate in this course to have a graduate qualification in health care or law.

Cost

Registration fees are \$1980 inclusive of GST. This includes course manual, morning and afternoon tea, lunch, and certificate of completion.

Terms and Conditions

Refunds will not be given if cancellations are advised less than seven days prior to the event. Please note, a colleague is always welcome to attend in your place. Refund requests need to be received in writing to short.courses@vifm.org

The program is accurate at time of publication, it may be subject to change, if there is substantial changes the participants will be notified.

Location

The course will be delivered at the Victorian Institute of Forensic Medicine in Melbourne

65 Kavanagh Street,
Southbank VIC 3006.

There is no on-site parking available. Please visit our website to find nearby parking and accommodation:

<https://www.vifm.org/contact>

How to Register

To register your interest, or request more information, please visit:

<https://shop.monash.edu/forensic-geriatric-medicine-short-course.html>

PROGRAM SUMMARY

Day One - Friday 8th November

08:45 - 09:30	Registration	
09:30 - 10:00	Introduction to Forensic Geriatric Medicine	Prof Joseph Ibrahim Prof David Ranson
10:00 - 10:45	Elder Rights	Cate Banks
10.45 - 11:15	MORNING TEA	
11:15 - 12:00	Guardianship Challenges in Respecting Rights, Choices	Phil Grano
12:00 - 12:45	Role of VCAT	Rodney Page
12:45 - 13:30	LUNCH	
13:30 - 14:15	Traffic Medicine and Fitness to Drive in Older People and Those with Dementia	Dr Sanjeev Gaya
14:15 - 15:00	Dental Care and Choking in Older People	A/Prof Richard Bassed
15:00 - 15:20	AFTERNOON TEA	
15:20 - 16:05	Financial Abuse and State Trustees	Luke Wright
16:05 - 16:50	Hoarding	Dr Sook Meng Lee
16:50 - 17:35	Criminal Forensic Aspects of Old Age	Dr Danny Sullivan
17:35 - 18:15	Questions and Open Discussion	Prof David Ranson Prof Joseph Ibrahim Dr Kerrie Shiell



Day Two - Saturday 9th November

09:00 - 09:45	Expert Evidence	Prof David Ranson
09:45 - 10:30	Consent, Courts and Tribunals	Dr Jo-Anne Mazzeo
10:30 - 11:00	MORNING TEA	
11:00 - 11:30	Clinical forensic medicine in older aged persons	A/Prof David Wells
11:30 - 12:00	Death Investigations in Older Persons	Prof Noel Woodford
12:00 - 12:30	Ageing and Death Around the World	Prof Stephen Cordner
12:30 - 13:00	Suicide and Homicide in Older People	A/Prof Lyndal Bugeja
13:00 - 13:30	LUNCH	
13:30 - 14:00	Toxicology and drugs in older people	Dr Dimitri Gerostamoulos
14:00 - 14:30	Lived Experience of a Geriatrician in Forensic Medicine	Dr Supriya Rama Krishnan
14:30 - 15:00	Dignity of Risk	Prof Joseph Ibrahim
15:00 - 15:30	Questions and Open Discussion	Prof David Ranson Prof Joseph Ibrahim Dr Kerrie Shiell
15:30 - 16:00	Tour of the VIFM and Coroners Court	Prof David Ranson

PROGRAM DETAIL

DAY-ONE: FRIDAY 8 November

08:45- 0930h Registration

0930h Introduction to Forensic Geriatric Medicine

David Ranson and Joseph E Ibrahim will describe the basis for this new speciality and will include a commentary about the current Royal Commission into Aged Care Quality and Safety. The evidence of abuse, neglect and poor clinical care presented to the Royal Commission raises questions about our medical duty of care, reporting substandard care and the legal boundaries of governance in hospitals, nursing homes and a person's private abode.

1000h Elder rights

Cate Banks from the Seniors Law team at Justice Connect will explore elder rights – and help to guide medical practitioners through the challenge of what to do when our patient wants help but is unable to give instructions. How do we manage situations where there is financial and practical co-dependence. We examine a case where an older bachelor with dementia who is able to be maintained in the community in the familiar environment of his family home, but the other sibling who lives with him (sensibly) wants to sell and downsize.

1045h Morning Tea (30 minutes)

1115h Guardianship challenges in respecting rights, choices

Phil Grano from the Office of the Public Advocate explores decision-making where a person's capacity is diminished. He will explore concepts of 'duty of care', 'necessity', 'best interests' and 'will and preferences'. He will discuss supported decision-making, decisions about pharmaceuticals for treatment and for restraint. He will address the problem when a substitute decision-maker loses capacity and what can be done.

1200h Role of VCAT

Rodney Page from Victorian Civil Administrative Tribunal will outline the role and function of the Tribunal and describe the types of appointments and order made. Describing what is required under the Guardianship and Administration Act 1996, what the Tribunal must be satisfied about before making orders of guardianship and administration and, in general terms, what VCAT take into account when considering who should be appointed. Rodney will provide an update on the legislation that change in focus from best interests to the will and preference of the person. Concluding with an overview of the Powers of Attorney legislation 2014 and the Medical Treatment Planning and Decisions Act 2016 and what those Acts say about decision making capacity.

1245h Lunch (45 minutes)

1330h Traffic Medicine and fitness to drive in older people and those with dementia

Sanjeev Gaya explores many of the issues that create consternation to medical practitioners in traffic medicine. Outlining the approach to assessing a person's fitness to drive as well as exploring what to do in people who do not yet meet criteria for dementia and have unforced visuospatial errors. How to assess whether persons with executive dysfunction and slow processing speed are fit to drive. Finally, Sanjeev will explore whether our assessments should be the same for drivers of mobility scooters and motor vehicles.

1415h Dental care and choking in older people

Richard Basset explores the clinical issues of choking and dental care. Including the role of oral health in refusal to eat or drink and how to approach persons with dementia and complex dental care needs examining challenges with access to care and consent.

Richard considers the question of "risk feeding" and negligence. That is, dying from chocolate cake: declining texture modified diets and the risk of choking in persons with swallowing disorders.

1500h Afternoon Tea (20 min)

1520h Financial abuse and State Trustees Luke Wright (State Trustees)

Will explore the maze of financial issues for older people including financial abuse. Describing the role and functions of State Trustees – including its changes in response to the Victorian Ombudsman's report and changes required to comply with new guardianship legislation. Luke will address how State Trustees respond to the needs of their clients and the boundaries to its powers. Luke will also describe the types of financial abuse cases encountered and profiles of perpetrators and victims.

1605h Hoarding

Sook Meng Lee reviews hoarding examining the contemporary definition of this condition and approaches to management. The legal aspects pertaining to balancing the rights of the patient with those of their neighbours. Specifically, how and when to report that the fuel load from hoarding place emergency services and others at risk.

1650h Criminal forensic aspects of old age

Danny Sullivan from Forensicare explores criminal forensic aspects of old age – the challenges of assessment, management and potential for rehabilitation and reintegration into the broader aged care system.

1735h Questions and Open Discussion

David Ranson, Joseph Ibrahim and Kerrie Shieff

1815h Close Day One

PROGRAM DETAIL

DAY-TWO: SATURDAY 9 November

0900h Expert evidence

David Ranson will explore the techniques of how to give evidence in court or a tribunal setting, the approaches to remaining calm and collected when your opinion and assessments are challenged.

0945h Consent, courts and tribunals

Jo-Anne Mazzeo will explore the nature of consent – including whether “enduring advanced consent” to treatment will be recognised and become routine. As well as this Jo-Anne will explain the roles, responsibilities and the different types of matters that confront our different courts and tribunals.

1030h Morning Tea (30 minutes)

1100h Clinical forensic medicine in older aged persons

David Wells reflects on several decades of experience in clinical forensic medicine and will discuss the approach to assessing the elderly across a range of forensic parameters; unexplained injuries, fitness for interview and custody, sexual abuse and interactions in a court room.

1130h Death investigations in older persons

Noel Woodford describes the genesis of the modern forensic investigation into medical treatment related and injury related deaths in Victoria, Australia. The benefits and limitations of a modern forensic investigation are explored. The challenges facing forensic services with identifying preventable harm, abuse and neglect in an ageing population and how to improve appropriateness of cases proceeding to investigation.

1200h Ageing and death around the world

Stephen Cordner reflects on ageing, death and forensic medicine around the world in developed and developing countries. Drawing on extensive personal experiences in a range of countries including Indonesia, Sri Lanka, Botswana, Uganda, Namibia, Palestine and Afghanistan. This presentation explores how culture and values impact on care of older persons facing forensic medicine issues.

Exploring the nature of forensic geriatric dilemmas in high income countries and globally. Including the need for tailoring decisions to differences between various cultures and legal settings

1230h Suicide and homicide in older people

Lyndal Bugeja explores the current evidence for suicide and homicide in older persons. The debates in investigating and understanding the contributing factors for prevention.

1300h Lunch (30 minutes)

1330h Toxicology and drugs in older people

Dimitri Gerostamoulos examines drug use in older people including illicit drugs, antipsychotic agents, and opioids and drugs of dependence. The science of toxicology as applied in clinical and legal settings.

1400h Lived experience of a geriatrician in forensic medicine

Supriya Rama Krishnan will describe her journey from into clinical forensic medicine. Highlighting the key lessons for her colleagues in geriatric medicine. Supriya will explore the darker side of ageing. The differences in assessing older people for health care at in their home as opposed to determining fitness for police interview in older prisoners and gathering evidence following an assault.

1430h Dignity of risk

Joseph E Ibrahim will describe an approach to applying the principles of “Dignity of Risk” into practice. This requires being client centred, mitigating risk in cognitively impaired persons, understanding the clinical trajectories of diseases, communicating with family and staff, and working with organisational and societal policies and laws. A case study of a person who dies from burns while smoking a cigarette will anchor the presentation.

1500h Questions and Open Discussion

David Ranson, Joseph Ibrahim and Kerrie Shiell

1530h Tour of VIFM and Coroners Court

David Ranson

1600h Close Day Two



COURSE CONVENORS

Professor Joseph E Ibrahim MBBS, GCHE, PhD, FAFPHM, FRACP

Joseph E Ibrahim is Head, Health Law and Ageing Research Unit, Department of Forensic Medicine, Monash University Victorian Institute of Forensic Medicine. Joseph is also an Adjunct Professor, Australian Centre for Evidence Based Aged Care, La Trobe University, Faculty of Health Sciences.

Professor David Ranson, BMedSci BM BS LLB, FRCPATH, FRCPA, FACLM, FFLM, DMJ(Path)

David Ranson leads the Forensic Services Division and as deputy director, he is responsible for the core forensic medical and scientific services at VIFM. David Ranson provides leadership to forensic pathology, clinical forensic medicine and forensic sciences, ensuring the work of the specialists in these forensic disciplines are of the highest quality and delivered efficiently and effectively. David is also an Adjunct Professor at the La Trobe Law School.

Dr Kerrie Shiell BA, Grad Dip App Psych, GCAdvCouns, D Psych (Clin Neuro)

Kerrie Shiell is a Senior Clinical Neuropsychologist at Victoria's largest regionally based health service. Dr Shiell is responsible for providing diagnostic assessment within the Cognitive Dementia and Memory Service (CDAMS) and behavioural support and diagnostic assistance on the GEM unit. She has presented extensively on issues relating to cognition, dementia, chronic disease, and quality of life in dementia care.

Speakers (in alphabetical order)

Dr Cate Banks (LLB (Hons), B. Com (Politics and Public Policy), Graduate Diploma of Legal Practice and a PhD in law).

Seniors Law Justice Connect

Beginning her career as a Registered Nurse in intensive care then as an academic in the law school at Griffith University, Brisbane, Cate now works primarily in a health justice partnership with co-health known as 'Seniors Law', which is part of the larger organisation Justice Connect. Cate is a very experienced conflict resolution professional and holds numerous qualifications in mediation, facilitation and conciliation.

Cate is a Nationally Accredited Mediator (AG's Dept) with LEADR, DRB (JAG) and Commonwealth Ombudsman. Cate is well known for her holistic and compassionate service to older people and is particularly interested in building the capacity of professionals for early prevention of elder abuse to empower older people to traverse the complex personal situations they may be facing

A/Prof Richard Bassed, BDS, PhD, DipForOdont, RCPA(FFOMP), Deputy Director Head, Academic Programs, Victorian Institute of Forensic Medicine

A/Prof Richard Bassed is the Deputy Director and Head of Academic Programs, as well as Senior Forensic Odontologist and the previous coordinator of Identification Services, at the Victorian Institute of Forensic Medicine. A/Prof Bassed is also Head of the Department of Forensic Medicine at Monash University. Qualifications include a Bachelors degree in Dental Surgery from the University of Sydney, a Graduate Diploma in Forensic Odontology from the University of Melbourne and a PhD from the department of Forensic Medicine, Monash University. Dr Bassed is a Fellow of the Faculty of Oral and Maxillofacial Pathology within the RCPA, and is the course coordinator for the Monash University Masters of Forensic Medicine.

A/Prof Lyndal Bugeja, BA (Hons), PhD, Research Lead, Violence Investigation, Training and Research Unit, Department of Forensic Medicine

Associate Professor Lyndal Bugeja has a joint appointment as an Associate Professor at Monash Nursing and Midwifery and the Department of Forensic Medicine. She has qualifications in criminology and a research doctorate in public health. Her experience in the conduct of medico-legal death investigations and the utility of information generated for these investigations has been applied to the prevention of injury and violence and contributed to the development of a number of mortality surveillance systems. Dr Bugeja has designed and led a number of collaborative research studies that have culminated in the development of evidence-based recommendations to mitigate the risk of injury and violence. Her research has contributed to legislative and policy changes that subsequently reduced fatal injury.

Professor Stephen Cordner, AM MA MBBS BMedSci Dip Crim DMJ(Path) FRCPATH, Professor of Forensic Pathology, Head, International Programs, Victorian Institute of Forensic Medicine

Prof Stephen Cordner has a particular expertise in mass casualty management, disaster victim identification and international forensic medical capacity development. He is particularly committed to teaching and has undertaken or organised specialist forensic medical training in Indonesia, Sri Lanka, Botswana, Uganda, Namibia, Palestine and Afghanistan. Prof Cordner is also a member of the Order of Australia (AM) for services to forensic medicine and pathology nationally and internationally. He has been awarded the medal of the Royal College of Pathologists of Australasia for his service in Bali following the bombings and the medal of the World Association of Societies of Pathology for his service to forensic pathology internationally.

Dr Sanjeev Gaya, MBBS DMJ(Clin) MFFLM MForensMed FFCFM(RCPA), Senior Forensic Physician, Victorian Institute of Forensic Medicine

Dr Sanjeev Gaya is a senior forensic physician at the Victorian Institute of Forensic Medicine in Southbank, Melbourne. He is also an adjunct senior lecturer in the Department of Forensic Medicine at Monash University Victorian Institute of Forensic Medicine. Dr Gaya spent 10 years delivering clinical forensic services to the Metropolitan Police Service in London, United Kingdom, where his activities covered the full span of clinical forensic medicine and the delivery of medical education to healthcare professionals. He is a Foundation Member of the Faculty of Forensic and Legal Medicine of the Royal College of Physicians of London. He delivers clinical forensic services to the state of Victoria, Australia and has particular expertise in forensic toxicology.

Dr Dimitri Gerostamoulos, PhD (Med), BSc(Hons), Head of Forensic Sciences, Chief Toxicologist, Victorian Institute of Forensic Medicine

Dr Dimitri Gerostamoulos is a Toxicologist and Pharmacologist. Dimitri is an approved analyst in the Road Safety Act of Victoria and is a member of The International Association of Forensic Toxicologists (TIAFT). He is also a member the Society of Forensic Toxicologists (SOFT), Society of Hair Testing (SOHT) and the Forensic and Clinical Toxicology Association of Australasia (FACTA Inc). Dr Gerostamoulos has given evidence in more than 130 judicial cases in the field of forensic toxicology and pharmacology and has provided opinions on a number of other cases around Australia in relation to the pharmacology of drugs, effects of drugs in drivers, and analytical and toxicological issues in relation to drugs in hair, blood, urine and other matrices.

**Philip Grano, OAM, Legal Officer
Office of the Public Advocate**

Mr Philip Grano was admitted to practice as a solicitor and has been a member of the Law Institute of Victoria since 1981. Currently employed as the Legal Officer in the Office of the Public Advocate. Mr Grano is a well recognised and valued member of the Law Institute of Victoria's Administrative Law and Human Rights and Elder Law Sections. He is committed to the work of the Law Institute of Victoria, particularly in relation to issues involving persons with a disability, elder abuse, access to justice and general human rights issues. In 2006, Mr Grano was awarded a certificate of service for his voluntary work and commitment to the Law Institute of Victoria Human Rights and Elder Law Section. In 2010, Grano was awarded an Order of Australia Medal in recognition of his advocacy work on behalf of the disabled and disadvantaged.

**Dr Supriya Rama Krishnan, MBBS, FRACP
Geriatrician and Clinical Forensic Medicine Registrar
Victorian Institute of Forensic Medicine**

Dr Supriya Rama Krishna is a Geriatrician with forensic work experience. Supriya is the first geriatrician to train in Clinical Forensic Medicine at the Victorian Institute of Forensic Medicine. Supriya completed her advanced training in Geriatric Medicine at the Ballarat Health Services and has worked as a medical practitioner at Monash Health. She has particular expertise in gerontology, neurodegenerative diseases and cognitive disorders and completed a Bachelor of Medicine and Surgery at Monash University.

**Dr Sook Meng Lee, MBBS FRACP, Consultant Geriatrician
Western Health**

Dr Sook Meng Lee is a consultant geriatrician in the Department of Geriatric Medicine at Western Health and the Aged Psychiatry Service at Caulfield Hospital, Alfred Health. She is also affiliated with the Ageing: Clinical team at the Australian Institute for Musculoskeletal Science and has authored publications for leading journals in Geriatric Medicine including the International Journal of Geriatric Psychiatry and the Australasian Journal on Ageing. She has particular knowledge in hoarding among older people and the role of organisations such as the Aged Care Assessment Service.

**Jo-Anne Mazzeo, BA/LLB, Senior Legal Advisor
Department of Forensic Medicine**

Ms Jo-Anne Mazzeo is a practising Lawyer with over 15 years experience, with particular experience in the following areas of law: administrative law, medical law, mental health, disability, human rights, education and local government. Mazzeo is also a Nationally accredited Mediator, has completed a Diploma of Government (investigations), a Certificate IV in Business and Management, a Certificate IV in Training and Assessment and is a sessional lecturer at Latrobe University. Jo-Anne previously worked as the Principal Legal Officer for the Disability Services Commissioner of Victoria and is also Deputy Chair of the Patient Review Panel, a legal member of the Mental Health Tribunal of Victoria, the Victorian Institute of Teaching Hearing Panel, the Councillor Conduct Panel, the HIV Advisory Panel and the Disciplinary Appeals Board of Victoria.

**Rodney Page FCA
Victorian Civil & Administrative Tribunal**

Rod is a Fellow of Chartered Accountants Australia New Zealand, and practised as a chartered accountant in public practice for over 35 years. He sold his firm two years ago. For over ten years Rod has been a sessional member of the Victorian Civil & Administrative Tribunal, sitting on the Guardianship List. In this role Rod holds public hearings, appointing guardians and administrators, revoking appointments, investigating transactions which may be characterised as Elder Financial abuse, and providing advice to administrators in understanding their role, approving sale of property and approving significant financial transactions in relation to a represented person's financial affairs.

**Dr Danny Sullivan, MBBS, MBioeth, MHlthMedLaw,
MMgmt, AFRACMA, FRCPsych, FRANZCP
Forensic Psychiatrist, Executive Director of Clinical
Services
Victorian Institute of Forensic Mental Health (Forensicare)**

Dr Danny Sullivan is a forensic psychiatrist, employed as Executive Director of Clinical Services at the Victorian Institute of Forensic Mental Health (Forensicare). He studied medicine at the University of Melbourne, and trained in psychiatry at the Maudsley Hospital in London and the Royal Melbourne Hospital. He also holds Masters degrees in medical law, bioethics, and management. Dr Sullivan is active in teaching and research, and often provides expert evidence in criminal, coronial and regulatory matters.

**A/Prof David Wells, MA MBBS DMJ GradCertHigherEd
DipRACOG FRACGP FACLM FFLM OAM
Senior Education Coordinator,
Department of Forensic Medicine
Clinical Forensic Consultant
Victorian Institute of Forensic Medicine**

A/Prof David Wells was previously head of Forensic Medicine at VIFM for almost 20 years, he is an Associate Professor in the Departments of Paediatrics and Forensic Medicine at Monash University and coordinator of the international post-graduate program in Forensic Medicine at Monash. His additional activities include an advisory role with the World Health Organisation and fieldwork with the United Nations Office on Drugs and Crime. His projects with these organisations and the Institute have been in Africa (developing forensic medical service capacity), Samoa (developing a multi-sectoral response to domestic violence), the Middle East (development of a medico-legal capacity in the Palestinian Occupied Territories) and a global project for the WHO, aimed at assisting victims of sexual violence occurring during periods of armed conflict and identifying perpetrators of those crimes.

Luke Wright (State Trustees)

Luke is a relationship manager at State Trustees and deals with cases of financial elder abuse on a daily basis. As Victoria's public trustee, State Trustees is often asked to step in after an older person has been victim of financial abuse. Luke has an undergraduate degree in behavioural science and post graduate qualifications in conflict resolution & mediation. Luke sits on a number of advisory groups which aim to prevent and promote the awareness of elder abuse.

**Professor Noel Woodford, MBBS, LLM, DMJ(Path),
FRCPA, FRCPPath, Director
Victorian Institute of Forensic Medicine**

Noel Woodford is the Director of the VIFM and holds the Chair in Forensic Medicine at Monash University. Prior to his appointment as Director in July 2014, Noel was Head of Forensic Pathology Services for 6 years. Noel has worked as a forensic pathologist at the VIFM since 2003 before which he was a consultant Home Office Pathologist and Senior Lecturer in Forensic Pathology in the Department of Forensic Pathology at Sheffield University UK. Whilst in the UK he obtained a Master of Laws in Medical Law from the University of Cardiff. His special interests include sudden unexpected natural adult death and radiological imaging as an adjunct to medico-legal death investigation.