



## Editorial change at *Psychiatry, Psychology and Law*: we stand on the shoulders of a giant

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## Editorial change at *Psychiatry, Psychology and Law*: we stand on the shoulders of a giant

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### Introduction

Since April 2020, four new editors have commenced work on *Psychiatry, Psychology and Law* for an initial period of three years. We will handle manuscripts submitted to the journal, publish accepted articles first online and then curate them into each new issue of the journal. Joining our continuing Editorial Assistant, Ms Nina Hudson, and still under the expert and experienced eye of mentor and Editor-at-Large, Professor Ian Freckelton, QC, are the following new hands: Professor Mark Nolan (Editor-in-Chief), Professor Kate Diesfeld (Associate Editor), Professor Alfred Allan (Associate Editor) and Associate Professor Christopher Ryan (Associate Editor).

As we muddle along in these early days in the job, it is not lost on any of us that we truly do stand on the shoulder of a giant, Professor Ian Freckelton, QC, who has demonstrated an enormous capacity for management, scholarship, output, delivery and innovation at the helm of this journal for 27 years, with the quality of his own scholarship and the standards of the journal impressing many for so long. As an Honorary Life Member of the Australian and New Zealand Association of Psychiatry, Psychology and Law (ANZAPPL) and a former President of ANZAPPL, Ian has, for more

than three decades, been instrumental in publishing work of ANZAPPL members and others in our professional association's publications, editing *Psychiatry, Psychology and Law* for all of its 27 years, *single-handedly*. That history and contribution are documented so well in Ian's Editorial written for issue 27(3).<sup>1</sup> The thanks we owe as an entire professional association to that effort is obvious and considerable, especially now, as we spread the volume of that effort across an editorial team of four humans – plus Nina as Editorial Assistant – not just one humans. That we four still seem to be scrambling a little sometimes, as the demand to handle manuscripts is pleasingly high, and we are able sustain six issues of the journal per year, speaks volumes (and literally 27 and a half volumes of issues published) about Ian's expertise and commitment.

Nina has been instrumental in teaching us new editorial folks, and relatively old dogs, new tricks, and we thank her for her time and patience and good humour as she organises us and supervises our editorial work at a crucial time in her own research doctorate journey and other personal commitments. With immense thanks to Nina, we can confidently say that our evolving ScholarOne knowledge (knowledge of the system that handles submitted

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<sup>1</sup>Ian Freckelton QC, 'Scholarship in *Psychiatry, Psychology and Law*, 1985–2020', *Psychiatry, Psychology and Law*, 2020, 27(3), 333–345. DOI: [10.1080/13218719.2020.1799602](https://doi.org/10.1080/13218719.2020.1799602)

manuscripts and all related decision-making correspondence) is now reaching an acceptable level. Thanks for the patience already displayed by submitting authors as we navigate the various stages of the editorial process together as new editors for the first time. Together with production staff from Taylor and Francis, we are proud to bring you this first issue of the journal under our complete control, with the wind behind us somewhat, as a new editorial team. The balance of this COVID-affected year will be a rather heady experience as we hit our stride and fill and publish the next issues, 27(5) and 27(6) as soon as possible.

### **Introducing the new team**

I will attempt to introduce myself as Editor-in-Chief and all Associate Editors on the new editorial team, and the Editorial Assistant Nina Hudson, briefly below. I will do so for each of the editors by briefly providing a biography with links to professional profiles, then by describing each of our first publications in *Psychiatry, Psychology and Law* and our other research interests. This approach enables me to highlight the complementary expertise we bring to this new editorial team. We hope that this new multi-member structure, which aims to be representative of the disciplinary and methodological skill sets possessed by members of our somewhat diverse professional organisation, will provide for disciplinary representation on the editorial team and will cultivate valuable networks and close connections to potential reviewers and authors. In our commissioning of reviewers and dealings with authors we strive to promote the importance of *Psychiatry, Psychology and Law* in the global marketplace of journals and introduce our journal to many who should know about us, if they do not already.

The collegiate structure of the editorial team will enable us to share the highly enjoyable and engaging task, as well as significant workload, and will hopefully facilitate

succession planning over time. We hope that this new approach will smooth transitions as needed between the periods of service of particular Editors-in-Chief and other Associate Editors. All of us on the new editorial team thank ANZAPPL President Associate Professor Troy McEwan, Editor-at-Large, Professor Ian Freckelton, QC, Immediate Past ANZAPPL President Professor Bernadette McSherry, and all on the Binational Executive Committee, for their faith in us and support during this initial period of transition. We all realise that we hold a precious thing, this journal and its reputation, in our hands, and we do so ever so respectfully. We promise to nurture and grow it even further as a flagship publication of ANZAPPL.

### **Introducing Professor Mark Nolan<sup>2</sup> [BSc(Hons)/LLB, MAsPacSt, PhD, SFHEA] (Editor-in-Chief)**

I studied a science/law undergraduate degree majoring in psychology and conducted Honours and PhD experiments on social psychological questions (causal explanations for social stereotyping and identity-based use of human rights arguments, respectively). I completed a Masters of Asia Pacific Studies majoring in Thai language in the margins of the day whilst a legal academic. After working as an academic at the ANU College of Law, The Australian National University (ANU) for 18 years, after much social psychology teaching during my doctoral years at ANU Research School of Psychology, since 14 April 2020, I have been working as the Director of the Centre for Law and Justice at Charles Sturt University. I now work at both the Canberra, ACT, and Bathurst, NSW, campuses of Charles Sturt (enjoying a bit of driving), managing staff who deliver an online LLB degree and Bachelors' degrees in Criminal Justice plus Policing and Public Safety, both online and on-campus. Staff are spread around NSW from Port Macquarie to Bathurst to Dubbo.

<sup>2</sup><https://bjbs.csu.edu.au/centres/law-and-justice/staff/profiles/director/mark-nolan>

My colleagues in the Canberra campus of Charles Sturt include legal academics, terrorism, emergency management, policing, and customs scholars and practitioners. I maintain an Honorary Professorship at the ANU College of Law, where I commenced a full-time academic job in 2002, teaching criminal law as well as legal psychology and military law (to Australian Defence Force Legal Officers from 2006).

I have been active in conference organisation for the National Judicial College of Australia (NJCA) since 2006 and have assisted the NJCA in designing judicial training curricula, often incorporating evidence-based approaches to law and psychology discussions. I have been active in establishing the ACT Branch of ANZAPPL as its first President, remaining on its Branch Committee, and serving some years as the Secretary of the Binational ANZAPPL Executive. I helped organise one of the ANZAPPL/RANZCP (Royal Australian & New Zealand College of Psychiatrists) Faculty of Forensic Psychiatry joint conferences in Canberra and also the joint conference of those organisations in Singapore in 2019.

My first publication in *Psychiatry, Psychology and Law* was in 2009 and was a case commentary of a notable NSW Supreme Court case where Justice Michael Adams ruled that evidence obtained by the Australian Security Intelligence Organisation (ASIO) and the Australian Federal Police (AFP) was obtained illegally and improperly. This led to the collapse of a terrorism prosecution against University of New South Wales (UNSW) student Izhar ul-Haque.<sup>3</sup> As a criminal law and psychology academic teaching terrorism cases in a *Federal Criminal Law* course as well as teaching legal psychology to law students, this case intrigued me. The commentary gave me

<sup>3</sup>Mark Nolan, 'Counter-Terrorism Interviewing and Investigative Interoperability: *R v ul-Haque* [2007] NSWSC 1251', *Psychiatry, Psychology and Law*, 2009, 16(2), 175–190. DOI: 10.1080/13218710802620455

the chance to promote the legal psychological scholarship surrounding conversation management as best practice rapport-based interviewing for suspect interviews. The publication was highlighted in an ABC TV Lateline programme focused on evidence-based counter-terrorism interviewing.<sup>4</sup>

Other research interests, as published in our journal and elsewhere, include jury research, criminal law and procedure, comparative law in Asia (especially Japan and Thailand), social identity psychology and citizenship, intergroup relations and theory and psychology of social justice and human rights law. In 2017, I co-authored a research report on memory of complainants for the Royal Commission into Institutional Responses to Child Sexual Abuse.<sup>5</sup> The first edition of a monograph I co-authored, titled *Legal Psychology in Australia* (2015)<sup>6</sup> and used in university teaching for legal, psychology and criminology courses, will in the coming year, be revised for a second edition with an expanded authorship and chapter coverage.

### **Introducing Professor Kate Diesfeld<sup>7</sup> (BA, JD) (Associate Editor)**

Professor Kate Diesfeld is a Professor of Health Law at Auckland University of Technology. Kate was employed as a staff attorney for Protection and Advocacy, Inc., in Los Angeles, representing people with developmental disabilities. She was the Legal

<sup>4</sup>ABC Lateline, 'What it's Like to Sweat Under the Interrogation Lamp' (31 March 2016) <https://www.abc.net.au/lateline/what-its-like-to-sweat-under-the-interrogation/7290550>

<sup>5</sup>Jane Goodman-Delahunty, Mark Nolan, and Evianne van Gijn Grosvenor, *Empirical Guidance on the Effects of Child Sexual Abuse on Memory and Complainants' Evidence* (2017) [https://www.childabuseroyalcommission.gov.au/sites/default/files/file-list/research\\_report\\_-\\_empirical\\_guidance\\_on\\_the\\_effects\\_of\\_child\\_sexual\\_abuse\\_on\\_memory\\_and\\_complainants\\_evidence.pdf](https://www.childabuseroyalcommission.gov.au/sites/default/files/file-list/research_report_-_empirical_guidance_on_the_effects_of_child_sexual_abuse_on_memory_and_complainants_evidence.pdf)

<sup>6</sup>Mark A. Nolan and Jane Goodman-Delahunty, *Legal Psychology in Australia* (Thomson Reuters Lawbook, Pymont, NSW, 2015).

<sup>7</sup><https://www.aut.ac.nz/profiles?id=kdiesfel&asset=264392>

Supervisor of Kent Law Clinic (Mental Health and Learning Disabilities) at the University of Kent at Canterbury in England. Also, she represented people before the Mental Health Review Tribunal in England. She was Director of the National Centre for Health Law and Ethics at Auckland University of Technology (AUT) University. At Te Piringa Faculty of Law at the University of Waikato, she was Co-editor of the *Waikato Law Review*, was Associate Dean (Research) and taught Health Law, Torts, Dispute Resolution and Legal Ethics. Kate is currently Adjunct Associate Professor at Te Piringa, and the Chair of AUT's Ethics Committee. Kate convenes the health law courses at AUT and supervises doctoral research on disability and health law.

Kate's first publication in *Psychiatry, Psychology and Law* interrogated the concept of insight (as perceived self-knowledge, or otherwise) in mental health law, and expressed frustration especially as this powerful concept is often not defined expressly in mental health legislation for use in legal decision-making.<sup>8</sup> This comparative article (with legislative and case law analysis ranging from England, to America, to Sweden, and to Australia) was provoked by Kate's experience of representing clients in the English Mental Health Tribunal. The paper tracked the use of the concept of insight in scholarly literature and in mental health case law as the oft-cited reason for not releasing clients from involuntary care. After an impressive, fine-grained legal analysis, Kate concluded that, despite the fact that the client was not released as a result of the reasoning in a Victorian case of *Re NI*,<sup>9</sup> that case provided the best operationalisation of the concept of insight as surveyed and the best approach at that time to using the concept as a criterion for release, as it:

emphasised the importance of linking the elements of insight to the criteria for discharge. If the relationship could not be persuasively established, insight was not relevant to the discharge decision.<sup>10</sup>

This decision used a multi-factorial elaboration of the insight concept, including defining insight as: understanding by a patient that they have a mental illness; appreciation by a patient that they have a particular illness, with particular symptoms; awareness by a patient of the symptoms of the illness that they have experienced or are experiencing; recognition and acceptance on the part of the patient of the need for treatment; capacity on the part of the patient to work with clinicians to address their symptoms; recognition and acceptance by a patient of the need for a particular treatment, such as pharmacological or other intervention; capacity on the part of the patient to acknowledge and identify the commencement of relapse pathology; capacity on the part of a patient to set in train practical measures to deal with relapse symptomatology.<sup>11</sup>

Kate's other research interests and publication in the journal and elsewhere range across the following interests: disability law, health law, elder law, mental health law and tribunal decision-making, online suicide, professional regulation of lawyers and others, including disciplinary cases where mental health conditions are relevant or when sexual misconduct occurs between professional and client.

### **Introducing Professor Alfred Allan<sup>12</sup> (BComm, BA/LLB, MA, PhD) (Associate Editor)**

After studying all his degrees in South Africa and practising as a lawyer, Alfred became a

<sup>8</sup>Kate Diesfeld, 'Insight: Unpacking the Concept in Mental Health Law', *Psychiatry, Psychology and Law*, 2003, 10(1), 63–70. DOI: 10.1375/pplt.2003.10.1.63

<sup>9</sup>*Re NI* [2000] *Mental Health Review Board* (Vic) (27 September 2000, Hearing No. 470287).

<sup>10</sup>Kate Diesfeld, 'Insight: Unpacking the Concept in Mental Health Law', *Psychiatry, Psychology and Law*, 2003, 10(1), 63–70, 66. DOI: 10.1375/pplt.2003.10.1.63

<sup>11</sup>*Ibid.*

<sup>12</sup><https://www.ecu.edu.au/schools/arts-and-humanities/staff/related-content/lists/psychology-and-criminology/psychology/professor-alfred-allan>

full-time academic and commenced his studies in psychology qualifying as a clinical and later forensic psychologist. He has taught law, psychology and professional ethics in Law, Medical and Psychology Schools in South Africa and Australia. He was a member of the inaugural Psychologists Board of Australia and is the chair of the Standing Committee on Ethics of the International Association for Applied Psychology (IAAP) and a Fellow of the Australian Psychological Society (APS). He has served on the boards of national professional organisations and is a past President of the Psychology and Law Division of the IAAP, and of ANZAPPL, and a past Chair of the APS College of Forensic Psychologists, the Ethics Committee of the APS, the Ethics Committee of the Psychology Association of South Africa and of the Working Group that reviewed the Australian Psychological Society's Code of Ethics. He is also on the editorial board of *Philosophy, Ethics, and Humanities in Medicine* and *Ethics and Behavior* and has served on various state government committees, such as the Dangerous Sexual Offender Review Committee. He frequently presents continuing professional development workshops and publishes widely in psychology, legal and medical journals.

Alfred's first of 15 publications in *Psychiatry, Psychology and Law* was published two decades ago and reported a survey of 79 Australian forensic psychologists (from a total population at the time of 285 forensic psychologist members of the Australian Psychology Association's College of Forensic Psychology; a survey of 28% of the group) in an attempt to profile their qualifications and the nature of their practice and their reflections on their practice experience. This was the first such published survey of this group of practitioners in Australia since the speciality emerged as a designation in 1982.<sup>13</sup>

The survey revealed that most of the 79 respondents (49 with Masters and 19 with PhDs) had post-graduate qualifications in psychology, though only 13 were trained in forensic psychology programmes at that time. Education of the 79 left them feeling most adequately trained in report writing, confidentiality and privilege rules, as well as test administration. However, they felt least prepared for evaluation of child witnesses in sex abuse cases, for custody disputes in family law and for the use of hypnosis. At that time, more than half of the sample prepared more than 20 forensic reports a year, and 70% of them appeared in court five or fewer times a year, with most referred work by defence lawyers, corrections or another government department. Most of the work was pre-sentence reports, personal injury assessments or child custody assessments. There was a high feeling of being treated with courtesy in court even if there were attempts by lawyers to distort the testimony given. The respondents were rather experienced psychologists but only 40% or so of them had been doing forensic psychology for 11 or more years. Alfred and a colleague had conducted a similar survey of South African forensic psychologists two years before this Australian study.<sup>14</sup>

Alfred's other research interests published in the journal or elsewhere include: the psychology of apology, professional practice, research ethics, violent offending, sex offender recidivism (including for indigenous offenders), bail and restorative justice.

**Introducing Associate Professor  
Christopher Ryan<sup>15</sup> (MBBS, MHL,  
FRANZCP) (Associate Editor)**

Associate Professor Ryan is the Director of Consultation–Liaison Psychiatry at Sydney's

*Law*, 2000, 7(2), 150–158. DOI: [10.1080/13218710009524981](https://doi.org/10.1080/13218710009524981)

<sup>13</sup>Alfred Allan, Mary-Anne Martin, and Maria M. Allan, 'Assessments for the Courts: A Survey of Australian Psychologists', *Psychiatry, Psychology and*

<sup>14</sup>Dap A. Louw and Alfred Allan, 'A Profile of Forensic Psychologists in South Africa', *South African Journal of Psychology*, 1998, 28(4), 234–241.

Westmead Hospital and an Associate of Sydney Health Ethics. Though his work is primarily clinical, he maintains an active research programme and a keen interest in medical education. He is immediate past Chair of the NSW Section of Consultation–Liaison Psychiatry and the Royal Australian and New Zealand College of Psychiatrists Committee for Advanced Training in Consultation–Liaison Psychiatry. He is on the National Advisory Board of the *Australian and New Zealand Journal of Psychiatry* and a member of the Editorial Committee of *Australasian Psychiatry*.

Chris published his first article in *Psychiatry, Psychology and Law* in 2011 on the issue of capacity as a determinant of non-consensual treatment of the mentally ill.<sup>16</sup> In this examination, Chris asked if the best legal basis for involuntary treatment was a lack of capacity rather than the likelihood of harm. His legal analysis of legislation and case law within Australia suggested that, at that time, the consideration of lack of capacity played almost no role in the legal decision-making about non-consensual treatment. The article concluded with a proposal relating to how (via drafted legislative amendments) assessments of the lack of capacity held by people living with mental illness could be included in relevant legal decision-making criteria. Since that time, of course, consideration of a mentally ill person's decision-making capacity has become a central aspect of the mental health acts of all Australian jurisdictions except the Northern Territory.

Chris's other research interests beyond compulsory treatment and mental health law resulting in publications in the journal or elsewhere include: compulsory treatment and human rights law, consultation–liaison

<sup>15</sup><https://www.sydney.edu.au/medicine-health/about/our-people/academic-staff/christopher-ryan.html>

<sup>16</sup>Christopher Ryan, 'Capacity as a Determinant of Non-consensual Treatment of the Mentally Ill in Australia', *Psychiatry, Psychology and Law*, 2011, 18(2), 248–262. DOI: 10.1080/13218719.2010.510128

psychiatry, medical ethics and the law, suicide, police and mental health consumer interactions, least restrictive care, medicinal cognitive enhancement, delirium, body integrity identity disorder, risk assessment and categorisation, patient–therapist sexual contact, advance directives, physician-assisted dying and euthanasia.

**Introducing Ms Nina Hudson<sup>17</sup> [BA/LLB(Hons), MCrim, PhD candidate] (Editorial Assistant)**

Nina studied an arts/law undergraduate degree and conducted Honours in Law, her thesis evaluating the Magistrates Court Diversion Program (the then mental health diversion programme) in Adelaide. After working as a Judge's Associate in the District Court, Nina completed her Masters in Criminology at the University of Cambridge, her thesis examining models of offender decision making underpinning sentencing policy. Returning to Adelaide in 2006, Nina spent the next 10 or so years working in criminal justice policy evaluation, legal policy and law reform in South Australia and Victoria. This included senior evaluation and legal policy roles in the Office of Crime Statistics and Research (SA) and Sentencing Advisory Council (Vic), and Team Leader roles in two complex law reform projects.<sup>18</sup>

Nina returned to academia in 2016, commencing her PhD in law at the University of Tasmania, and shortly after, started in her role as the Editorial Assistant for *Psychiatry, Psychology and Law*. Nina's doctoral research is examining judicial court-craft in communicating sentencing decisions to perpetrators of intimate partner violence in Tasmania and Victoria, framed through the lens of

<sup>17</sup><https://www.utas.edu.au/profiles/staff/law/nina-hudson>

<sup>18</sup>Victorian Law Reform Commission's reference to review the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* (Vic); and an independent expert multi-disciplinary panel review, commissioned by the Minister for Corrections, of the management of serious sex offenders under the *Serious Sex Offenders (Detention and Supervision) Act 2009* (Vic), the 'Harper Review'.

therapeutic jurisprudence (TJ) to articulate the concept of TJ in this practical context. During this time, Nina has co-developed and co-taught a new online inter-disciplinary family violence unit in the University of Tasmania (UTAS) Faculty of Law, and done consultant legal research and writing work in Tasmania and Victoria, including for the County Court of Victoria and University of Melbourne. Nina has presented at ANZAPPL and Australian and New Zealand Society of Criminology (ANZSOC) conferences over her professional and academic career. More recently, Nina has published work examining family violence laws and diversity as part of a special issue of 'Lesbians and the Law' in the *Journal of Lesbian Studies*<sup>19</sup> and has a forthcoming co-authored publication in a special issue of Current Issues in Criminal Justice examining family violence and the COVID-19 pandemic.<sup>20</sup>

### Maintaining standards

The Editorial penned by Professor Freckelton and published in Issue 27(3) of *Psychiatry, Psychology, and Law* is a fine example of the corporate memory, experience, care and aspiration Ian has always provided for the journal. His efforts are why this journal now has a deserved international reputation as well as being held in high esteem in Australia and New Zealand. That Editorial also provides an important reminder of the most loved features of the journal.

We commit to continuing to publish the regular extra features as well as the standard

scholarly article content. There will be book reviews of new publications by ANZAPPL members and others from Australia and New Zealand as well as international authors. I continue that approach in this issue with a peer-reviewed book review authored by myself, in the hope that it lives up to the standards and criteria Ian described in this fashion in his last Editorial:

From its inception, every issue of *Psychiatry, Psychology and Law* has carried a book review. This enables readers to be alerted to the publication of scholarly and popular works relevant to the subject matter of the journal. Review of the journal's metrics shows that such reviews are widely read, and not just by the authors and family members of the authors whose books are reviewed. The practice of the journal has been for such reviews to avoid the short, desultory pieces published somewhat uninterestingly in many journals but themselves to be substantive, critical and substantive analyses of contemporary literature.<sup>21</sup>

Notably, Associate Editor Kate Diesfeld has also published two book reviews in *Psychiatry, Psychology and Law* to date.<sup>22</sup> The editorial team welcomes anyone to submit book reviews to the journal, and they will be peer-reviewed.

You will have noted above that my first publication in *Psychiatry, Psychology and Law* was a case commentary, so they are close to my heart. I would hope that we can attract many lawyers and others to write case commentaries on a frequent basis, so we can all

<sup>19</sup>Christina (Nina) Hudson, 'Family Violence Laws: Traditional Narratives and the (In)visibility of Lesbian Relationships and Lesbian Parented Families', *Journal of Lesbian Studies*, 2019, 23 (Issue 3: Lesbians and the Law), DOI: [10.1080/10894160.2019.1599241](https://doi.org/10.1080/10894160.2019.1599241)

<sup>20</sup>Caroline Spiranovic, Nina Hudson, Romy Winter, Sonya Stanford, Kimberley Norris, Isabelle Bartkowiak-Theron, and Kate Cashman, 'Navigating Risk and Protective Factors for Family Violence During and After the COVID-19 "Perfect Storm" (Special Issue: COVID-19, Criminal Justice & Carceralism: Critical Reflections & Change)', *Current Issues in Criminal Justice* (forthcoming).

<sup>21</sup>Ian Freckelton QC, 'Scholarship in *Psychiatry, Psychology and Law*, 1985–2020', *Psychiatry, Psychology and Law*, (2020), 27(3), 333–345, 339. DOI: [10.1080/13218719.2020.1799602](https://doi.org/10.1080/13218719.2020.1799602)

<sup>22</sup>Kate Diesfeld, 'Rethinking Rights-Based Mental Health Laws', edited by B. McSherry and P. Weller', *Psychiatry, Psychology and Law*, 2012, 19(1), 144–146. DOI: [10.1080/13218719.2012.655232](https://doi.org/10.1080/13218719.2012.655232); Kate Diesfeld, 'Merry and McCall Smith's *Errors, Medicine and the Law* (2nd ed.)', by Alan Merry and Warren Brookbanks', *Psychiatry, Psychology and Law*, 2018, 25(1), 152–154. DOI: [10.1080/13218719.2017.1388141](https://doi.org/10.1080/13218719.2017.1388141)

learn of important cases from all levels of the court hierarchy and also from tribunals, from Australia, New Zealand and elsewhere. As a university lecturer of law students learning about psychiatry, psychology and law in a longstanding law elective subject that I have taught at The Australian National University since 2002, I have always used interdisciplinary and transdisciplinary casenotes published in *Psychiatry, Psychology and Law* as models and exemplars of the important contributions legal minds, either in collaboration with psychiatrists or psychologists or on their own, can make to a wide audience.

When lawyers become familiar with, or formally trained in, those disciplines as well, it is always impressive to see them write science translations that bring other disciplines to bear on law and legal analysis. Impressive, too, of course, is when psychiatrists and psychologists become familiar with or trained in law and can competently analyse the practice of their discipline with accurate legal knowledge. The editorial team welcomes anyone to submit case commentaries for peer review. As was noted in the previous Editorial, *Psychiatry, Psychology and Law* has also published extracurricular comments from serving judicial officers, and that is an important element to pursue into the future.

In terms of other distinctive features of the journal noted in the previous issue's Editorial, the journal continues to invite submissions in one of three house styles, to encourage authors from psychiatry, psychology or law to contribute and write papers with a familiar citation style. The journal continues to be a place where a range of methodological approaches can be published and notorious and historical clinical and legal cases can be rethought and reanalysed through contemporary lenses. The editorial team will also commit to publish Editorials, as needed. We should perhaps adopt Ian's suggestions for when and why Editorials are published, although, in doing so, we do note that our association has never engaged in attempting to represent the views

of all members via public statements or *amicus curiae* briefs and the like, as we see fellow interdisciplinary associations in the US, for example, often do. Ian's advice is as follows on this point:

There is a place for editorials in the journal, but with a journal as diverse as *Psychiatry, Psychology and Law*, it should be used for issues that transcend a particular discipline and parochial interests, and perhaps raise issues, such as those in relation to human rights. A policy could be developed for appropriate subject-matter for editorials.<sup>23</sup>

We as an editorial team are also grateful to receive letters to the Editor and suggestions of the need to write, or submissions of, obituaries, as well as suggestions for us to write, or submissions of, pieces that celebrate significant lifetime achievements of ANZAPPL members, lifetime Honorary Members of ANZAPPL and those that ANZAPPL holds in high esteem, *inter vivos*!

In the last Editorial, Ian listed a useful list of aspirations for the future of the journal, and the editorial team endorses them all. Just to touch on a few of those important hopes for the future, it seems crucial that the journal assists in making cross-disciplinary publication truly diverse and addresses all sub-disciplines of law, not just, for example, criminal law. The editorial team welcomes all sub-disciplines of psychology and psychiatry to be represented in submissions that at least attempt to engage with the forensic context. Papers that make little or no attempt to link psychological or psychiatric understanding to law will not be as competitive for publication in a highly competitive arena; many of such papers may need to be rejected, as they may be more suitable for submission to other journals.

After the resounding success of a session presenting co-produced research at the

<sup>23</sup>Ian Freckelton QC, 'Scholarship in *Psychiatry, Psychology and Law*, 1985–2020', *Psychiatry, Psychology and Law*, (2020), 27(3), 333–345, 342. DOI: [10.1080/13218719.2020.1799602](https://doi.org/10.1080/13218719.2020.1799602)

ANZAPPL and Forensic Faculty of the RANZCP joint conference held in Singapore in 2019, it would be wonderful to be able to publish much more co-produced research by teams of authors, including those with lived experience, such as people living with mental illness, those who have been incarcerated or those otherwise touched by the provision of legal, psychiatric or psychological services. Such publication goes a long way in the project of destigmatising mental illness and offending, and incarceration and prison rehabilitation, as Ian rightly lists in his aspirations for the future of the journal. Ian's hope that the journal will continue to promote and achieve harmony between our three – and even more interested – disciplines is a noble aim that we wholeheartedly endorse.

### Responding to identified and emergent challenges

In the profile of manuscripts the current editorial team has already handled since April 2020, we have become aware of the challenge of balancing and evening out representation of papers accepted from each discipline. There is also a further need to publish in order to promote diverse methodologies and insights from international authors, *without* losing a voice in our journal for Australian and New Zealand contributors. On the challenge of balancing equal disciplinary voice in the mix of published work in the journal, Ian states this challenge well in his abovementioned Editorial and expresses hope for 'equipoise' here that we on the new editorial team commit to:

It is important, too, that a balance of content be maintained between psychiatry, psychology and law, but also relevant aspects of criminology and mental health practice by other health practitioners, including forensic nurses and social workers. While psychology generates a substantial body of scholarship, it is also fundamental to the maintenance of intellectual equipoise within the journal

that medical and legal material occupy a rough balance so as to ensure that the journal does not become seen as a forensic psychology journal.<sup>24</sup>

Achieving that balance of disciplinary voice in the journal is not unrelated to the future expansion of databases on which *Psychiatry, Psychology and Law* is indexed, and its impact factor and download and citation rates.

A further set of equity concerns expressed in the previous Editorial relate to the journal's ability to highlight some unique voices. It would seem useful to use the tool of publishing Special Issues from time to time, in order to provide special respect to, and collect prominently in one place, the contributions of First Nations psychiatrists, psychologists and lawyers; of gendered and queer perspectives; of student and early career researchers; of practitioner and not just academic voices; and of the perspectives of those with lived experience of mental illness, incarceration, rehabilitation, and disadvantage.

Issues of publishing trends, editorial systems management and academic integrity, and other issues of reputation can be shaped by a refreshed Editorial Board and shaped by the advice of a range of bodies, as Ian notes in the his Editorial, of the likes of the Committee of Publication Ethics (COPE),<sup>25</sup> the International Committee of Medical Journal Editors (ICMJE)<sup>26</sup> and the World Association of Medical Editors (WAME).<sup>27</sup> Our publisher, Taylor and Francis, also holds regular conferences of all editorial teams for all of their journals. The next conference agenda is already out, and the current editorial team has been invited and has a chance to learn from others

<sup>24</sup>Ian Freckelton QC, 'Scholarship in *Psychiatry, Psychology and Law*, 1985–2020', *Psychiatry, Psychology and Law*, 2020, 27(3), 333–345, 342. DOI: [10.1080/13218719.2020.1799602](https://doi.org/10.1080/13218719.2020.1799602)

<sup>25</sup><https://publicationethics.org/about/our-organisation>

<sup>26</sup><http://www.icmje.org/#author>

<sup>27</sup><https://wame.org/recommendations-on-publication-ethics-policies-for-medical-journals>

in similar editorial boats, at, during COVID times, a virtual conference!

**Let's make our journal your journal and relevant to your emerging work**

Most importantly, we would like to see ANZAPPL members continue to embrace the opportunities to submit work, to review it, and to convert the excellent discussions at ANZAPPL conferences and Branch events into journal publications. Please encourage emerging scholars and practitioners to write for the journal and to keep us all up to date with contemporary academic work and practice experiences. We are indebted to unpaid reviewers – who do receive Taylor and Francis book vouchers for their reviewing efforts – and we are glad that already this year we have amassed many new reviewer contacts into our ScholarOne database and received the

names of in excess of 50 ANZAPPL members suggesting that they are interested in reviewing papers submitted to the journal. If you suspect that you are not on our lists as you have never reviewed for the journal before, or did not answer our recent call for expressions of interest from potential reviewers describing their area of reviewer expertise in six words, please contact Nina Hudson on [editorialassistantppl@anzappl.org](mailto:editorialassistantppl@anzappl.org) and do so for us. We at the editorial team are looking forward to these first three years of work on the journal, and maybe more. We literally cannot do it well without you all and the efforts of authors and other advisers. We would all do well to amass 27 years of Psychology, Psychiatry, and Law editorial experience between us, collectively! In any event, Ian, we are indebted to you and will promise to nurture your legacy as such a long-standing Editor-in-Chief. Thanks to you all in advance, for your patience and support!