

**Course Description:**

This is a course in medical law. It is intended to provide a survey of the main issues in this field of law, considering both the legal and the ethical dimensions as well as the national and international contexts. The course is broadly divided into four components which build on each other to provide a comprehensive and foundational treatment of the discipline. Part 1 covers the fundamentals of medical law, being core principles or areas that inform development in other parts of the field. Examples include ethics, human rights, consent and negligence. Part 2 deals with reproduction and the law, including issues of liability for sub-standard ante-natal care. Part 3 engages contemporary issues in medical law, such as areas which impact on public interest including mental health and public health. Part 4 deals with end of life issues and also includes consideration of the perennial question of allocation of scarce resources.

**Learning Outcomes:**

- a. By the end of this course students will have acquired a sound knowledge and understanding of foundational areas of medical law as they operate within the United Kingdom and, where appropriate, in an international context. This will include a critical awareness of contemporary issues in medical law and an ability to analyse these issues, drawing on their knowledge of the discipline as a whole
- b. Students will have acquired a deep understanding of the range of ethical principles which are brought to bear on medical law equally by health care professionals, the courts and legislatures. They will be able to apply these principles critically to existing laws and proposals for reform with respect to the management and regulation of modern medicine
- c. Students will be able to apply critical evaluation to existing legal approaches to a range of topics, including the regulation of the doctor/patient relationship, the role of the modern state in the delivery of health care, the impact of human rights on care and treatment decisions, and the current provisions that apply to the regulation of medical research involving human participants.

- d. Through problem-based enquiry and group discussion, students will develop a range of analytical and communication skills related to problem-deconstruction, the application of ethically-informed thinking, the construction of arguments and the coherent and convincing defence of their own positions on the range of medical dilemmas addressed in the course.
- e. Through independent working, research and analysis, as evidence by appropriate assessment methods, students will be able to demonstrate initiative and the ability to work autonomously and take responsibility for their own work.

### **Contents:**

- a. Introduction to ethics & human rights in medical law
- b. Consent & refusal
- c. Negligence
- d. Confidentiality and genetics
- e. Control of fertility
- f. Artificial reproduction
- g. Futility
- h. Euthanasia and assisted dying
- i. Public health
- j. Research and experimentation

### **References:**

- a. A Textbook of Medical Jurisprudence and Toxicology by Justice Kkannan
- b. [Principle And Practice Of Medical Jurisprudence And Toxicology](#) by Manoj Parekh