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medical law and **ethics**

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Medical Law Emily Jackson, 2019 Providing a clear and accessible guide to medical law this work contains extracts from a wide variety of academic materials so that students can acquire a good understanding of a range of different perspectives

Great Debates in Gender and Law Rosemary Auchmuty, 2018-03-16 The first textbook to consider gender perspectives in relation to the whole undergraduate law curriculum in England and Wales Gender is of central importance in every area of law and every area of people's lives but is rarely mentioned in the formal LLB syllabus this book is designed to fill some of those gaps 18 chapters written by experts in the field cover all the core modules on the English LLB together with 11 of the most popular options Aimed at students and lecturers on undergraduate and postgraduate Gender and Law modules the book will also be useful for all LLB and LLM students studying English law who may use it to accompany their studies from their first to their final year and also for prospective law students legal scholars from outside England and Wales and scholars in other disciplines

Law at the Frontiers of Biomedicine Shaun D Pattinson, 2023-01-26 How should judges and legislators address challenges arising at the frontiers of biomedicine What if it became possible to edit the DNA of embryos for enhanced traits gestate a fetus in an artificial womb self modify brain implants to provide new skills or bring a frozen human back to life This book presents an innovative legal theory and applies it to future developments in biomedicine This legal theory reconceptualises the role of legal officials in terms of moral principle and contextual constraints contextual legal idealism It is applied by asking how a political leader or appeal court judge could address technological developments for which the current law of England and Wales would be ill equipped to respond The book's central thesis is that the regulation of human conduct requires moral reasoning directed to the context in which it operates The link between abstract theory and practical application is articulated using future developments within four areas of biomedicine Developments in heritable genome editing and cybernetic biohacking are addressed using Explanatory Notes to hypothetical UK Parliamentary Bills Developments in ectogestation and cryonic reanimation are addressed using hypothetical appeal court judgments The book will be of great interest to scholars and students of medical health law criminal law bioethics biolaw legal theory and moral philosophy

Routledge Handbook of Global Health Rights Clayton Ó Néill, Charles Foster, Jonathan Herring, John Tingle, 2021-05-30 This book examines the idea of a fundamental entitlement to health and healthcare from a human rights perspective The volume is based on a particular conceptual reasoning that balances critical thinking and pragmatism in the context of a universal right to health Thus the primary focus of the book is the relationship or contrast between rights based discourse jurisprudential arguments and real life healthcare contexts The work sets out the constraints that are imposed on a universal right to health by practical realities such as economic hardship in countries lack of appropriate governance and lack of support for the implementation of this right through appropriate resource allocation It queries the degree to which the existence of this legally enshrined right and its application in instruments such as the International Covenant on

Economic Social and Cultural Rights ICESCR and the Universal Declaration of Human Rights UDHR can be more than an ephemeral aspiration but can actually sustain promote and instil good practice It further asks if social reality and the inequalities that present themselves therein impede the implementation of laudable human rights particularly within marginalised communities and cadres of people It deliberates on what states and global bodies do or could do in practical terms to ensure that such rights are moved beyond the aspirational and become attainable and implementable Divided into three parts the first analyses the notion of a universal inalienable right to health care from jurisprudential anthropological legal and ethical perspectives The second part considers the translation of international human rights norms into specific jurisdictional healthcare contexts With a global perspective it includes countries with very different legal economic and social contexts Finally the third part summarises the lessons learnt and provides a pathway for future action The book will be an invaluable resource for students academics and policymakers working in the areas of health law and policy and international human rights law

Great Debates in Employment Law Simon Honeyball, 2015-04-23 This textbook is an ambitious and engaging introduction to the more advanced writings on employment law primarily designed to allow students to get under the skin of the topic and begin to build their critical thinking and analysis skills Each chapter is structured around key questions and debates that provoke deeper thought and ultimately a clearer understanding The aim of the book is therefore not to present a complete overview of theoretical issues in employment law but rather to illustrate the current debates which are currently going on among those working in shaping the area The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading

Public Health Law John Coggon, Keith Syrett, A. M. Viens, 2016-12-08 Public health activity and the state's public health responsibilities to assure the conditions in which people can be healthy can only be achieved through different means of social coordination This places law and regulation at the heart of public health They are fundamental both to methods of achieving public health goals and to constraints that may be put on public health activity As such trainees practitioners and leaders in public health need to understand the breadth and nature of wide ranging legal and regulatory approaches and the place of ethics in public health Public Health Law written by three leading scholars in the field defines and examines this crucial area of study and practice It advances an agenda whose scope extends far beyond that covered in traditional medical law and health care law texts The authors provide an account of the scale of contemporary public health policy and practice and explain its philosophical depths and implications and its long legislative and regulatory history They advance a definition of the field and explore how different legal approaches may serve and advance or constrain and delimit public health agendas This ground breaking book presents the field of public health ethics and law and goes on to examine the impact within the UK of private law criminal law public law EU and international law and softer regulatory approaches It is a primary point of reference for scholars practitioners and leaders working in public health particularly those with an interest in law policy and ethics

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Bioethics George Patrick Smith (II), 2012 George P Smith II is a leading figure in the world of medical law and ethics During his long career he has addressed some of the most important issues in bioethics and has contributed much original thought to the debates in this field This book celebrates his contribution bringing together his key writings in bioethics The chapters include previously published material however the pieces have been substantially updated to include more recent developments and rewritten drawing out the themes and strands which have run through Professor Smith's thinking over the past fifty years The book covers topics including human rights and medical law the allocation of resources and distributive justice ethical relativism science and religion and public health emergencies In doing so it offers an excellent overview of the current bioethical issues in medical law in light of recent and ongoing technological developments in medicine This collection of essays by one of the world's leading medical lawyers is academic research of the highest quality With an enviable clarity of thought and force of argument Professor Smith tackles some of the major issues facing medicine and law today It is a tour de force by an academic at the height of his powers Professor Jonathan Herring University of Oxford *Philosophical Foundations of Medical Law* Andelka M. Phillips, Thana C. de Campos, Jonathan Herring, 2019-11-28 With advances in personalised medicine the field of medical law is being challenged and transformed The nature of the doctor patient relationship is shifting as patients simultaneously become consumers The regulation of emerging technologies is being thrown into question and we face new challenges in the context of global pandemics This volume identifies significant questions and issues underlying the philosophy of medical law It brings together leading philosophers legal theorists and medical specialists to discuss these questions in two parts The first part deals with key foundational theories and the second addresses a variety of topical issues including euthanasia abortion and medical privacy The wide range of perspectives and topics on offer provide a vital introduction to the philosophical underpinnings of medical law **Great Debates in Equity and Trusts** Alastair Hudson, 2014-08-26 This textbook is an ambitious and engaging introduction to the more advanced writings on equity and trusts primarily designed to allow students to get under the skin of the topic and begin to build their critical thinking and analysis skills Each chapter is structured around key questions and debates that provoke deeper thought and ultimately a clearer understanding The aim of the book is therefore not to present a complete overview of theoretical issues in equity and trusts but rather to illustrate the current debates which are currently going on among those working in shaping the area The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading **Law and Global Health** Michael Freeman, Sarah Hawkes, Belinda Bennett, 2014-05-29 Current Legal Issues like its sister volume Current Legal Problems now available in journal format is based upon an annual colloquium held at University College London Each year leading scholars from around the world gather to discuss the relationship between law and another discipline of thought Each colloquium examines how the external discipline is conceived in legal thought and argument how the law is pictured in that discipline and analyses points of controversy in the

use and abuse of extra legal arguments within legal theory and practice Law and Global Health the sixteenth volume in the Current Legal Issues series offers an insight into the scholarship examining the relationship between global health and the law Covering a wide range of areas from all over the world articles in the volume look at areas of human rights vulnerable populations ethical issues legal responses and governance Depression Charles Foster,Jonathan Herring,2017-08-25 Depression is amorphous It defies easy generalization and eludes medical and legal categories Is it part of the self or its predator Can a sufferer be held responsible for their actions This edited collection provides a holistic study of a protean illness If the law is to regulate the lives of those who suffer from depression it is vital that lawyers understand the condition Drawing upon a wide ranging expertise this volume looks at depression from four viewpoints that of the sufferer the clinician the ethicist and the lawyer Topics covered include the cultural history of depression causes epidemiology and diagnosis the autonomy debate criminal responsibility public health law depression in the workplace depression and children and assisted suicide First hand accounts from sufferers are followed by contributions from clinicians who say what depression is outline its demography and therapeutic options and indicate the legal and ethical problems that trouble them the most The essays then go on to explore legal and ethical questions in depth This collection is essential reading for lawyers seeking a broader understanding of depression and non lawyers seeking an insight into the difficulty law has engaging with the condition

Regulating Food-borne Illness Richard Hyde,2015-08-27 When faced with tackling food borne illness regulators have a number of competing goals They must investigate in order to discover the source of the illness Once the source is identified they must take action to prevent further cases of illness occurring Finally once the illness is under control they may wish to take enforcement action against those responsible Regulating Food Borne Illness uses interviews and documentary analysis to examine the actions of regulators and considers how they balance these three tasks Central to the regulators role is the collection of information Without information about the source control or enforcement action cannot be taken Investigation must therefore take place to produce the necessary information Utilising theoretical frameworks drawn from regulation and biosecurity Regulating Food Borne Illness shows that control is prioritised and that investigatory steps are chosen in order to ensure that the information necessary for control rather than enforcement is collected This has the effect of reducing the possibility that enforcement action can be taken The difficulty of evidence gathering and case building in food borne illness cases is exposed and the author considers the methods aimed at reducing the difficulty of bringing successful enforcement action **Symbolic Legislation Theory and Developments in Biolaw** Bart van Klink,Britta van Beers,Lonneke

Poort,2016-08-31 This edited volume covers new ground by bringing together perspectives from symbolic legislation theory on the one hand and from biolaw and bioethics on the other hand Symbolic legislation has a bad name It usually refers to instances of legislation which are ineffective and that serve other political and social goals than the goals officially stated Recently a more positive notion of symbolic legislation has emerged in legislative theory From this perspective symbolic

legislation is regarded as a positive alternative to the more traditional top down legislative approach The legislature no longer merely issues commands backed up with severe sanctions as in instrumental legislation Instead lawmakers provide open and aspirational norms that are meant to change behavior not by means of threat but indirectly through debate and social interaction Since the 1990s biomedical developments have revived discussions on symbolic legislation One of the reasons is that biomedical legislation touches on deep rooted symbolic cultural representations of the biological aspects of human life Moreover as it is often impossible to reach consensus on these controversial questions legislators have sought alternative ways to develop legal frameworks Consequently communicative and interactive approaches to legislation are prominent within the governance of medical biotechnology The symbolic dimensions of biolaw are often overlooked Yet it is clear that the symbolic is at the heart of many legal political debates on bioethical questions Since the rise of biomedical technologies human body materials have acquired a scientific medical and even commercial value These new approaches which radically question existing legal symbolizations of the human body raise the question whether and how the law should continue to reflect symbolic values and meanings Moreover how can we decide what these symbolic values are given the fact that we live in a pluralistic society

Medical Law: A Very Short Introduction Charles Foster, 2013-02-28 Medical law is concerned with our bodies and what happens to them during and after our lives When things go wrong with our bodies we want to know what our rights are and what governs the conduct of the clinicians into whose hands we put our lives and limbs Dealing with matters of life and death it can therefore have a fundamental impact on medical practice Headlines in the media often involve the core issues of medical law organ transplantation abortion withdrawal of treatment euthanasia confidentiality research on humans these are topics that affect us all Headlines can misrepresent however In order to fully understand the issues and their relevance we have to delve into the cases and into the principles behind them In this highly readable Very Short Introduction Charles Foster explores different examples to illustrate the key problems and principles of medical law ABOUT THE SERIES The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area These pocket sized books are the perfect way to get ahead in a new subject quickly Our expert authors combine facts analysis perspective new ideas and enthusiasm to make interesting and challenging topics highly readable

Organ Donation in Islam Mahdiyah Jaffer, Aasim I. Padela, Gurch Randhawa, 2022-12-13 A 2023 Choice Reviews Outstanding Academic Title Organ Donation in Islam The Interplay of Jurisprudence Ethics and Society delves into the complexities and nuances of organ donation in Muslim communities A diverse group of authors including Muslim jurists academic researchers clinicians and policy stakeholders engage with the multi faceted topic Contributions from Sunni and Shia scholars are positioned alongside each other giving the reader an appreciation of the different Islamic traditions and legal methodologies and qualitative research examining the views and potential concerns of Muslim families towards donating organs of loved ones is juxtaposed with the work of academicians and community advocates engaging diverse

Muslim communities to equip them with the knowledge and tools to make informed donation decisions Taken together the collection yields new ethical empirical and sociological insights into how issues of body ownership the definition of death and community engagement interface with the act of donation Accordingly this wide ranging volume represents a invaluable resource for religious leaders healthcare professionals social scientists policy makers researchers and others interested in the interplay between contemporary healthcare religious tradition health policy and the topic of organ donation *Religion, Medicine and the Law* Clayton Ó Néill, 2018-11-08 Is the legal protection that is given to the expression of Abrahamic religious belief adequate or appropriate in the context of English medical law This is the central question that is explored in this book which develops a framework to support judges in the resolution of contentious cases that involve dissension between religious belief and medical law developed from Alan Gewirth's Principle of Generic Consistency PGC This framework is applied to a number of medical law case studies the principle of double effect ritual male circumcision female genital mutilation Jehovah's Witnesses adults and children who refuse blood transfusions and conscientious objection of healthcare professionals to abortion The book also examines the legal and religious contexts in which these contentious cases are arbitrated It demonstrates how human rights law and the proposed framework can provide a gauge to measure competing rights and apply legitimate limits to the expression of religious belief where appropriate The book concludes with a stance of principled pragmatism which finds that some aspects of current legal protections in English medical law require amendment *Intimations of Mortality* Barbara A. Reich, 2022-03-17 A thoroughly researched explanation for the failures of end of life communication and decision making in the United States The book explores the reasons why physicians patients and families struggle to have the conversations necessary to provide seriously ill and dying patients with medical care consistent with patient preferences **Human Dignity in Bioethics and Law** Charles Foster, 2011-09-01 Dignity is often denounced as hopelessly amorphous or incurably theological as feel good philosophical window dressing or as the name given to whatever principles give you the answer that you think is right This is wrong says Charles Foster dignity is not only an essential principle in bioethics and law it is really the only principle In this ambitious paradigm shattering but highly readable book he argues that dignity is the only sustainable Theory of Everything in bioethics For most problems in contemporary bioethics existing principles such as autonomy beneficence non maleficence justice and professional probity can do a reasonably workmanlike job if they are all allowed to contribute appropriately But these are second order principles each of which traces its origins back to dignity And when one gets to the frontiers of bioethics such as human enhancement dignity is the only conceivable language with which to describe and analyse the strange conceptual creatures found there Drawing on clinical anthropological philosophical and legal insights Foster provides a new lexicon and grammar of that language which is essential reading for anyone wanting to travel in the outlandish territories of bioethics and strongly recommended for anyone wanting to travel comfortably anywhere in bioethics or medical law **Legal Ethics** Jonathan

Herring,2023 Jonathan Herring provides a clear and engaging overview of legal ethics highlighting the ethical issues surrounding professional conduct and raising interesting questions about how lawyers act and what their role entails Key topics such as confidentiality and fees are covered with references throughout to the professional codes of conduct *What is The Family of Law?* Alan Brown,2019-02-07 This book argues that the legal understanding of family in the UK continues to be underpinned by the idealised image of the nuclear family premised upon the traditional gendered roles of father as breadwinner and mother as homemaker This examination of the law s model of the family has been prompted by the substantial reforms that have taken place in family law in recent decades and the significant evolution in social attitudes and familial practices that has occurred in parallel Throughout the book the influence of the nuclear family is noted in several different contexts various specific legal definitions of family the legal regulation of adult conjugal relationships the attribution of legal parenthood and the construction of the role of the parent within the law Ultimately this book argues that while these reforms have resulted in additional categories of relationship coming to be situated within the nuclear family model there has not as yet been any fundamental alteration of the underpinning concept of the nuclear family itself This book concludes by considering the possibilities offered beyond the nuclear family exploring the reconceptualising of the legal understanding of family around alternative and potentially radical models of family

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