

LLM Criminal Law and Medicine

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Teaching and assessment (2014): Semester 2, Exam - 3hrs

Module description:

This module is concerned with the relationship between the criminal law and the actions of doctors and other health care professionals. The actions of doctors are coming under increased scrutiny by the law, including the criminal law. This impacts not only how doctors do their jobs and what they see their role in society to be but also what the public can expect from doctors. Moreover, since doctors are also regulated by other governmental or official bodies (e.g. General Medical Council), the specific duties of doctors may conflict and the way the law deals with these conflicts can be especially important. This course looks at a number of issues where the criminal law has an influence on the role of health care practitioners and analyses the impact of the law.

However, since health care practitioners are also governed by ethical requirements, a major part of the course involves philosophical and ethical discussions. It is therefore imperative that those studying the course be prepared to think carefully about the role of ethics within health care and comparisons between a doctor's ethical and legal duties. Thus, this option is best suited for those students who are interested in questions of theory and ethics in addition to questions about the criminal law and its place within medical law.

Seminar topics:

- Introduction to Medical Ethics
- Confidentiality and the Doctor-Patient Relationship
- Criminal Transmission of Disease
- Abortion and other criminal issues prior to birth
- Conjoined Twins, Withdrawal of Treatment from Infants and Neonaticide
- Gross Negligent Manslaughter
- Withdrawal and Withholding of Treatment from Adults and Palliative Care
- Assisted Suicide and Euthanasia

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