

Bolam V Friern Hospital Management Committee Case

Patrick Davey,Anna Rathmell,Michael Dunn,Charles Foster,Helen Salisbury

When Care Goes Wrong : Medical Negligence Cases in India Vibha Amit Solanki,2025-07-01

Landmark Cases in Medical Law Jonathan Herring,Jesse Wall,2015-08-27 This new addition to Hart Publishing's Landmark Cases series brings together leading figures in the field to discuss a selection of the most significant cases in medical law. These are cases which either signpost a new development for medical law, illustrate an important development of the law, or signpost likely future developments of the law. The cases are explored in their social and historical context to understand better what has influenced the development of the law. This collection provides a fascinating insight in the interaction of medical law and broader social changes to our bodies, illness and medical professionals.

Self-determination in Health Care Leroy C. Edozien,2016-03-03 It is generally accepted in legal and bioethical discourse that the patient has a right to self-determination. In practice though, this is often not the case. Paternalism is waning and it is increasingly recognised that there are values other than medical factors which determine the choices that patients make. Unfortunately, these developments have not resulted in huge advances for patient self-determination, which is largely because the consent model has fundamental flaws that constrain its effectiveness. This book sets out to offer an alternative model to consent. In the property model proposed here, the patient's bodily integrity is protected from unauthorised invasion, and their legitimate expectation to be provided with the relevant information to make an informed decision is taken to be a proprietary right. It is argued that the property model potentially overcomes the limitations of the consent model, including the obstacle caused by the requirement to prove causation in consent cases. The author proposes that this model could in the future provide an alternative or complementary approach for the courts to consider when dealing with cases relating to self-determination in health care.

Responsibility for Drug-induced Injury Graham Dukes,Maurice Nelson Graham Dukes,Mark Mildred,Barbara Swartz,1998 This edition reflects the evolution of legal standards, professional rules, industrial codes of ethics, and court experience in cases involving recompense for medical injury since the 1988 version. While deriving from legal standards of the US, British Commonwealth, European Union, and Nordic Council, a chapter is devoted to issues particular to developing countries. Following an introductory chapter on the emergence and recognition of problems relating to drug safety, 20 chapters cover such areas as: the legal framework (types of proceedings, evidence, and proof); the responsibility of everyone from the

government and manufacturer to the prescriber and patient; clinical investigation of drugs; controlled drugs; self-medication; alternative and complementary medicine; and vaccines and biologicals. Includes a table of cases, and table of conventions, statutes, and regulations. Annotation copyrighted by Book News, Inc., Portland, OR

Tort Law Directions Vera Bermingham, Carol Brennan, 2016 A considered balance of depth, detail, context, and critique, Directions books offer the most student-friendly guide to the subject; they empower students to evaluate the law, understand its practical application, and approach assessments with confidence.

Speller's Law Relating to Hospitals John Finch, 2013-12-19 Hospitals - definition and classification; hospitals managed under the National Health Service Act 1977; voluntary hospitals; nursing homes - registration, conduct and inspection; legal proceedings against Health Authorities and Trusts; injury to the patient; consent to medical and associated treatment; complaints in the National Health Service; liability for premises; patients' property - loss or damage; visitors who refuse to leave; search and arrest of suspected persons; data protection; access to medical records and reports; medical records - ownership and preservation; professional confidence; employment law; nurses agencies; professional qualifications; injury at work; the charity commissioners and charity trustees; hospital charges; provision of pay beds; taxation of hospitals; births and deaths in hospital; organ transplants and disposal of the human body; patient making a will; illegal operations; notifiable diseases; medicines and poisons; mental health law.

Medical Ethics and Law Dominic Wilkinson, Jonathan Herring, Julian Savulescu, 2019-07-05 This short textbook of ethics and law is aimed at doctors in training and in practice. Medical ethics and law are now firmly embedded in the curricula of medical schools. The ability to make clinical decisions on the basis of critical reasoning is a skill that is rightly presumed as necessary in today's doctors. Medical decisions involve not only scientific understanding but also ethical values and legal analysis. The belief that it is ethically right to act in one way rather than another should be based on good reasons: it is not enough to follow what doctors have always done, nor what experienced doctors now do. The third edition has been revised and updated to reflect changes in the core curriculum for students, developments in the law as well as advances in medicine and technology. - The first part of the book covers the foundations of ethics and law in the context of medicine. - The second part covers specific core topics that are essential for health professionals to understand. - The third section of the book includes new chapters on cutting edge topics that will be crucial for the doctors and health professionals of tomorrow. - This new edition includes a new third section that provides an extension to the core curriculum focused on four key emerging topics in medical ethics - neuroethics, genethics, information ethics and public health ethics. - The chapters on Consent, Capacity and Mental Health Law have been extensively revised to reflect changes in legislation. Chapters on confidentiality and information ethics contain new sections relating to information technology, sharing information and breaching confidentiality. - Each chapter contains case examples drawn from personal experience or from the media. - This edition also

includes cartoons to highlight cutting edge and topical issues. - Most chapters include revision questions and an extension case to encourage readers who are interested in a topic to explore further.

Text, Cases and Materials on Medical Law and Ethics Marc Stauch, Kay Wheat, 2018-08-06 Text, Cases and Materials on Medical Law and Ethics presents a valuable collection of materials relating to often controversial areas of the law. Comprising extracts from statutes, cases and scholarly articles alongside expert author commentary and guidance which signposts the key issues and principles, this book is an ideal companion to this increasingly popular subject. Fully revised, this new edition incorporates expanded content, including: updated coverage of consent and decision making, including the the Montgomery v Lanarkshire Health Board (2015) judgment; the impacts of the EC directive for clinical trials and GDPR on the research use of patient data; and discussion of other recent developments in the case law, including the 2017 Charlie Gard litigation, the 2016 Privy Council decision in Williams v Bermuda on negligence causation, and the UK Supreme Court judgment in A & B v SS for Health (2017) on funding for patients from Northern Ireland seeking terminations elsewhere. Providing a comprehensive and up-to-date resource on this topical area of the law, this textbook is an invaluable reference tool for students of medical law as well as those studying medicine.

Birthing Models on the Human Rights Frontier Betty-Anne Daviss, Robbie Davis-Floyd, 2020-12-29 This book addresses the politics of global health and social justice issues around birth, focusing on dynamic communities that have chosen to speak truth to power by reforming dysfunctional health care systems or creating new ones outside the box. The chapters present models of childbirth at extreme ends of a spectrum—from the conflict zones and disaster areas of Afghanistan, Israel, Palestine, and Indonesia, to high-risk tertiary care settings in China, Canada, Australia, and Turkey. Debunking notions about best care, the volume illustrates how human rights in health care are on a collision course with global capitalism and offers a number of specific solutions to this ever-increasing problem. This volume will be a valuable resource for scholars and students in anthropology, sociology, health, and midwifery, as well as for practitioners, policy makers, and organizations focused on birth or on social activism in any arena.

Public Law after the Human Rights Act Tom Hickman, 2010-05-20 It is remarkable that 10 years after the Human Rights Act came into effect, and with further reform possible, there are still no clear answers to basic questions about the relationship between the Human Rights Act, human rights principles and the common law. Such basic questions include: what is the Human Rights Act? What is the relationship between human rights principles and common law doctrines in public law? Do traditional public law principles need to be replaced? How has the Human Rights Act altered the constitutional relationship between the courts, government and Parliament in the UK? Public Law After the Human Rights Act proposes answers to these questions. Unlike other books on the Human Rights Act, the book looks beyond the Human Rights Act itself to its effect on public law as a whole. The book articulates in novel ways the relationship between the Act and administrative

and constitutional law. It suggests that the Human Rights Act has built on the common law constitution. The discussion focuses on core topics in modern public law, including, the constitutional status of the Human Rights Act; the relationship between human rights and the common law; the Human Rights Act's effect on central doctrines of public law such as reasonableness, proportionality and process review; the structure of public law in the human rights era; derogation and emergencies; and the right of access to a court. Winner of the Inner Temple Young Author Book Prize 2011.

Medical Law and Medical Ethics Nils Hoppe, José Miola, 2014-04-03 A focus on the interplay between medical law and medical ethics makes this refreshing new textbook the most balanced approach available to students of law and medicine. By offering a unique chapter structure which gives equal weight to both the legal and ethical issues it allows for an appreciation of all factors at play in the field of medical law. In addition, its student-friendly writing style combined with critical analysis gives students the tools to engage with key issues and form their own understanding. Accompanying online case studies convey the law in practice, and encourage students to consider their own views and arguments in terms of legal analysis and ethical consideration. Coverage of recent judicial cases and statutes, with a good balance of factual detail and critical analysis, allows students to engage with this evolving discipline.

"Text, Cases & Materials on Medical Law " Marc Stauch, 2017-07-05 Lucid and logical in structure, this new edition, previously entitled Sourcebook on Medical Law draws together a wide range of essential material, including extracts from statutes, cases and academic commentary from medical law; an area which is fast becoming an important part of undergraduate syllabuses. Fully updated to take account of recent developments in this dynamic area of law, it examines two major pieces of legislation: the Mental Capacity Act 2005 and the Human Tissue Act 2004 as well as a significant amount of new case law, including the House of Lords decisions in *Chester v Afshar* and *Gregg v Scott* and the Court of Appeal decision in *R (on the application of Burke) v GMC* and others. Divided into two parts, it covers: the general principles that permeate medical law, exploring illness and the ethics of care and healthcare in England and Wales and consent to treatment, confidentiality and medical malpractice issues which arise in relation to specific areas of medical treatment, including infertility treatment and surrogacy, pregnancy and abortion, treating the incompetent, the mentally ill, medical research, organ transplants and euthanasia. This textbook is an invaluable reference tool for all those studying medical law as well as those studying medicine.

Lessons from Medicolegal Cases in Obstetrics and Gynaecology Swati Jha, Eloise Power, 2022-05-12 Obstetrics and gynaecology is the biggest area of medical litigation, with compensation pay-outs exceeding the rest of medicine combined. Many specialists working in the field will be sued over their professional lifetime - having an increased awareness of past cases and their implications will reduce the risk of future litigation. Using landmark cases in the field, this book covers scenarios such as multiple pregnancy, hysterectomy and breech delivery, describing factors that have led to litigation.

Chapters are structured clearly, beginning with case commentaries detailing both a successful and unsuccessful claim. This section is followed by legal commentary explaining the relevant laws and the verdict, finally giving a clinical commentary provided by experts in the field which focuses on best practice to avoid litigation. Edited by an accredited expert witness in the field and a barrister specialising in medical law, this is an invaluable resource for clinicians and lawyers alike.

Tort Law Carol Brennan,Vera Bermingham,2020 A considered balance of depth, detail, context, and critique, Tort Law Directions offers the most student-friendly guide to the subject; empowering students to evaluate the law, understand its practical application, and approach assessments with confidence.

The Law of Medical Negligence in England and Germany Marc Stauch,2008-08-29 This new work adds to the theoretical understanding and discussion of possible solutions to various conceptual and practical problems that arise within the field of medical negligence - an area whose legal treatment is perceived, both in England and Germany, as containing a number of special difficulties and shortcomings. In addition it seeks to make a contribution to the developing field of comparative law, by employing a detailed and closely focused analytical approach in a tightly defined subject area. These twin aims serve to reveal the similarities and differences between two legal cultures in a particularly clear and striking way. The book offers an analysis which is neutral as between the English and German approaches. The issues are dealt with thematically so far as possible, so that the respective treatments in each country of a given matter, eg the standard of care owed by medical practitioners, are discussed side-by-side. The book thus avoids the 'country-report' style, whereby the systems are presented largely separately from each other. What is of particular interest is how, notwithstanding their common starting point in terms of the application of the fault-principle under private law, the detailed rules in the two countries differ markedly. This is true both in the divergent way that claims are structured and argued, and also quite often as regards their substantive outcome. It will be of interest to comparative lawyers, tort and medical lawyers, and practising lawyers working in these areas.

Medical Ethics, Law and Communication at a Glance Patrick Davey,Anna Rathmell,Michael Dunn,Charles Foster,Helen Salisbury,2016-12-27 Medical Ethics, Law and Communication at a Glance presents a succinct overview of these key areas of the medical curriculum. This new title aims to provide a concise summary of the three core, interlinked topics essential to resolving ethical dilemmas in medicine and avoiding medico-legal action. Divided into two sections; the first examines the ethical and legal principles underpinning each medical topic; while the second focuses on communication skills and the importance of good communication. Medical Ethics, Law and Communication at a Glance offers an accessible introduction to the fundamentals of good medical practice, and will provide indispensable support for undergraduate medical students and nurses, as well as newly qualified healthcare professionals.

Law in Practice John Wevill,2019-09-04 Intensely practical and clearly written, Law in Practice: the RIBA Legal

Handbook is the RIBA's jargon-free, professional guide to the law as it relates to a construction project. It addresses all the fundamental, up-to-date issues of contemporary construction law, allowing architects to make sound judgements, avoid disputes, and run projects on a safer basis. This new edition has been fully updated to reflect the new RIBA Plan of Work 2013 – the industry's framework for construction projects – as well as recent case law and other legal updates that the practising architect needs to be aware of. Why does an appointment need to be written? Why does language matter? What is a novation? What does an overall cap on liability mean, and how can you convince a client to agree one? How do you assess an extension of time? When should you notify your insurer of a potential claim? Law in Practice answers all of these questions and many more.

Manual Handling in Health and Social Care Michael Mandelstam, 2002-02-15 This book presents an accessible overview of manual handling legislation, legal case law, national guidance, policy and practice. A stand-alone overview of manual handling law and practice is followed by more in-depth material, in A-Z format and fully cross-referenced, which allows the reader to look up issues for quick access to more information.

Law for Business Students Alix Adams, Stephanie Caplan, Graeme Lockwood, 2020 Law for Business Students is the popular textbook for introducing legal concepts to non-law students in a practical, engaging way through real-life cases relevant to the business world. A clear explanation of the study of law and study skills leads into the main core topics of law: contract (including intellectual property), tort, employment and business organisations (including formation), governance and dissolution. The book also includes a range of features to aid understanding, applying and analysing legal concepts: - Scenarios - to encourage development of opinions and application of relevant legal concepts. - Worth thinking about - discussion points to analyse within the classroom. - Exam tips - pointing to areas of the law which are ripe for questions in an exam, to help revision practice. - Chapter summaries - to reinforce learning of key concepts. - Key terms - highlighted in margin notes. - Review questions with answers - self-test questions and worked exam examples to consolidate knowledge, encouraging students to apply the law and boost confidence. - Advanced questions - to challenge students in developing knowledge of the law. This 12th edition has been fully updated and also provides restructured coverage of negligence, with dedicated chapters covering negligence and special duty situations and product liability. Clear and concise, it provides accessible coverage of the fundamental legal principles and an understanding of the practical application of the law to the business environment. Additional instructor resources to accompany the book are available at www.pearsoned.co.uk/adams--

Medical Law: Text, Cases, and Materials Emily Jackson, 2013-08-15 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.

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