

Principles of Law and Medical Ethics

ASSISTED DYING & END-OF-LIFE LAW AND ETHICS

Essential Reading:

The handbook is very detailed so read this first before turning to the relevant chapters of your textbooks.

AND

CMSC, *Treatment and Care Towards the End-of-Life: Good Practice in Decision Making* (2009) (Posted on BBG)

See also the recent story about a legal challenge brought by a terminally ill man, *Nigel Conway*: <https://www.bbc.com/news/health-4628452>

INTRODUCTION

This part of the course will examine a number of issues in connection with death, end-of-life law and assisted dying:

Part 1 – Assisted dying

- A) Euthanasia and the boundary between curing and killing
- B) Assisted suicide

Part 2 – Withdrawing life-sustaining treatment**PART 1 – Assisted dying****Terminology**

Euthanasia – actively ending the life of another (can be voluntary, non-voluntary or involuntary). **Even a legal prescription, this is murder.**

Physician Assisted Suicide (PAS) – where a Dr provides a fatal prescription.

Assisted Suicide – where a lay person (usually relative/friend) assists in suicide.

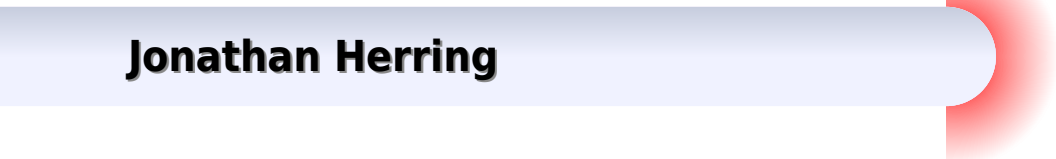
Assisted Dying – includes both euthanasia (only voluntary?) and PAS. Note that this term is applied flexibly and is subject to interpretation and confusion!

5.1 Euthanasia: The boundary between curing and killing

The criminal law takes no account of motive or consent and so active killing (euthanasia) will always be regarded as **murder** unless a defence is applicable. You might remember from studying criminal law, some of the defences generally available relate to euthanasia (with respect to the question of either consent or the compassionate motive of the accused) will be relevant to the question of liability. Although, note that some relatives have succeeded in pleading the partial defence of **diminished responsibility**, where the stress of caring for their sick relative led to a defect in their mental capacity which reduced their responsibility for the killing from murder to voluntary manslaughter.

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Q&A Medical Law Jonathan Herring, 2015 Routledge Q As give you the tools to practice and refine your exam technique showing you how to apply your knowledge to maximum effect in assessment Each book contains essay and problem based questions on the most commonly examined topics complete with expert guidance and model answers that help you to Plan your revision and know what examiners are looking for Understand and remember the law Gain marks and understand areas of debate Avoid common errors

Medical Law Jonathan Herring, 2009-06 Law Express Medical Law is designed to help you to relate all the reading and study throughout your course specifically to exam and assignment situations Understand quickly what is required organise your revision and learn the key points with ease to get the grades you need Tested with examiners and students

LexisNexis Questions and Answers Malcolm Smith, 2014 *Law Express Question and Answer* Michelle Robson, Kristina Swift, Helen Kingston, Carolyn Fyall, 2015-08-03 Maximise your marks for every answer you write with Law Express Question and Answer This series is designed to help you understand what examiners are looking for focus on the question being asked and make even a strong answer stand out

Q&A Medical Law 2013-2014 Jonathan Herring, 2013-06-07 Intended to be of help to students studying medical law who feel that they have acquired a body of knowledge but do not feel confident about using it effectively in exams this book sets out to demonstrate how to apply the knowledge to the question and how to structure the answer Covers both law and ethics showing how the legal principles reflect or do not reflect ethical principles

Medical Law Concentrate Jo Samanta, Ash Samanta, 2014 If you re serious about exam success it s time to Concentrate Medical Law Concentrate is the essential study and revision guide for law students looking to consolidate knowledge and achieve the best possible marks in their exams Providing clear succinct coverage of the essential topics it enables you to quickly grasp the fundamental principles of this area of law and excel in exams This guide has been rigorously reviewed and is endorsed by students and lecturers for level of coverage accuracy and exam advice Packed with essential information key cases revision tips exam q as and more Medical Law Concentrate is also supported by extensive online resources to take your learning further Online Resource Centre <http://www.oxfordtextbooks.co.uk/orc/concentrate> DT Plan your revision using the printable topic overviews DT Pinpoint which areas you need to concentrate on with the diagnostic test DT Test your knowledge of medical law with multiple choice questions and receive feedback on your answers DT Improve your essay skills using the outline answers for guidance on what to include and how to structure your answer DT Revise the facts and discussions of key cases using the interactive flashcards DT Learn the important terms and definitions using the interactive glossary DT Check that you have covered the main points of a topic using the key facts lists DT Achieve better marks with the aid of experienced advice on revision and exam technique

LexisNexis Questions and Answers Malcolm Smith, 2014 Provides a clear and concise revision guide for each of the major topics covered in the typical health law course It provides an understanding of medical law in each Australian jurisdiction

and gives a clear and systematic approach to analysing and answering problem and essay questions Smith at QUT

Unlocking Medical Law and Ethics Claudia Carr, 2015 Unlocking Medical Law and Ethics will help you grasp the main concepts of Medical Law with ease Containing accessible explanations in clear and precise terms that are easy to understand it provides an excellent foundation for learning and revising The information is clearly presented in a logical structure and the following features support learning helping you to advance with confidence Clear learning outcomes at the beginning of each chapter set out the skills and knowledge you will need to get to grips with the subject Key Learning Points throughout each chapter allow you to progressively build and consolidate your understanding End of chapter summaries provide a useful check list for each topic Cases and judgments are highlighted to help you find them and add them to your notes quickly Frequent activities and self test questions are included so you can put your knowledge into practice Sample essay questions with annotated answers prepare you for assessment Glossary of legal terms clarifies important definitions This second edition has been updated to include discussion of recent changes and developments within the module such as updated case law including Birmingham Children s NHS Trust v B 2014 EWHC 531 NHS Foundation Trust v A 2014 EWHC 920 A NHS Trust v DE 2013 EWHC 2562 Re P M Parental Order Payments to Surrogacy Agency 2013 EWHC 2328 R v Catt Sarah Louise 2013 EWCA 1187 and Doogan v Greater Glasgow and Clyde Health Board and others 2013 CSIH 36 The books in the Unlocking the Law Series get straight to the point and offer clear and concise coverage of the law broken down into bite size sections with regular recaps to boost your confidence They provide complete coverage of both core and popular optional law modules presented in an innovative visual format and are supported by a website which offers students a host of additional practice opportunities Visit www.unlockingthelaw.co.uk for access to free study resources including multiple choice questions key questions and answers revision mp3s and cases and materials exercises Series editors Jacqueline Martin LLM has over ten years experience as a practising barrister and has taught law at all levels Chris Turner LLM is Senior Lecturer in Law at Wolverhampton University and has taught law at all levels

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