

Healthcare Law: The Impact of the Human Rights Act 1998

Author: Deborah Goss, John Fingert & Sam Lewis



Healthcare Law The Impact Of The Human Rights Act 1998

Stephen Tilley, Roger Watson



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Healthcare Law: Impact of the Human Rights Act 1998 Austen Garwood-Gowers, John Tingle, Tom Lewis, 2013-03-04 With the implementation of the Human Rights Act 1998 in October 2000 Britain has for the first time a full positive system of legal rights This book provides an insight into the implications of the act with regard to healthcare *Healthcare Law: Impact of the Human Rights Act 1998* Austen Garwood-Gowers, John Tingle, Tom Lewis, 2001-10-30 With many issues still to be resolved the Human Rights Act has brought considerable uncertainty with respect to healthcare law Written as a critical collection of essays this invaluable book provides a careful examination and analysis of the issues and how they might be resolved The book fully explores the relevance and potential impact of the European Convention on Human Rights and Biomedicine both genetically and in specific areas such as medical research and biotechnology Human Rights and Healthcare Elizabeth Wicks, 2007-07-27 Human Rights and Healthcare looks at medical law from a human rights perspective Almost all issues traditionally taught under a medical law label have significant human rights issues inherent within them This book is unique in bringing those human rights implications to the fore The rights at issue include established fundamental rights such as the right to life the right to respect for a private life and the right to physical integrity as well as more controversial rights such as a right to reproduce and a right to die The human rights perspective of this book enables new light to be cast upon familiar medico legal cases and issues As such the book provides a genuine merging of human rights law and medical law and will be of value to all students and academics studying medical law as well as to those interested in the broader issues raised by the growing human rights culture within the UK and worldwide *Health Law and the European Union* Tamara K. Hervey, Jean V. McHale, 2004-11-04 How does the law of the European Union affect health law and policy At first sight it seems limited However despite its restricted formal competence the EU has recently become increasingly involved in the health field Litigation based on EU law has resulted in a right to receive health care services across national boundaries which may have huge practical implications for national health systems The EU has promulgated legislation regulating clinical research and the marketing of pharmaceuticals patients rights are affected by EU legislation on data protection and product liability the qualifications of health care professionals are legally recognised across the EU and the EU has acted to promote public health This book explores the various impacts of measures of EU law on national health law and policy Through elaboration of selected examples the authors show that within the EU health law cannot be regarded as a purely national affair Autonomy and Human Rights in Health Care David N. Weisstub, Guillermo Díaz Pintos, 2007-12-20 Autonomy and Human Rights in Healthcare An International Perspective is a group of essays published in memory of David Thomasma one of the leading humanists in the field of bioethics during the twentieth century A pioneer in the field of multidisciplinary research having integrated major theological and philosophical traditions in the west with modern science Thomasma was a role model to the authors who have devoted essays to his major avenues of inquiry The

authors represent many different countries and disciplines throughout the globe The volume deals with the pressing issue of how to ground a universal bioethics in the context of the conflicted world of combative cultures and perspectives

Healthcare ,2001 With many issues still to be resolved the Human Rights Act has brought considerable uncertainty with respect to healthcare law Written as a critical collection of essays this invaluable book provides a careful examination and analysis of the issues and how they might be resolved The book fully explores the relevance and potential impact of the European Convention on Human Rights and Biomedicine both genetically and in specific areas such as medical research and biotechnology Accountability in Nursing and Midwifery Stephen Tilley,Roger Watson,2008-04-15 Accountability is a key concern for nurses and midwives in the NHS today Professional accountability being responsible for your actions and for the outcomes of these actions is part of the framework of clinical governance which aims to provide good quality cost effective evidence based care The second edition of Accountability in Nursing and Midwifery addresses current issues and key concerns in accountability focusing on accountability in the four main branches of nursing adult child learning disabilities and mental health as well as in midwifery community nursing and nursing management In an increasingly litigious society the ethical and legal implications of accountability are growing and it is important that nurses understand the implications for everyday practice Key book features addresses crucial professional issues for nurses and midwives explores the impact of clinical governance examines issues of accountability in key areas of nursing and midwifery focuses on accountability in practice research and management addresses implications for practice *The EU Charter of Fundamental Rights* Steve Peers,Tamara Hervey,Jeff Kenner,Angela Ward,2014-12-01 The Charter of Fundamental Rights of the European Union enshrines the key political social and economic rights of EU citizens and residents in EU law In its present form it was approved in 2000 by the European Parliament the Council of Ministers and the European Commission However its legal status remained uncertain until the entry into force of the Treaty of Lisbon in December 2009 The Charter obliges the EU to act and legislate consistently with the Charter and enables the EU s courts to strike down EU legislation which contravenes it The Charter applies to EU Member States when they are implementing EU law but does not extend the competences of the EU beyond the competences given to it in the treaties This Commentary on the Charter the first in English written by experts from several EU Member States provides an authoritative but succinct statement of how the Charter impacts upon EU domestic and international law Following the conventional article by article approach each commentator offers an expert view of how each article is either already being interpreted in the courts or is likely to be interpreted Each commentary is referenced to the case law and is augmented with extensive references to further reading Six cross cutting introductory chapters explain the Charter s institutional anchorage its relationship to the Fundamental Rights Agency its interaction with other parts of international human rights law the enforcement mechanisms extraterritorial scope and the all important Explanations **Healthcare Decision-Making and the Law** Mary Donnelly,2010-11-18 This analysis of the law s approach

to healthcare decision making critiques its liberal foundations in respect of three categories of people adults with capacity adults without capacity and adults who are subject to mental health legislation Focusing primarily on the law in England and Wales the analysis also draws on the law in the United States legal positions in Australia Canada Ireland New Zealand and Scotland and on the human rights protections provided by the ECHR and the Convention on the Rights of Persons with Disabilities Having identified the limitations of a legal view of autonomy as primarily a principle of non interference Mary Donnelly questions the effectiveness of capacity as a gatekeeper for the right of autonomy and advocates both an increased role for human rights in developing the conceptual basis for the law and the grounding of future legal developments in a close empirical interrogation of the law in practice

Medical Law and Ethics Jonathan Herring, 2006 Medical Law and Ethics 2nd Edition provides essential legal and ethical principles for anyone pursuing a healthcare career It provides a foundation of all the essentials including the legal system the patient physician relationship professional liability and medical malpractice prevention public duties of the physician the medical record confidentiality bioethical issues and HIPAA BOOK JACKET

Legal and Ethical Aspects of Healthcare S. A. M. McLean, J. K. Mason, 2003-01-06 There can be few aspects of life which have altered so dramatically in the past few decades as the relationship between medicine and the law Treatments become more and more sophisticated as each advance in medicine is made At the same time the legal and moral issues surrounding such treatments have multiplied and have become increasingly sensitive and complex Introducing the reader to important topics which include genetics consent negligence research assisted reproduction and mental health the book outlines what the current law is why it is so and what it may become in the future Legal and Ethical Aspects of Healthcare is written by a lawyer and a doctor each with extensive practical experience in the field It provides wide ranging coverage of the most important ethical and moral issues that face healthcare professionals lawyers and the general public alike and it offers a unique insight into the problems that healthcare providers and patients can be expected to encounter both today and in the future All healthcare professionals at any level of training or practice lawyers and interested members of the general public Book jacket

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Paul Craig Eileen Denza Piet Eeckhout Koen Lenaerts Steve Peers Wulf Henning Roth Francis Snyder Erika Szyszczak Takis Tridimas and Stephen Weatherill *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 Mason and McCall Smith's Law and Medical Ethics Graeme T. Laurie, Shawn Harmon, Edward Dove, 2019 This classic textbook has provided students of medical law and ethics with a framework for exploring this fascinating subject for over 30 years Providing coverage of all of the topics found on medical law courses it gives an overview of the inter relationship between ethical medical practice and the law Medical law is significantly shaped by the courts and as such this book provides extensive coverage of recent judicial decisions as well as statutory developments The new edition continues to evolve to reflect changes in the law and shifting ethical opinions Children's Health and Children's Rights Michael Freeman, 2006-02-01 This collection offers a series of essays highlighting many of the most controversial of contemporary issues relating to children medicine and health care including the participation rights of children genetic testing male circumcision organ donation gender reassignment the rights of autistic children anorexia nervosa Essays are written by a range of leading scholars across a range of disciplines A number of the essays in this collection were previously published in the International Journal of Children's Rights

Children as Tissue Donors Shih-Ning Then, 2018-10-29 This book examines the position of children who provide tissue to potentially save the life of another It questions whether child donors of all ages have been treated appropriately and whether they are sufficiently protected in acting as tissue donors and ultimately considers whether a new regulatory response is needed to benefit donor children The book couples a legal exposition of the donor child's position with the medico ethical reality of clinical practice In recent years a growing body of literature concerning the clinical experiences and outcomes for child donors has emerged This book adds to this by examining another dimension the regulatory frameworks at play It examines the ethical arguments for and against children acting as tissue donors and provides an original analysis of the legal and non legal regulatory frameworks governing children's participation in the United Kingdom United States and Australia It

combines these doctrinal and theoretical approaches with insights into clinical practice gained from the results of qualitative research conducted with health professionals The analysis inevitably explores the more general issues of children's right to make medical decisions the role of parents in decision making the value of the best interests test and alternative legal and ethical standards rights of participation of children before the courts and the role of law and other forms of regulation in a clinical context

European Union Health Law Tamara K. Hervey, Jean V. McHale, 2015-11-12 The first holistic and thematic study of EU health law and its implications through its own internal logics

Fetal Medicine Charles H. Rodeck, Martin J. Whittle, 2009-01-01 Fetal medicine has emerged as a separate subspecialty over the last 30 years as a result of major advances in a number of areas in particular ultrasound imaging cytogenetics molecular biology and biochemistry The widespread use of antenatal screening and diagnostic tests has led to an increased need for obstetricians to have knowledge and skills in fetal medicine This book provides the information that underpins training programmes in fetal medicine and integrates science and clinical disciplines in a practical and useful way Clinical sections include the latest advances in prenatal screening a systems based presentation of the diagnosis and management of fetal malformations complete coverage of common and rare fetal conditions including growth restriction endocrine and platelet disorders early pregnancy loss and twins multiple pregnancy More focus on important basic science concepts such as maternofetal cell trafficking and the relevance to clinical management

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