

# LA333-15 Medicine and the Law

**22/23**

**Department**

School of Law

**Level**

Undergraduate Level 3

**Module leader**

Roger Leng

**Credit value**

15

**Module duration**

10 weeks

**Assessment**

100% exam

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

Medical research has produced major advances in surgical techniques and methods of treatment that help to prolong life and reduce disease, but it has extended its role into the assessment of disease and the facilitation of treatment. This module examines the role law now plays in attempting to regulate these processes, and how ethical principles are applied to medical decisions.

[Module web page](#)

### Module aims

Medical research has produced major advances in surgical techniques and methods of treatment that help to prolong life and reduce disease. These advances in medicine have also been accompanied by extensive experimentation with human life. The medical profession has extended its concerns beyond its original base of performing surgery and prescribing drugs for organic illness into new roles such as the assessment of mental illness and alcoholism, the supervision of the process of giving birth, facilitating contraception, sterilisation, abortion and genetical screening etc. New technology has drawn the medical profession into the processes of augmenting fertility and embryo experimentation as well as extending life itself with intensive care treatment. One purpose of this module is to examine these developments and the role law now plays in

attempting to regulate these processes. While the doctor/patient contractual relationship may now be inadequate and in many cases irrelevant, it is clear that the legal relationships produced by new forms of statutory and common law regulation do not always offer adequate protection for the consumers of medical services. In many areas there is an issue whether a new legal framework should be provided for significant medical decisions.

Finally, the module also includes an examination of how ethical principles are applied to medical decisions and the extent to which such principles are incorporated into the legal standards applied to medical decisions.

## **Outline syllabus**

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

The relationship between law and medical ethics

Confidentiality

Consent to medical treatment

Medical negligence

Medical malpractice litigation

Abortion

Legal issues relating to the beginning of life

Fertility treatment

Definition of death

Euthanasia

Advance Directives

Organ transplants

## **Learning outcomes**

By the end of the module, students should be able to:

- Understand and apply the concepts and doctrines from across the spectrum of law as it regulates the relationships between healthcare professionals and patients and the healthcare system as a whole. To be able to use and understand relevant legal materials including legislation, common law and administrative rules.
- Understand and apply the main theories of bioethics Understand the social, political and economic context in which medicine is practised and regulated
- Understand the international context in which medicine is practised and regulated, with particular reference to the European Convention on Bioethics
- Identify and use primary and secondary legal sources and journals relevant to medical ethics and the law
- Identify contemporary debates and engage with these while accurately reporting the law in the area
- Identify and use both legal and non-legal sources both within the library and elsewhere in paper and electronic format
- Work independently to gain understanding of materials/issues in medical ethics and the law
- Understand and utilise the language of ethics and medical law

- How to discuss sensitive, ethical and political questions in a constructive and coherent manner
- Use electronic retrieval system e.g. Lexis and Westlaw, and to be able to use such systems to conduct complex searches
- Able to work in groups, contributing effectively to the group's task

## Indicative reading list

BRAZIER and CAYE, *Medicine, Patients and the Law*, 4th ed., (2007) Penguin

HERRING, *Medical Law and Ethics*, 6th ed., (2016) Oxford University Press

JACKSON, *Medical Law: Text, Cases and Materials*, 3rd ed., (2013) Oxford University Press

[View reading list on Talis Aspire](#)

## Subject specific skills

No subject specific skills defined for this module.

## Transferable skills

No transferable skills defined for this module.

## Study

### Study time

Type	Required
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	125 hours (83%)
Total	150 hours

### Private study description

No private study requirements defined for this module.

## Costs

No further costs have been identified for this module.

## Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### Assessment group BG

	Weighting	Study time	Eligible for self-certification
Assessment component			
Online Examination	100%		No
This is a 2hr exam to be completed within the given 24hr period.			
~Platforms - AEP			

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- Online examination: No Answerbook required

Reassessment component is the same

### Feedback on assessment

Generic feedback provided via Moodle, option for one to one feedback in October by student request.

[Past exam papers for LA333](#)

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## Availability

### Courses

This module is Optional for:

- UIBA-MN34 Law and Business Four Year (Qualifying Degree)
  - Year 3 of MN34 Law and Business Studies Four Year (Qualifying Degree)
  - Year 4 of MN34 Law and Business Studies Four Year (Qualifying Degree)
- ULAA-M300 Undergraduate Law
  - Year 2 of M300 Law
  - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)

- Year 2 of M105 Law (3 year) (Qualifying Degree)
- Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
  - Year 2 of M106 Law (4 year) (Qualifying Degree)
  - Year 3 of M106 Law (4 year) (Qualifying Degree)
  - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
  - Year 2 of M104 Law (Year Abroad)
  - Year 4 of M104 Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 3 of UIBA-MN31 Undergraduate Law and Business Studies
- UIBA-MN32 Undergraduate Law and Business Studies
  - Year 3 of MN32 Law and Business Studies (Four-Year)
  - Year 4 of MN32 Law and Business Studies (Four-Year)
- UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 2 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 4 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 5 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
- UIBA-MN35 Undergraduate Law and Business Studies with Intercalated Year (3+1)
  - Year 3 of MN35 Law and Business Studies with Intercalated Year (3+1)
  - Year 4 of MN35 Law and Business Studies with Intercalated Year (3+1)
- UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
  - Year 2 of MN36 Law and Business Studies with Intercalated Year (4+1)
  - Year 4 of MN36 Law and Business Studies with Intercalated Year (4+1)
  - Year 5 of MN36 Law and Business Studies with Intercalated Year (4+1)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
  - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
  - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- Year 2 of ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- Year 3 of ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)

- Year 3 of ML34 Law and Sociology (Qualifying Degree)
- Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list E for:

- Year 2 of UPHA-V7MW Undergraduate Politics, Philosophy and Law