

# LA333-15 Medicine and the Law

**26/27**

**Department**

School of Law

**Level**

Undergraduate Level 3

**Module leader**

Adam Slavny

**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

[Reading lists can be found in Talis](#)

[Specific reading list for the module](#)

## Subject specific skills

Legal analysis. Applying and assessing ethical and philosophical argument. Situating debates in their broader social, political and philosophical contexts. Policy analysis and construction.

## Transferable skills

Logical reasoning. Legal comprehension. Research skills including use of databases and library resources.

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## Study

### Study time

Type	Required
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	123 hours (82%)
Assessment	2 hours (1%)
Total	150 hours

### Private study description

No private study requirements defined for this module.

### Costs

No further costs have been identified for this module.

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## Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### Assessment group BI

Assessment component	Weighting	Study time	Eligible for self-certification
Centrally-timetabled examination (on campus)	100%	2 hours	No
Two-hour examination			

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- LA014: Medicine and Law Statutes
  - Online examination: No Answerbook required

Reassessment component is the same

### Feedback on assessment

Generic feedback provided via Moodle and individual feedback provided via exam assessment system.

[Past exam papers for LA333](#)

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## Availability

### Courses

This module is Optional for:

- ULAA-M130 Undergraduate Law
  - Year 2 of M130 Law
  - Year 2 of M130 Law
  - Year 3 of M130 Law
  - Year 3 of M130 Law

- ULAA-M131 Undergraduate Law (4 Year)
  - Year 2 of M131 Law (4 year)
  - Year 3 of M131 Law (4 year)
  - Year 4 of M131 Law (4 year)
- ULAA-M132 Undergraduate Law (Year Abroad)
  - Year 2 of M132 Law (Year Abroad)
  - Year 4 of M132 Law (Year Abroad)
- ULAA-M135 Undergraduate Law and Sociology
  - Year 3 of M135 Law and Sociology
  - Year 4 of M135 Law and Sociology
- Year 2 of ULAA-M133 Undergraduate Law with French Law
- ULAA-M134 Undergraduate Law with German Law
  - Year 2 of M134 Law with German Law
  - Year 4 of M134 Law with German Law
- ULAA-M136 Undergraduate Law with Humanities (3 Year)
  - Year 2 of M136 Law with Humanities (3 year)
  - Year 3 of M136 Law with Humanities (3 year)
- UPHA-V7MW Undergraduate Politics, Philosophy and Law
  - Year 3 of V7MW Politics, Philosophy and Law
  - Year 3 of V7MW Politics, Philosophy and Law