

UNIVERSITY COLLEGE LONDON

University of London

EXAMINATION FOR INTERNAL STUDENTS

For The Following Qualification:–

LL.B.

LL.B. Part II: Medicine, Ethics and Law

COURSE CODE : LAWSII17

DATE : 20-MAY-04

TIME : 10.00

TIME ALLOWED : 3 Hours 15 Minutes

MEDICINE, ETHICS AND THE LAW

Answer **THREE** questions. Where there is an overlap between the answers to questions on this paper and your assessed dissertation, no credit will be given for repetition.

1. Evaluate English law on the preservation of patient-doctor confidences.
2. Write a critical evaluation of the law on organ donation as it applies to the living donor.
3. Section 13 (5) of the Human Fertilisation and Embryology Act 1990 requires fertility clinics to take account of “the welfare of any child who may be born as a result of the treatment, including the need of that child for a father”. What did Parliament intend by this provision? What does it mean? Does it have any value?
4. What legal standard of care is expected of the medical profession? Has this been set at an appropriate level?
5. Explain the *Gillick* principle. Have the courts been right to retreat from it?
6. “The right to life should include the right to die.” Discuss the English law on assisted suicide in the light of this statement.
7. Consider the view that far from promoting women’s reproductive autonomy, the English law of abortion rather offers a system of medical control over women’s fertility.
8. Explain the current law relating to withholding or withdrawing treatment and care in relation to:
EITHER
seriously handicapped newborn babies;
OR
patients who are in a persistent vegetative state.
9. By insisting that the decision to be treated or not to be treated is that of the patient herself, does English law sacrifice best interests to dogma?
10. Assess the impact of the Human Rights Act 1998 on the development of medical law.

END OF PAPER