

CONTENTS

Editorial	1
Dieter Giesen Medical Malpractice and the Judicial Function in Comparative Perspective	3
George P. Smith, II Market and Non-Market Mechanisms for Procuring Human and Cadaveric Organs: When the Price is Right	17
Paul Robertshaw and Rajeev Thacker Consent, Autonomy and the Infantilised Patient	33
Caroline Keenan and Catherine Williams Expert Witnesses in Child Sexual Abuse Cases	57
Charles Ngweni and Ruth Chadwick Genetic Diagnostic Information and the Duty of Confidentiality: Ethics and Law	73
Lisa Miller Two Patients or One? Problems of Consent in Obstetrics	97
Ivor Harrison What is an Addict?	113
Book Reviews	
<i>Artificial Reproduction and Reproductive Rights</i> Athena Liu	123
<i>Wonderwoman and Superman: The Ethics of Human Biotechnology</i>	
John Harris	125
<i>Medico-Legal Aspects of Reproduction and Parenthood</i> J.K. Mason	127
<i>Product Liability, Insurance and the Pharmaceutical Industry: An Anglo-American Comparison</i> G. Howells	129
<i>Health Care in Europe after 1992</i> H.E.G.M. Hermans, A.F. Casparie and J.H.P. Paelinck	131

CONTENTS

John Griffiths

- The Regulation of Euthanasia and Related Medical Procedures
that Shorten Life in The Netherlands** 137

Sheila A.M. McLean and Dieter Giesen

- Legal and Ethical Considerations of the Human Genome
Project** 159

Dermot K. Feenan

- Beyond *Bolam*: Responding to the Patient** 177

Steven Griggs and James Radcliffe

- Bridging the Gap between Planning and Markets: Regulating
Public Hospitals in Britain and France** 195

Book Reviews

- International Medical Malpractice Law: A Comparative Study of
Civil Liability Arising from Medical Care* Dieter Giesen 209

- Last Rights: Death Control and the Elderly in America*
Barbara Logue 211

- Legal Aspects of Medical Practice, 5th Edition* Bernard Knight 213

- The Human Body and the Law, 2nd Edition* David W Meyers 215

- AIDS in the Workplace: Legal Questions and Practical Answers*
William F. Banta 217

CONTENTS

Moirira Wright	
Testing for HIV and Consent: Law and Public Policy	221
Vivienne Harpwood	
NHS Reform, Audit, Protocols and Standards of Care	241
Patrick Hoyte	
Medical Negligence Litigation, Claims Handling and Risk Management	261
Susan Bewley	
Legal Frameworks to Prevent Harm In-Utero	277
Fawzi A. Benomran	
Medical Responsibility in the Libyan Law	289
Book Reviews	
<i>Embryo Experimentation. Ethical, Legal and Social Issues</i> Peter Singer, Stephen Buckle, Pascal Kasimba, Helga Kuhse and Karen Dawson	301
<i>Treat Me Right: Essays in Medical Law and Ethics</i> Ian Kennedy	309
<i>Children's Consent to Surgery</i> Priscilla Alderson	312
<i>Birth Law</i> Anne Hellum	315
<i>Public Law and Health Service Accountability</i> Diane Longley	316
<i>Speller's Law of Hospitals, 7th Edition</i> John Finch	318

Volume 1, No 4 (1995)

CONTENTS

- Philippa Gannon, Tom Guthrie and Graeme Laurie
**Patents, Morality and DNA: Should there be
Intellectual Property Protection of the Human
Genome Project?** 321
- John Griffiths
**Recent Developments in the Netherlands
Concerning Euthanasia and other Medical
Behavior that Shortens Life** 347
- William Wilson and K.J.M. Smith
**The Doctors' Dilemma: Necessity and the
Legality of Medical Intervention** 387
- Alexander R.W. Forrest
Nurses who Systematically Harm their Patients 411
-

Volume 2, No. 1 (1995)

CONTENTS

Margaret A. McGregor Vennell Medical Research and Treatment: Ethical Standards in the International Context	1
Hazel Biggs and Kate Diesfeld Assisted Suicide for People with Depression: An Advocate's Perspective	23
R. Sturges and I. Harrison Statutory Regulation of the Professional Conduct of Pharmacists in Great Britain and the USA	39
D.S. James An Examination of the Medical Aspects of Cremation Certification: Are the Medical Certificates Required under the Cremation Act Effective or Necessary?	51
Book Review <i>Reasonable Care</i> Harvey Teff	71

Volume 2, No. 2 (1996)

CONTENTS

Kerry Petersen

**Abortion Laws: Comparative and Feminist
Perspectives in Australia, England and
the United States**

77

Michael A. Jones and Kirsty Keywood

**Assessing the Patient's Competence to Consent
to Medical Treatment**

107

Tristan Mander

**The Legal Standing of Local Research
Ethics Committees**

149

Hartley Gorenstein

**The Regulation of Biotechnology in Canada:
Social and Moral Issues**

169

Book Review

AIDS: A Guide to the Law (Second Edition)

Richard Haigh and Dai Harris

183

Volume 2, No 3 (1996)

CONTENTS

Jackie Davies	
Patients' Rights of Access to their Health Records	189
J.V. McHale, D. Hughes and L. Griffiths	
Disputes in the NHS Internal Market: Regulation and Relationships	215
Hazel Biggs	
Decisions and Responsibilities at the End of Life: Euthanasia and Clinically Assisted Death	229
Christa Christensen	
Complaints Procedures in the NHS: All Change	247
Book Review	
<i>Abortion: Between Freedom and Necessity</i>	
Janet Hadley	271

Volume 2, No 4 (1997)

CONTENTS

Sabine Michalowski Protection of Medical Confidentiality without a Medical Privilege? – A Discussion of the English and the German Approach	277
Peter Moodie and Moira Wright Medical Research and Alzheimer's Disease: A Study of the Hazards of Conducting Research on the Incompetent Patient	291
S.J. Treece An Evaluation of Medicines Regulation	315
Lynne Foxcroft Surrogacy – Warnock and After	337

CONTENTS

Lynn Hagger The Role of the Human Fertilisation and Embryology Authority	1
Alison Lakin The Legal Powers of the World Health Organization	23
Caroline Bridge Adolescents and Mental Disorder: Who Consents to Treatment	51
S.J. Treece and D. Savas More Questions than Answers? R V Human Fertilisation and Embryology Authority ex parte Blood <i>The Times 7th February 1997</i>	75
Book Review <i>Law and Medicine</i> Belinda Bennett	83

CONTENTS

Melanie Latham Regulating the New Reproductive Technologies: A Cross-Channel Comparison	89
K.R. Daniels, H.L. Ericsson and I.P. Burn The Views of Semen Donors Regarding the Swedish Insemination Act 1984	117
Deryck Beyleveld, Oliver Quarrell, and Stuart Toddington Generic Consistency in the Reproductive Enterprise	135
Richard Lewis Assessing Damages for the Costs of Care	159
Sheila A.M. McLean and Malcolm Booth Report: Withholding and Withdrawing Life-Prolonging Treatment	169
Carolyn L. Wilson Seeking a Balance: Patient Responsibilities in Institutional Health Care	183
David S. Jessop Patients' Rights and Doctors' Responsibilities: Confluence and Conflict	197
Deryck Beyleveld and Diane Longley Informing Potential Participants of Local Research Ethics Committee Approval of Research Protocols	209
Azim A. Khan Sherwani and M. Minhajul Haq Illegal Abortions and Women's Reproductive Health	223
Melanie Latham The French Parliamentary Guidelines of May 1997: Clarification or Fudge?	235
Diane Savas and Stephen Treece Fertility Clinics: One Code of Practice?	243

CONTENTS

Andrew Fulton Phillips New and Old: A New Approach to the Evidence in Whitehouse v. Jordan?	261
Mirian Aziz and Murray Earle Legalising Cannabis for Therapeutic Use: A Comparative Assessment	273
Ján Drgonec The Relationship Between Physician and Patient under the Slovak Law	287
Andrew Grubb 'I, Me, Mine': Bodies, Parts and Property	299
Diane Longley Who is Calling the Piper? Is There a Tune? The New Regulatory Systems for Medical Devices in the United Kingdom and Canada	319
Book Review <i>Traumatic Events and Mental Health</i> Stephen O'Brien	347

CONTENTS

Erwin Bernat The Living Will: Does an Advance Refusal of Treatment Made with Capacity Always Survive any Supervening Incapacity?	1
Elizabeth Rennie Access to Donor Insemination: Canadian Ideals – UK Law and Practice	23
Philippa Gannon and Charlotte Villiers Genetic Testing and Employee Protection	39
Ofra Anson The Israeli Patient's Right Law: Evidence for Deprofessionalization?	59
Case Commentary Deryck Beyleveld and Elise Histed Anonymisation is not Exoneration <i>R.v. Department of Health, Ex Parte Source Informatics Ltd.</i> <i>(1999) QB, Latham J.</i>	69
Book Review <i>Voluntary Euthanasia and the Common Law</i> M.F.A. Otlowski	81

Volume 4, No. 2 (2000)

CONTENTS

- George P. Smith, II
**Genetic Enhancement Technologies and
the New Society** 85
- Kevin Williams
**Comprehending Disclosure: Must Patients
Understand the Risks they Run?** 97
- Charles Ngwena
**Substantive Equality in South African Health
Care: The Limits of Law** 111
- Lord Woolf
**Clinical Negligence: What is the Solution?
How Can We Provide Justice for Doctors and
Patients?** 133

Volume 4, Nos 3, 4 (2000)

CONTENTS

Stephen White The Law Relating to Dealing with Dead Bodies	145
Abla Mayss Drug-Testing on Seropositive Pregnant Women in the Developing World: Moral and Legal Implications	183
Abla Mayss 1962–2000: A Tribute	211
Shaun D. Pattinson Regulating Germ-Line Gene Therapy to Avoid Sliding Down the Slippery Slope	213
Stephanie Pywell Vaccination and Other Altruistic Medical Treatments: Should Autonomy or Communitarianism Prevail?	223
A.R. Maclean The Human Rights Act 1998 and the Individual's Right to Treatment	245
Deryck Beyleveld and Elise Histed Betrayal of Confidence in the Court of Appeal	277

MEDICAL LAW INTERNATIONAL

Volume 5, No 1 (2000)

CONTENTS

Aurora Plomer

**Participation of Children in Clinical Trials: UK,
European and International Legal Perspectives on
Consent**

1

Graeme T. Laurie

Genetics and Patients' Rights: Where are the Limits?

25

Joanne Ramsey

**Regulating Surrogacy—A Contravention of Human
Rights?**

45

Colin Gavaghan

**Anticipatory Refusals and the Action of 'Wrongful
Living'**

67

Volume 5, No 2 (2001)

CONTENTS

T.A. Caulfield and G.B. Robertson Xenotransplantation: Consent, Public Health and Charter Issues	81
Diane Longley and Pat Lawford Engineering Human Tissue and Regulation: Confronting Biology and Law to Bridge the Gaps	101
Thérèse Callus "Wrongful Life" à la Française	117
W. Nigel Irvine A Time to Regulation? Possible Implications of European Human Rights Law on Abortion in Northern Ireland	127

CONTENTS

Raphael Cohen-Almagor The <i>Chabot</i> Case: Analysis and Account of Dutch Perspectives	141
Air Commodore T.M. Gibson QHS PhD MPhil MB ChB FFOM FRAeS RAF A Shot in the Arm for the Military: Consent to Immunisation against Biological Warfare Agents	161
Air Commodore T.M. Gibson QHS PhD MPhil MB ChB FFOM FRAeS RAF Duty of Care in Immunisation Against Biological Warfare Agents	181
D.S. Cook and D.S. James Necrophilia: Case Report and Consideration of Legal Aspects	199
Alasdair Maclean Beyond Bolam and Bolitho	205
Book Reviews	231

MEDICAL LAW INTERNATIONAL

Volume 5, No. 4 (2002)

CONTENTS

Sheila A.M. McLean and Joanne Ramsey Human Rights, Reproductive Freedom, Medicine and the Law	239
Alison Douglass and Ken Daniels Posthumous Reproduction: A Consideration of the Medical, Ethical, Cultural, Psychosocial and Legal Perspectives in the New Zealand Context	259
Shanti Williamson Strict Liability for Medical Products: Prospects for Success	281
Shaun D. Pattinson Undue Influence in the Context of Medical Treatment	305
Book Reviews	319

Volume 6, No. 1 (2003)

CONTENTS

Thérèse Callus

*Omnis definitio periculosa est: on the Definition of the
Term "Embryo" in the Human Fertilisation &
Embryology Act 1990*

1

Charles Ngwena

Commentary

**Access to Health Care Services as a Justiciable
Socio-Economic Right under the South African
Constitution**

13

Lynn Hagger

**Some Implications of the Human Rights Act 1998 for
the Medical Treatment of Children**

25

Qingkang Dai

Informed Consent in China: *Status Quo* and its Future

53