

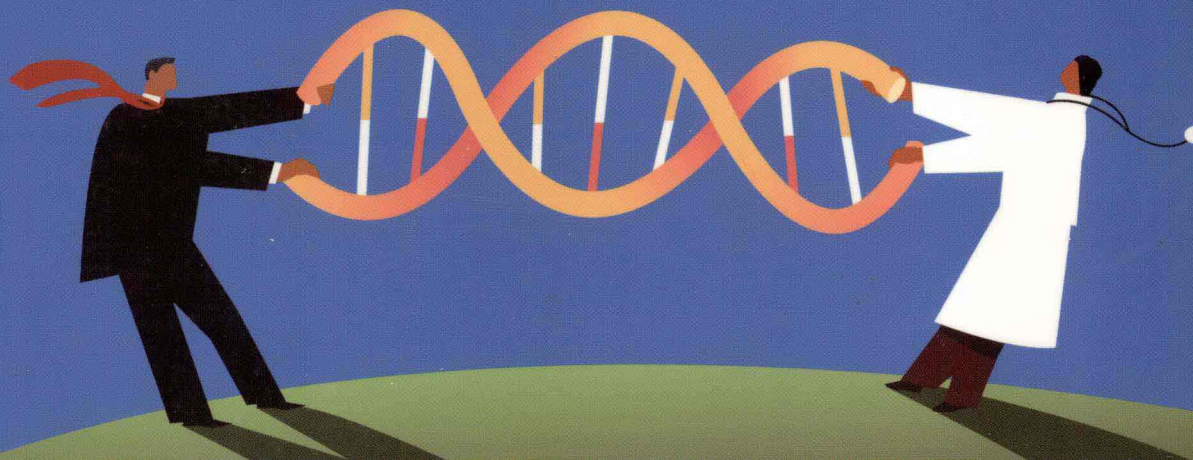
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Mason and McCall Smith's

LAW AND MEDICAL ETHICS

J.K. MASON • G.T. LAURIE

Eighth Edition



Mason and McCall Smith's
**LAW AND MEDICAL
ETHICS**

Eighth Edition

**J. K. MASON CBE MD LLD FRCPath
FRCP (Edin) FRSE**

*Regius Professor (Emeritus) of Forensic Medicine at the
University of Edinburgh*

G. T. LAURIE LLB PhD FRSE

Professor of Medical Jurisprudence at the University of Edinburgh

WITH A CHAPTER BY

M. AZIZ LLB PhD

Barrister at Law

Emile Noel Fellow, New York University Law School

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PREFACE

It is now trite for those engaged in the field of medical law to complain that they are chasing targets that are moving ever-faster. The early years of the twenty-first century have proved no exception. They have, however, provided a variation on the theme in so far as, while it used to be case law that was evolving faster than one could analyse it, it is now statute law that has expanded dramatically in the last five years. Moreover, it is not only the number of new and revised statutes relating to health care which is challenging, but also their length and complexity. As to the former, the record for expansion must surely lie with the Human Tissue Acts. The 1961 Act occupied less than four pages; its successor, the Act of 2004, runs to 61 sections and 81 clauses. Add to these the 62 sections of the Human Tissue (Scotland) Act 2006 and it will be appreciated how much the rapacious researchers of Bristol and Alder Hey have to answer for. In addition, however, it seems that the lawmakers are increasingly reluctant to start afresh; as a consequence, modern statutes tend to be fashioned as hybrids—half the Act is new while the other half consists of amendments to a predecessor of long standing. The result is that modern medical law has to be read with a book in each hand and its study consists of a growing need to be versed not only in the law as it relates to the doctor–patient relationship, but also administrative law, welfare law, social security law, and, of most recent import, the law relating to public health. This last example points to a further complexity with contemporary medical law—the widening gulf in approach as between the jurisdictions that make up the United Kingdom. Thus, while public health clearly affects both major units of the United Kingdom equally, one might marvel at the comparative innovative capacity of the Scottish Parliament for the simplicity of the Public Health etc (Scotland) Act 2008 while its English counterpart is tucked away in Part 3 of the Health and Social Care Act 2008 and adopts a quite different approach.

Case law has not expanded to the same extent. Perhaps this is inevitable because the medical jurisprudence of the United Kingdom can now, we feel, be regarded as having come of age. Gone are the days of dramatic judicial innovation to be found in the medical reports and, despite following the statutes in recording opinions of ever-increasing length, the majority of case law now reflects an atmosphere of consolidation rather than trail-blazing. If there has been any significant change of direction, we suggest that it lies in the increasing interplay between medical and human rights law and, with it, a stronger influence of judicial review as a determinant of the former; this trend, we feel, is likely to continue. With it, and to a certain extent because of it, we have also seen a growing regard for the ethical principle of respect for individual autonomy in shaping medical jurisprudence. Although in many ways this represents a most welcome shift in direction, it comes with its own challenges as we discuss throughout this book.

As regards this edition of *Law and Medical Ethics*, it will be noted that we have changed our order of presentation quite markedly so as to fit more easily into a pattern that has evolved over a decade and a half of combined teaching. Clearly, we have modified our views over time but, in general, our response to the major controversies discussed in the

text still leans towards the conservative end of the moral spectrum and, avowedly, to support for a central role for community interests in their resolution. One feature, perhaps particularly evident since the last edition of this book was published, has been the growth of competition within the medico-legal textbook market; it will be interesting to see the direction in which other schools are moving in respect of radical changes of attitude.

We have had considerable research assistance from our postgraduate students in revising for this edition. In particular, we thank Ms Shih-ning Then, Ms Philippa-Lucy Robertson, and Ms Kathryn Hunter for their valiant efforts to fill the void created by the repatriation of Mr Geoff Pradella. Our immediate colleagues, Dr Sharon Cowan and Mr Gerard Porter, have been immensely supportive as have all the members of the Edinburgh Law School. This edition has had a particularly trying gestation period and we thank the Staff at Oxford University Press—and especially Ms Eleanor Williams—for their quite remarkable forbearance.

Our affection for the discipline of medical law has grown with each burgeoning edition of this book. But the dynamic nature of our field generates one final challenge: the near-impossible task of updating uniformly across so many individual chapters. Suffice it to say that the final contribution went into production in February 2010 by which time we had done as much as possible to ensure that the law was accurate.

Which returns us, rather neatly, to our opening sentence. Almost as the latter-day printing presses start to roll, the new government has published its white paper *Equity and Excellence: Liberating the NHS*¹ followed by its progeny *Liberating the NHS: Report of the Arm's-length Bodies Review*.² The result is that several of the administrative bodies mentioned in the text and tables will disappear, at least nominally, either immediately or after further consideration while the format of others will be markedly altered. The changes will be incorporated in a new Health Bill and a Public Bodies (Reform) Bill. But we doubt if this Parliamentary flurry makes much difference to the principles we discuss.

JKM
GTL
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² 26th July 2010

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- CRHP v Nursing and Midwifery Council and Truscott [2005] 1 WLR 717, [2005] Lloyd's Rep Med 65 ... 1.43
- Crivon v Barnet Group Hospital Management Committee (1959), The Times, 19 November ... 5.54
- Crouchman v Burke (1998) 40 BMLR 163 ... 10.10, 10.18
- Cruzan v Director, Missouri Department of Health (1990) 497 US 261 at 294, 123 1 All ER 906, (1996) 35 BMLR 63 ... 15.59
- Curlender v Bio-Science Laboratories 165 Cal 477 (1980) ... 10.56
- Curran v Bosze 566 NE 2d 1319 (Ill, 1990) ... 17.22
- Custodio v Bauer 251 Cal App 2d 303 (1967) ... 10.16

- Cygnus/Diagnostic Methods [2006] EPOR 15 ... 14.62
- D (a minor), Re [1976] Fam 185, [1976] 1 All ER 326 ... 9.25, 9.27, 9.30, 9.32, 9.43
- D (a minor) v Berkshire County Council [1987] AC 317, [1987] 1 All ER 20, HL ... 10.92
- D (medical treatment: consent), Re [1998] 2 FLR 22, (1998) 41 BMLR 81 ... 11.18, 15.102, 15.128, 15.132, 18.30
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- D v East Berkshire Community Health NHS Trust; K v Dewsbury Healthcare NHS Trust, K v Oldham NHS Trust [2005] UKHL 23, [2005] 2 All ER 443 ... 5.24
- D v Ireland ECtHR (Application 26499/02), 28 June 2006 ... 9.72, 9.82
- D v National Society for the Prevention of Cruelty to Children [1978] AC 171, [1977] 1 All ER 589, HL ... 6.42
- D v United Kingdom (1997) 24 EHRR 423 ... 15.35
- Danns v Department of Health (1995) 25 BMLR 121 ... 10.11
- Davies v HM Deputy Coroner for Birmingham 212 ... 5.89
- Davis v Davis 842 SW 2d 588 (Tenn Sup Ct, 1992) ... 8.78, 14.11
- De Freitas v O'Brien (1995) 25 BMLR 51 [1995] 6 Med LR 108, CA ... 5.43
- Decker v Caisse de Maladie des Employés Privés: Case C-120/95 [1998] ECR I-1831 ... 3.08, 3.18–3.19, 3.24
- Department of Health and Community Services (NT) v JW Band SMB (Marion's case) (1992) 175 CLR 218, (1992) 66 ALJR 300, (1992) 106 ALR 385 ... 4.43, 9.45
- Deutscher Apothekerverband eV v 0800DocMorris NV, Jacques Waterval: Case C-322/01 [2003] ECR I-14887 ... 3.09
- Devi v West Midlands Regional Health Authority [1980] C L Y 687 ... 4.11
- Dewar v HM Advocate 1945 JC 5 ... 14.42
- Diamond v Chakrabarty 447 US 303, 66 L Ed 114 (1980) ... 14.51
- Dickson and Dickson v Premier Prison Service Ltd [2004] EWCA Civ 1477; Dickson v United Kingdom [2008] 46 EHRR 41 ... 8.22
- Dickson v United Kingdom [2008] 46 EHRR 41 ... 8.22, 8.24
- Dobson v North Tyneside Health Authority [1996] 4 All ER 474, (1996) 33 BMLR 146 ... 14.44–14.45
- Docherty v Brown 1996 SLT 325 ... 9.90
- DoCS v Y [1999] NSWSC 644 ... 4.24
- Doe v Bolton 93 S Ct 739 (1973) ... 9.75
- Doe v Doe 710 A 2d 1297 (Conn, 1998) ... 8.94
- Doe v Kelly 307 NW 2d 438 (Mich, 1981) ... 8.89
- Doe v Roe 717 A 2d 706 (Conn, 1998) ... 8.94
- Doiron v Orr (1978) 86 DLR (3d) 719 ... 10.08, 10.14
- Doodeward v Spence (1908) 6 CLR 406 ... 14.41, 14.44
- Dowson v Sunderland Hospitals NHS Trust [2004] Lloyd's Rep Med 177 ... 5.97
- Drake v Chief Adjudication Officer [1986] 3 All ER 65, [1986] ECR 1995 ... 12.21
- Duffy v Lanarkshire Health Board (1998 SCLR 1142, 1999 SLT 906) ... 5.52
- Dumer v St Michael's Hospital 233 NW 2d 372 (Wis, 1975) ... 10.54
- Duncan v Medical Practitioners' Disciplinary Committee [1986] 1 NZLR 513 ... 6.25
- Dunn v British Coal Corp'n [1993] ICR 591, CA ... 6.63
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- Dunne (infant) v National Maternity Hospital [1989] IR 91 per Finlay CJ ... 5.37
- Dunning v United Liverpool Hospitals Board of Governors [1973] 2 All ER 454 ... 6.61
- Duphar BV and Others v the Netherlands State: Case C-238/82 [1984] ECR 523 ... 3.08
- Durant v Financial Services Authority [2003] EWCA Civ 1746, [2004] IP & T 814 ... 6.49
- Duval v Seguin (1973) 40 DLR (3d) 666 ... 10.79
- Dwan v Farquhar [1988] Qd R 234 ... 5.36
- E (a minor) (medical treatment), Re [1991] 2 FLR 585, (1992) 7 BMLR 117 ... 9.45
- E (a minor), Re [1993] 1 FLR 386, [1994] 5 Med LR 73 ... 4.36
- E (D) (Guardian ad litem of) v British Columbia, (2005) Carswell BC 523, 2005 BCCA 134 ... 4.99
- E v Castro (2003) 80 BMLR 14 ... 5.59
- E v Norway (1994) 17 EHRR 30 ... 13.38
- EC (disclosure of material), Re [1996] 2 FLR 725; [1997] Fam Law 160 ... 6.62
- EC Commission v United Kingdom [1997] ECR I-2649, [1997] All ER (EC) 481 ... 5.112
- EG, In re 549 NE 2d 322 (Ill, 1989) ... 4.34
- ELH and PBH v United Kingdom (1997) 91A D & R 61 ... 8.24
- Ellis v Sherman 515 A 2d 1327 (Pa, 1986) ... 10.56
- Ellis v Wallsend District Hospital (1989) 17 NSWLR 553, CA; confirmed on appeal [1990] 2 Med LR 103 ... 4.108, 5.19
- Emeh v Kensington and Chelsea and Westminster Area Health Authority (1983) The Times, 3 January; revsd [1985] QB 1012, [1984] 3 All ER 1044, CA ... 7.86, 10.18, 10.20, 10.26
- Enhorn v Sweden (2005) 41 EHRR 30 ... 2.03, 2.40

- Enright v Kwun [2003] EWHC 1000 (2003) The Times, 20 May ... 10.47, 10.50
- EP v Trusts A, B & C [2004] Lloyds Rep Med 211 ... 19.44
- Evans v Amicus Healthcare Ltd, Hadley v Midland Fertility Services Ltd [2003] 4 All ER 903, (2003) 75 BMLR 115 ... 8.79
- Evans v Amicus Healthcare Ltd [2004] 3 All ER 1025, [2004] 3 WLR 681 ... 4.55, 8.79–8.80, 14.38
- Evans v United Kingdom (2006) 43 EHRR 21, [2005] Fam 1 ... 8.81
- Evans v United Kingdom (2008) 46 EHRR 34, [2007] 1 FLR 1990, (2007) 95 BMLR 107 ... 2.38, 8.81, 14.38
- Eve, Re (1986) 31 DLR (4th) 1 [1986] 2 SCR 388 ... 4.43, 9.27–9.28, 9.31–9.32
- Evelyn, Re (1998) FLC 92 ... 8.104
- Eyre v Measday [1986] 1 All ER 488, CA ... 10.11–10.12
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- F, Re (2009) Case 11649371, Court of Protection, 28 May ... 12.44
- F v F (1992) 7 BMLR 135 ... 9.45
- F v R (1983) 33 SASR 189, SC ... 4.121, 4.123, 10.11
- F v West Berkshire Health Authority [1989] 4 BMLR 1, [1989] 2 All ER 545, HL ... 1.63, 4.11, 4.16, 4.43, 8.18, 9.38
- Factortame Ltd v Secretary of State for Transport (No 2) [1991] AC 603 ... 3.12
- Fairchild v Glenhaven Funeral Services Ltd [2002] UKHL 22, [2003] 1 AC 32 ... 5.19, 5.95–5.96, 5.102, 5.104, 5.115
- Fairlie v Perth and Kinross Healthcare NHS Trust 2004 SLT 1200 (OH) ... 5.24, 5.29
- Fallows v Randle (1997) 8 Med LR 160 ... 10.07
- Family Services (Northwest Area) v G (DF) [1997] 2 SCR 925 ... 4.34
- Farraj v Kings Healthcare NHS Trust [2008] EWHC 2468 (QB), [2009] EWCA 1203 CA ... 5.20–5.21
- Farrell, Re Kathleen 529 A 2d 404 (NJ, 1987) ... 18.68
- Ferguson et al v City of Charleston 121 S Ct 1281 (2001) ... 10.89
- Finlayson v HM Advocate 1978 SLT (Notes) 60 ... 16.19, 18.19
- Fletcher v Bench (1973, unreported), CA cited in [1973] 4 BMJ 117 ... 5.84
- Francovich and others v Italy: Case C-6/90 and Case C-9/90 [1992] IRLR 84 ... 3.12
- Freeman v Home Office (No 2) [1984] QB 524, [1984] 1 All ER 1036 ... 4.81, 8.115, 9.36
- Frenchay Healthcare NHS Trust v S [1994] 2 All ER 403, (1994) 17 BMLR 156, CA ... 15.95–15.97, 15.101
- Friedman v Glickson 1996 (1) SA 1134 ... 10.65
- Frost v Chief Constable of South Yorkshire Police [1997] 1 All ER 540, (1996) 33 BMLR 108, CA ... 5.100
- G (adult incompetent: withdrawal of treatment), Re (2001) 65 BMLR 6 ... 11.33, 15.109, 15.128, 15.132
- G (adult patient: publicity), Re [1995] 2 FLR 528 ... 6.83, 15.100
- G (an adult) (mental capacity: court's jurisdiction), Re [2004] EWHC 2222 (Fam) ... 4.43
- G (children) (residence: same-sex partner), Re [2006] 4 All ER 241, [2006] 2 FLR 142, HL ... 8.34
- G, Re [1995] 3 Med L Rev 80 ... 15.100–15.101
- G v G 1961 SLT 324 ... 8.20
- Gallagher v Duke University 852 F 2d 773 ... 10.75
- Garcia v Santa Rosa Health Care Corp 925 2d 372 (1996) ... 6.37
- Garcia v St Mary's NHS Trust [2006] EWHC 2314 ... 11.03
- Gardener, re BWV [2003] VSC 173 ... 15.93, 18.25
- Garner v Garner (1920) 36 TLR 196 ... 6.65
- Gates v McKenna (1998) 46 BMLR 9 [1998] Lloyds Rep Med 405 ... 5.92
- General Medical Council v BBC [1998] 3 All ER 426, (1998) 43 BMLR 143 ... 1.37
- General Medical Council v Cox (2002) The Times, 16 April ... 1.35
- Germany v European Parliament and Council Case C-376/98 [2000] ECR-I-8419 ... 3.22, 3.34
- GF, Re [1992] 1 FLR 293, [1993] 4 Med LR 77, sub nom F v F (1992) 7 BMLR 135 ... 9.45
- Gilchrist Watt and Sanderson Pty Ltd v York Products Pty Ltd [1970] 1 WLR 1262 ... 14.34
- Gillick v West Norfolk and Wisbech Area Health Authority [1984] QB 581, [1984] 1 All ER 365; on appeal [1986] AC 112, [1985] 1 All ER 533, CA, revsd [1996] 3 All ER 402, HL ... 1.60, 4.22, 4.38, 6.43, 6.45, 9.11, 9.13, 9.16–9.17, 9.113, 9.115, 20.17
- Giurelli v Girgis (1980) 24 SASR 264 ... 5.54
- GJ v Foundation, Primary Care Trust, Secretary of State for Health (2009) Case 1175458T, Court of Protection, 28 November ... 4.52, 13.42
- Glass v Cambridge Health Authority [1995] 6 Med LR 91 ... 5.85
- Glass v United Kingdom [2004] 1 FCR 553, [2004] 1 FLR 1019, (2004) BMLR 120 ... 4.16, 4.18, 4.20, 4.47, 15.40

- Gleitman v Cosgrove 296 NYS 2d 687 (1967) ... 10.53
- Godden v Kent and Medway Strategic Health Authority [2004] Lloyds Rep Med 521 ... 5.22
- Godfrey v Gloucestershire Royal Infirmary NHS Trust [2003] EWHC 549 (QB) ... 10.18
- Gold v Haringey Health Authority [1986] 1 FLR 125, revsd & [1988] QB 481, && [1987] 2 All ER 888, CA ... 4.109, 4.125, 10.11, 10.17
- Gonzales v Carhart 550 US 124 (2007) ... 9.97
- Gonzales v Oregon 546 US 243 (2006) ... 18.94
- Goodwill v British Pregnancy Advisory Service [1996] 2 All ER 161, [1996] 7 Med LR 129, (1996) 31 BMLR 83 ... 5.29, 10.05
- Gosai v General Medical Council (2004) 75 BMLR 52 ... 1.41
- Gouldsmith v Mid-Staffordshire General Hospitals NHS Trust [2007] EWCA Civ 397 ... 5.45
- Gowten v Wolverhampton Health Authority [1994] 5 Med LR 432 ... 10.11
- Grady, In the matter of Lee Ann 426 A 2d 467 (NJ, 1981) ... 9.50
- Grant v South-West Trains Ltd [1998] All ER (EC) 193, [1998] 1 FLR 839 ... 8.12
- Gravier: Case C-293/83 [1985] ECR 293 ... 3.15
- Gray v Southampton and South West Hampshire Health Authority (2000) 57 BMLR 148 ... 5.85
- Greenberg et al v Miami Children's Hospital Research Institute et al 264 F. Supp 2nd 1064 (SD Fla, 2003) ... 14.22
- Greenfield v Irwin (a firm [2001] 1 WLR 1279, [2001] 1 FLR 899, sub nom Greenfield v Flather and others (2001) 59 BMLR 43 ... 10.24, 10.44
- Gregg v Scott [2005] UKHL 2, (2005) 82 BMLR 52 ... 5.102
- Gregory v Pembrokeshire Health Authority [1989] 1 Med LR 81 ... 4.136, 5.94, 7.10, 9.94, 10.41
- Grieve v Salford Health Authority [1991] 2 Med LR 295 ... 10.81, 20.37
- Grimes v Kennedy-Krieger Institute; Higgins v Kennedy Krieger Institute 782 A 2d 807 (2001) ... 20.02, 20.19
- Griswold v Connecticut 381 US 479 (1965) ... 12.46
- Grodin v Grodin 301 NW 2d 869 (Mich, 1981) ... 10.89
- Groom v Selby (2002) 64 BMLR 47 [2002] Lloyds Rep Med 1, CA ... 10.10, 10.28–10.30
- Group B Plaintiffs v Medical Research Council (1997) 54 BMLR 92 [2000] Lloyds Rep Med 161 (CJD Litigation) ... 5.74
- Grubbs v Barbourville Family Health Center 120 S.W. 3d (Ky., 2003) ... 10.40
- Guardianship of Pescinski, Re 226 NW 2d 180 (Wis, 1975) (adult incompetent) ... 17.22
- GWW and CMW, Re (1997) 21 Fam LR 612 ... 4.43, 17.23
- H (a healthcare worker) v Associated Newspapers Ltd: H (a healthcare worker) v N (a health authority) [2002] EWCA Civ 195, (2002) 65 BMLR 132, (2003) 11 Med L R 124 ... 4.95, 6.30, 6.75
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- H v Norway Application 17004/90, Commission decision of 19 May 1992 ... 9.83
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- Hadley v Midland Fertility Services Ltd [2003] 4 All ER 903, (2003) 75 BMLR 115 ... 8.79, 8.82–8.83
- Hall v General Medical Council [2001] UKPC 46, (2001) 65 BMLR 53 ... 1.40
- Halushka v University of Saskatchewan (1965) 53 DLR (2d) 436 ... 19.47
- Hamilton v Fife Health Board 1993 SLT 624 ... 9.53
- Hampstead Health Authority ... 5.29–5.30
- Harbeson v Parke-Davis Inc 656 P 2d 483 (Wash, 1983) ... 10.56
- Hardman v Amin [2000] Lloyds Rep Med 498, (2000) 59 BMLR 58 ... 10.44, 10.47
- Harrison v Cornwall County Council (1990) 11 BMLR 21 ... 12.11
- Harriton v Stephens, Waller v James, Waller v Hoolahan [2004] NSWCA 93, [2006] HCA 15, (2006) 226 CLR 52 ... 10.57, 10.61, 10.74
- Hart v Brown 289 A 2d 386 (Conn, 1972) ... 17.22
- HARVARD/ONCOMOUSE [1991] EPOR 525, [1990] EOPR 4, T315/03 Oncomouse/Harvard, EPO ... 14.52, 14.59, 14.65
- Haughian v Paine (1987) 37 DLR (4th) 624, cited in (1987) 137 NLJ 557 ... 4.121
- Hay (Gill's curator bonis) v Grampian Health Board 1995 SLT 652, (1995) 25 BMLR 98 ... 5.80, 5.87
- Hay v University of Alberta Hospital [1991] 2 Med LR 204 (QB, Alberta) ... 6.65
- Hayes, Re 608 P 2d 635 (Wash, 1980) ... 9.25
- Hayward v Board of Management of the Royal Infirmary of Edinburgh and Macdonald v Glasgow Western Hospitals Board of Management 1954 SC 453 ... 5.22
- HE v A Hospital NHS Trust [2003] 2 FLR 408, [2003] Fam Law 733 ... 4.64, 18.48
- Health Authority v X and Others, A [2001] 2 FLR 673, (2001) 61 BMLR 22 ... 6.16, 6.25
- Health Protection Authority v X [2005] EWHC 2989 ... 6.35
- Hecht v Kane 16 Cal App 4th 836 (1993) ... 14.11
- Hegyes v Unjian Enterprises, Inc 234 Cal App 3d 1103 (1991) ... 10.76

- Hendry, Emma Jane (Inquiry into the Death of, 15 January 1998, unreported), Glasgow Sheriff Court ... 6.44
- Hendy v Milton Keynes Health Authority (No. 2 [1992] 3 Med LR 119 ... 5.60
- Hepworth v Kerr [1995] 6 Med LR 1 39 ... 19.41
- Herczegfalvy v Austria (1992) 15 EHRR 437, (1992) 18 BMLR 48 ... 4.46, 13.39–13.40
- Hester v Dwivedi 733 NE 2d 1161 (Ohio, 2000) ... 10.56
- Hewer v Bryant [1970] 1 QB 357, [1969] 3 All ER 578 ... 4.38, 4.41
- HG (specific issue disorder: sterilisation), Re [1993] 1 FLR 587, (1992) 16 BMLR 50 ... 9.42
- Hier, Re Mary 464 NE 2d 959 (Mass, 1984) ... 18.27
- Hills v Potter [1983] 3 All ER 716, [1984] 1 WLR 641 ... 4.99, 4.119
- HIV Haemophilic Litigation, Re (1998) 41 BMLR 171. 66 [2004] Lloyd's Rep Med 521 ... 5.22, 6.62
- HL v United Kingdom (2005) 40 EHRR 32, (2005) 81 BMLR 131 ... 4.52, 12.26–12.27, 13.14
- HM Advocate v Brady (1996, unreported) ... 18.84
- HM Advocate v Kelly (23 February 2001, unreported), HCJ ... 2.28, 6.39
- HM Advocate v Mola 2007 SCCR 124 ... 2.19
- HM v Switzerland (Application 39187/98) 2002, ECtHR. 74 s 136 ... 12.24
- Hodgson v Minnesota 110 S Ct 2926 (1990) ... 9.112
- Holmes v Board of Hospital Trustees of the City of London (1977) 81 DLR (3d) 67 ... 5.82
- Hopp v Lepp [1980] 2 SCR 192, 112 DLR (3d) 67 ... 4.125
- Hospital NHS Trust v S and others, A [2003] EWHC 365 (Fam), (2003) 71 BMLR 188 ... 4.46, 4.48
- Hossain v General Medical Council (2001) 65 BMLR 1 [2002] Lloyd's Rep Med 64 ... 1.41
- Hotson v East Berkshire Area Health Authority [1987] AC 750, (1987) The Times, 6 July, [1987] 2 All ER 909, HL ... 5.101–5.104
- HOWARD FLOREY/Relaxin [1995] EPOR 541 ... 14.53
- Hucks v Cole (1968 [1993] 4 Med LR 393 ... 5.38
- Hughes v Robertson 1913 SC 349 ... 17.35
- Hughes v Robertson [1930] SC 394 ... 14.46
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- Hunter v Hanley 1955 SC 200, 1955 SLT 213 ... 4.118, 4.128, 5.37–5.38, 5.47, 19.41
- Hunter v Mann [1974] QB 767, [1974] 2 All ER 414 ... 6.01, 6.58
- Hutchison Reid v United Kingdom (2003) 37 EHRR 9, (2003) The Times, 26 February ... 13.69
- Hyde v Tameside Area Health Authority [1981] CLY 1854, CA, (1986) 2 PN 26, CA ... 5.78
- Hyman v Jewish Chronic Disease Hospital 206 NE 2d 338 (1965) ... 19.30
- Ibrahim (a minor) v Muhammad (21 May 1984, unreported), QBD ... 5.61
- Inaya (special medical procedure), Re [2007] Fam CA 658 ... 17.23
- Inizan v Caisse Primaire d'Assurance Maladie des Hautes-de-Seine: Case C-56/01 [2003] ECR I-12403 ... 3.19
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- J (a minor) (prohibited steps order: circumcision) [2000] 1 FLR 571, (2000) 52 BMLR 82 ... 4.36
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- Jain v Trent Strategic Health Authority [2009] 1 AC 853 ... 5.29
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- Jobes, Re Nancy Ellen 529 A 2d 434 (NJ, 1987) ... 18.19
- Johnson v Calvert 851 P 2d 776 (Cal, 1993) ... 8.103, 8.108
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- Jones v Berkshire Area Health Authority, unreported ... 10.17
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- Jones v Lanarkshire Health Board 1990 SLT 19, 1989 SCLR 542, aff'd 1991 SLT 714, 1991 SCLR 806 ... 10.19
- Jones v Manchester Corpn [1952] 2 QB 852, [1952] 2 All ER 125, CA ... 5.67
- Jorgensen v Meade-Johnson Laboratories 483 F 2d 237 (1973) ... 10.75
- Junior v McNicol (1959), The Times, 26 March, HL ... 5.69
- K (a child) (withdrawal of treatment), Re (2006) 99 BMLR 98 ... 15.42
- K (a minor), Northern Health and Social Services Board v F and G, Re (1991) 2 Med LR 371 ... 9.66

- K and Public Trustee, Re (1985) 19 DLR (4th) 255 ... 9.27
- K v Secretary of State for the Home Office [2002] EWCA Civ 775 ... 13.74
- Kadian v Richards [2004] NSWSC 382 ... 6.63
- Kapfunde v Abbey National plc and Daniel (1998) 46 BMLR 176 ... 6.52
- Kass v Kass 696 NE 2d 174 (NY, 1998) ... 8.78
- Kay's Tutor v Ayrshire and Arran Health Board [1987] 2 All ER 417, 1987 SLT 577, HL ... 5.97
- Keegan v Ireland (1994), application no 16969/90, (1994) 18 EHRR 342 ... 9.108
- Keenan v United Kingdom (2001) 33 EHRR 913 ... 2.30
- Kelly v Haslett (1976) 75 DLR (3d) 536 ... 4.110
- Kelly v HM Adv (2001) High Court of Justiciary, Glasgow, 23rd February ... 2.19
- Kelly v Kelly 1997 SC 285, 1997 SCLR 749 ... 9.108, 10.80
- Kent v Griffiths [2001] QB 36, [2000] 2 WLR 1158, [2000] 2 All ER 474 ... 5.29–5.30
- Kenyon v Bell 1953 SC 125 ... 5.101
- KH and others v Slovakia, Application 32881/94, Judgment of 28 April 2009 ... 6.70
- Kingsbury v Smith 422 A 2d 1003 (NH, 1982) ... 10.16
- Kirkham v Chief Constable of Greater Manchester [1990] 2 QB 283, [1990] 3 All ER 246 ... 2.30, 5.78
- Knight v Home Office [1990] 3 All ER 237, (1989) 4 BMLR 85 ... 2.30
- Knoop, Re (1893) 10 SC 198 ... 12.05
- Kohl v Union des Caisses de Maladie: Case C-158/96 [1998] ECR I-1931 ... 3.08, 3.18, 3.24
- Kondis v State Transport Authority (1984) 154 CLR 672, 55 ALR 225 ... 5.19
- Kong Cheuk Kwan v R (1986) 82 Cr App R ... 5.117
- Krippendorf v General Medical Council [2001] 1 WLR 1054, (2001) 59 BMLR 81 ... 1.41
- Kwok Chak Ming v R [1963] HKLR 349 ... 20.38
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- L, Petitioner 1996 SCLR 538 ... 15.120
- L and M (Sarah's Case), Re (1993) 17 Fam LR 357 ... 9.45
- L v Human Fertilisation and Embryology Authority (2008) 104 BMLR 200 ... 8.19
- La Fleur v Cornelis (1979) 28 NBR (2d) 569, NBSC ... 5.15
- Lacroix v Dominique (2001) 202 DLR (4th) 121 ... 10.76
- Lahey v Merton, Sutton and Wandsworth Health Authority (1999) 40 BMLR 18 [1999] Lloyds Rep Med 119, CA ... 5.56
- Langley v Campbell (1975) The Times, 6 November, (1978) The Times, 15 March ... 5.57
- Lanphier v Phipos (1838) 8 C & P 475 at 478 ... 5.32
- Largey v Rothman 540 A 2d 504 (NJ, 1988) ... 4.117
- Lask v Gloucester Health Authority (1985) The Times, 13 December ... 6.64
- Law Hospital NHS Trust v Lord Advocate (No 2) 1996 SLT 869, (1996) 39 BMLR 166 ... 15.118
- Law Hospital NHS Trust v Lord Advocate 1996 SLT 848, (1996) 39 BMLR 166 ... 4.43, 15.89, 15.114–15.118, 15.123
- Lazevnick v General Hospital of Monro County Inc 499 F Supp 146 (Md, 1980) ... 10.75
- LC (medical treatment: sterilisation) [1997] 2 FLR 258, Re&& [1997] Fam Law 604 ... 9.43–9.44
- LCB v United Kingdom (1999) 27 EHRR 212 ... 10.76
- Lee v South West Thames Regional Health Authority [1985] 2 All ER 385, [1985] 1 WLR 845 ... 6.64
- Lee v Taunton and Somerset NHS Trust [2001] 1 FLR 419, [2001] Fam Law 103 ... 10.47
- Leeds Teaching Hospital NHS Trust v A [2003] 1 FLR 1091, (2003) 71 BMLR 168 ... 8.51–8.52
- Leichtle: CaseC-8/02 [2004] ECR I-2641 ... 3.27
- Leids Universitair Meisch Centrum v Molenaar RvdW 2005, 42, LINAR5213, Hoge Raad, C03/206HR, 18 March 2005 ... 3.06, 3.08, 10.70, 10.72
- LELAND STANFORD/Modified Animal [2002] EPOR 2 ... 14.53
- Lillywhite v University College London Hospitals NHS Trust [2004] EWHC 2452 ... 5.48
- Lindsay v Greater Glasgow Health Board (1990) Scotsman, 14 March ... 10.19
- Linsell case (unreported) The Times, 29 October 1997 ... 18.65
- Little v Little 576 SW 2d 493 (Tex, 1979) ... 17.22
- Litwa v Poland (2001) 33 EHRR 53 ... 13.68
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- Lovelace Medical Center v Mendez 805 P 2d 603 (NM, 1991) ... 10.16
- Ludlow v Swindon Health Authority [1989] 1 Med LR 104 ... 5.85
- Luise and Carbone v Ministero del Tesoro: Cases 286/82 and 26/83 [1984] ECR 377 ... 18.53
- Lybert v Warrington Health Authority (1995) 25 BMLR 91 [1996] 7 Med LR 71 ... 4.131, 10.11

- M (a child) v Blackpool Victoria Hospital NHS Trust* [2003] EWHC 1744 ... 5.41
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- M (child: refusal of medical treatment), Re* [1999] 2 FLR 1097, (2000) 52 BMLR 124 ... 4.30, 17.24
- M, Petitioner* 2003 SC 52, 2002 SCLR 1001, OH ... 13.40
- M v Calderdale and Kirklees HA* [1998] Lloyd's Rep Med 157 ... 5.20
- McAllister v Lewisham and North Southwark Health Authority* [1994] 5 Med LR 343 ... 4.129
- McCluskey v HM Advocate* 1998 SCCR 629 [1989] RTR 182, 1989 SLT 175 ... 20.37
- McFarlane v Tayside Health Board* 1997 SLT 211, OH; revsd 1998 SC 389, 1998 SLT 307, 1998 SCLR 126, 44 BMLR 140, CS; revsd [2000] 2 AC 59, [1999] 4 All ER 961, [1999] 3 WLR 1301, [2000] 1 FCR 102, 52 BMLR 1, 2000 SLT 154, 2000 SC1, HL ... 8.85, 10.20–10.25, 10.27–10.28, 10.30–10.32, 10.35–10.38, 10.43, 10.45–10.47, 10.67, 10.69
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- McHardy v Dundee General Hospitals' Board of Management* 1960 SLT ... 5.38, 5.77
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- McLelland v Greater Glasgow Health Board* 2001 SLT 446, 1999 SC 305, 1999 SLT 543 ... 10.42
- MacLennan v MacLennan* 1958 SC 105 ... 8.31
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- McTear v Imperial Tobacco Ltd* 2005 2 SC 1, OH ... 5.97
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- Male v Hopmans* (1967) 64 DLR (2d) 105 ... 4.110
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- Marriott v West Midlands Regional Health Authority* [1999] Lloyd's Rep Med 23 ... 5.47
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- MMR and MR Vaccine Litigation (No. 12), Re* [2005] EWHC 539 ... 5.115
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- Morison v Moat* (1851) 9 Hare 241; affd (1852) 21 LJ Ch 248 ... 6.83
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- Murray v McMurchy* [1949] 2 DLR 442 ... 4.11
- N (a child), In the matter of* [2007] EWCA Civ 1053, [2008] 1 FLR 198 ... 8.106
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- Nachmani v Nachmani* (11996) 5(4) PD 661 ... 8.82
- Nancy B v Hôtel-Dieu de Québec* (1992) 86 DLR (4th) 385, (1992) 15 BMLR 95 ... 18.66–18.67

- Napier v The Scottish Ministers* (2004), *The Times* 13 May ... 2.30
- Naylor v Preston Area Health Authority* [1987] 2 All ER 353, [1987] 1 WLR 958, CA ... 6.61
- Netherlands v European Parliament: Case C377/98* [2002] All ER (EC) 97 ... 14.54
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- Ohio v Akron Center for Reproductive Health* 110 S Ct 2972 (1990) ... 9.112
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- Penney v East Kent Health Authority (2000) 55 BMLR 63 [2000] Lloyds Rep Med 41 ... 5.48
- People (ex rel Wallace) v Labrenz 104 NE 2d 769 (Ill, 1952) ... 4.33
- People v Davis 872 P 2d 591 (Cal, 1994) ... 10.79
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- Perre v Apand Pty Ltd (1999) 73 ALJR 1190 ... 10.31
- Perruche case *see* X c Mutuelle d'Assurance du Corps Sanitaire Français et a (2000) JCP 2293, Tribunal de Grande Instance, Evry 13 Jan
- Pesticcio v Huet [2004] EWCA Civ 372 ... 4.36
- Peterson v State 671 P 2d 230 (Was, 1983) ... 6.36
- Pfizer Corporation v Ministry of Health [1965] AC 512 ... 5.15
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- Pidgeon v Doncaster HA [2002] Lloyds Rep Med 130 ... 5.94
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- Pollock v Lanarkshire Health Board (1987) The Times, 6 January ... 10.19
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- Prokanik v Cillo 478 A 2d 755 (NJ, 1984) ... 10.55
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- Public Health Trust v Brown 388 So 2d 1084 (Fla., 1980) ... 10.16, 10.18
- Quinlan, Re 355 A 2d 664 (NJ, 1976) ... 18.19
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- R (Assisted Reproduction and Gynaecology Centre) v Human Fertilisation and Embryology Authority [2002] Lloyds Rep Med 148 ... 8.85
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