

# Contemporary Issues in Healthcare Law

View Online



- 
1.  
Laurie GT, Harmon S, Dove ES, Mason JK, McCall Smith A. Mason & McCall Smith's law & medical ethics [Internet]. 11th edn. [Oxford]: Oxford University Press; 2019. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/he/9780198826217.001.0001>
  
  2.  
Brazier M, Cave E. Medicine, patients and the law. Sixth edition. Vol. Contemporary Issues in Bioethics, Law and Medical Humanities. Manchester: Manchester University Press; 2016.
  
  3.  
Lord Lane C.J., Ormrod L.J. and Smith J. 1981 March 17(c) Incorporated Council of Law Reporting for England & Wales. [1981] 1 W.L.R. 690. \*690 Regina v Malcherek.
  
  4.  
Seamus Burns. Human rights: How certain is death? Vol. 159, The New Law Journal.
  
  5.  
Keown J. Euthanasia, ethics and public policy: an argument against legalisation [Internet]. Second edition. Cambridge: Cambridge University Press; 2018. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://doi.org/10.1017/9781107337909>

6.

Dworkin R. Life's dominion: an argument about abortion and euthanasia. London: HarperCollins; 1993.

7.

Harris J, Ebooks Corporation Limited. The value of life [Internet]. London: Routledge & Kegan Paul; 1985. Available from: [http://www.GLA.eblib.com/EBLWeb/patron?target=patron&extendedid=P\\_178154\\_0&](http://www.GLA.eblib.com/EBLWeb/patron?target=patron&extendedid=P_178154_0&)

8.

Glover J. Causing death and saving lives. Vol. Penguin philosophy. Harmondsworth: Penguin; 1990.

9.

A code of practice for the diagnosis and confirmation of death - Academy of Medical Royal Colleges [Internet]. Available from: <http://www.aomrc.org.uk/publications/reports-guidance/ukdec-reports-and-guidance/code-practice-diagnosis-confirmation-death/>

10.

Brain stem death - NHS Choices. Available from: <https://www.nhs.uk/Conditions/Brain-death/Pages/Introduction.aspx>

11.

Bagheri A. Individual choice in the definition of death. Journal of Medical Ethics. 2007 Mar 1;33(3):146-9.

12.

Ford M. The Personhood Paradox and the 'Right to Die'. Medical Law Review. 2005 Mar 1;13(1):80-101.

13.

Harris J. The Right to Die Lives! There is no Personhood Paradox. *Medical Law Review*. 2005 Aug 19;13(3):386-92.

14.

Maclean A. *The elimination of morality: reflections on utilitarianism and bioethics*. London: Routledge; 1993.

15.

Kuhse H. *The sanctity-of-life doctrine in medicine: a critique*. Oxford: Clarendon; 1987.

16.

Stanford Encyclopedia of Philosophy [Internet]. Available from: <https://plato.stanford.edu/entries/death-definition/>

17.

Laurie GT, Harmon S, Dove ES, Mason JK, McCall Smith A. *Mason & McCall Smith's law & medical ethics* [Internet]. 11th edn. [Oxford]: Oxford University Press; 2019. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/he/9780198826217.001.0001>

18.

UK Parliament, Parliamentary Office of Science and Technology Briefing Paper: Vegetative and minimally conscious states [Internet]. Vol. 489. 2015. Available from: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-489#fullreport>

19.

Mental Capacity Act 2005.

20.

Mental Capacity Act Code of Practice [Internet]. Available from:  
<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

21.

Social Care Institute for Excellence (SCIE) [Internet]. Available from:  
<http://www.scie.org.uk/?res=true>

22.

Adults with Incapacity (Scotland) Act 2000.

23.

Adults with Incapacity (Scotland) Act 2000: Code of Practice (Third Edition): For Practitioners Authorised to Carry Out Medical Treatment or Research Under Part 5 of the Act effective from 10 May 2010 - 0105906.pdf [Internet]. Available from:  
<http://www.gov.scot/Resource/Doc/327864/0105906.pdf>

24.

Adults with Incapacity (Scotland) Act 2000: A short guide to the Act [Internet]. Available from: <http://www.gov.scot/Publications/2008/03/25120154/1>

25.

Lord Keith of Kinkel, Lord Goff of Chieveley, Lord Lowry, Lord Browne-Wilkinson and Lord Mustill Sir Thomas Bingham M.R., Butler-Sloss and Hoffmann L.JJ. Sir Stephen Brown P.1992 Dec. 14, 15, 16; 1993 Feb. 41992 Dec. 1, 2, 3; 91992 Nov. 12, 13; 19(c) Incorporated Council of Law Reporting for England & Wales. [1993] 2 W.L.R. 316. \*789 Airedale N.H.S. Trust Respondents v Bland Appellant.

26.

Law Hospital N.H.S. Trust Pursuers against Lord Advocate and others Defenders. Scottish Civil Law Reports.

27.

Dame Elizabeth Butler-Sloss P2000 Oct 5, 6; 25(c) Incorporated Council of Law Reporting for England & Wales. [2001] 2 W.L.R. 942. \*348 NHS Trust A v M.

28.

Munby J2004 Feb 26, 27, March 1; July 30(c) Incorporated Council of Law Reporting for England & Wales. [2004] EWHC 1879 (Admin). \*424 Regina (Burke) v General Medical Council (Official Solicitor intervening).

29.

/2086 Court of Appeal (Civil Division) 28 July 2005 Before: Lord Phillips of Worth Matravers, MR Lord Justice Waller and Lord Justice Wall Thursday 28th July, 2005 Crown copyright. [2005] EWCA Civ 1003. The Queen on the Application of Oliver Leslie Burke v The General Medical Council.

30.

483 Court of Protection 28 September 2011 Before: The Hon Mr Justice Baker Date: 28/09/2011 Crown copyright. [2011] EWHC 2443 (Fam). W (by her litigation friend, B) v M (by her litigation friend, the Official Solicitor), S, A NHS Primary Care Trust.

31.

483 Court of Protection 28 September 2011 Before: The Hon Mr Justice Baker Date: 28/09/2011 Crown copyright. [2011] EWHC 2443 (Fam). W (by her litigation friend, B) v M (by her litigation friend, the Official Solicitor), S, A NHS Primary Care Trust.

32.

4253 Court of Protection 23 January 2013 Before: The Honourable Mr Justice Peter Jackson Date: 23/1/2013 Crown copyright. [2013] EWHC 78 (COP). The NHS Trust v AW (by her litigation friend, the Official Solicitor).

33.

8359 Court of Protection 21 July 2014 Before: Mrs Justice Pauffley Date: 21/07/2014 Crown copyright. [2014] EWCOP 16. United Lincolnshire Hospitals NHS Trust v N (by her litigation friend the Official Solicitor).

34.

1264 Court of Protection 27 November 2014 Before: The Honourable Mr Justice Baker  
Date: 27/11/2014 Crown copyright. [2014] EWCOP 49. Gloucestershire Clinical  
Commissioning Group v AB, (by his litigation friend, the Official Solicitor), CD.

35.

1732 Court of Protection 26 June 2015 Before: Mr Justice Newton Date: 26/06/2015 Crown  
copyright. [2015] EWCOP 42. St George's Healthcare NHS Trust v P (by his litigation friend,  
the Official Solicitor), Q.

36.

N, Re [2015] EWCOP 76 (19 November 2015).

37.

NHS TRUST A v H. Vol. 2. 2001.

38.

An NHS Trust v J. Vol. 94.

39.

0872 High Court of Justice Family Division Court of Protection 17 November 2010 Before:  
Mr. Justice Ryder Date: Wednesday, 17th November 2010 Crown copyright. [2010] EWHC  
3448 (FAM). A Primary Care Trust, An NHS Trust v Mr. CW by his Litigation Friend the  
Official Solicitor), HW (Mother), PW (Father), AW (Brother), EW (Sister).

40.

J.M. Finnis. Bland: crossing the Rubicon? Law Quarterly Review [Internet]. Available from:  
<https://signon.thomsonreuters.com/federation/UKF?entityID=https%3A%2F%2Fidp.gla.ac.uk%2Fshibboleth&returnto=https%3A%2F%2Fuk.practicallaw.thomsonreuters.com%2FDocument%2FICD05B010E72111DA9D198AF4F85CA028%2FView%2FFullText.html%3FskipAnonymous%3Dtrue>

41.

John Keown. Restoring moral and intellectual shape to the law after Bland. *Law Quarterly Review* [Internet]. Available from: <https://signon.thomsonreuters.com/federation/UKF?entityID=https%3A%2F%2Fidp.gla.ac.uk%2Fshibboleth&returnto=https%3A%2F%2Fuk.practicallaw.thomsonreuters.com%2FDocument%2FICDDCC0E72111DA9D198AF4F85CA028%2FView%2FFullText.html%3FskipAnonymous%3Dtrue>

42.

Court of Protection Practice Direction 9E - Serious Medical Treatment [Internet]. Available from: <https://www.judiciary.gov.uk/wp-content/uploads/2015/06/copd-pd-9e-serious-medical-treatment.pdf>

43.

Vegetative state: guidance on diagnosis and management – RCP London [Internet]. Available from: <https://cdn.shopify.com/s/files/1/0924/4392/files/vegetative-state.pdf?7537870595093585378>

44.

RCP London [Internet]. Available from: <https://www.rcplondon.ac.uk/search?text=press%20releases%20patients%20vegetative%20state%20updated%20guidelines&keys=>

45.

Prolonged disorders of consciousness: national clinical guidelines | RCP London [Internet]. Available from: <https://www.rcplondon.ac.uk/guidelines-policy/prolonged-disorders-consciousness-national-clinical-guidelines>

46.

Mullock A. Deciding the fate of a minimally conscious patient: an unsatisfactory balancing act? *Medical Law Review*. 2012 Sep 1;20(3):460–9.

47.

Skene L, Wilkinson D, Kahane G, Savulescu J. Neuroimaging and the withdrawal of life-sustaining treatment from patients in vegetative state. *Medical Law Review*. 2009 Jun 1;17(2):245–61.

48.

Lewis P. 'Withdrawal of treatment from a patient in a permanent vegetative state: judicial involvement and innovative 'treatment''. *Medical Law Review*. 2007 Jan 1;15(3):392–9.

49.

McClean SAM. Permanent vegetative state: the legal position. *Neuropsychological Rehabilitation*. 15(3):237–50.

50.

Maclean A. Crossing the Rubicon on the Human Rights Ferry. *The Modern Law Review* [Internet]. 2001;64(5):775–94. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://www.jstor.org/stable/1097281>

51.

BMA - Withdrawing or withholding artificial nutrition and hydration [Internet]. Available from: <https://www.bma.org.uk/advice/employment/ethics/mental-capacity/withdraw-withhold-artificial-nutrition-and-hydration>

52.

Treatment and care towards the end of life: decision making [Internet]. General Medical Council; Available from: [http://www.gmc-uk.org/guidance/ethical\\_guidance/end\\_of\\_life\\_care.asp](http://www.gmc-uk.org/guidance/ethical_guidance/end_of_life_care.asp)

53.

End-of-Life Decisions: views of the BMA [Internet]. 2009. Available from: [http://bmaopac.hosted.exlibrisgroup.com/exlibris/aleph/a23\\_1/apache\\_media/VITJEQ4TGE1](http://bmaopac.hosted.exlibrisgroup.com/exlibris/aleph/a23_1/apache_media/VITJEQ4TGE1)



SQBYYUCDDQ2T93SAHVT.pdf

54.

Mental Capacity Act 2005.

55.

Mental Capacity Act Code of Practice [Internet]. Available from:  
<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

56.

Social Care Institute for Excellence (SCIE) [Internet]. Available from:  
<http://www.scie.org.uk/?res=true>

57.

Adults with Incapacity (Scotland) Act 2000.

58.

Adults with Incapacity (Scotland) Act 2000: Code of Practice (Third Edition): For Practitioners Authorised to Carry Out Medical Treatment or Research Under Part 5 of the Act effective from 10 May 2010 - 0105906.pdf [Internet]. Available from:  
<http://www.gov.scot/Resource/Doc/327864/0105906.pdf>

59.

Adults with Incapacity (Scotland) Act 2000: A short guide to the Act [Internet]. Available from: <http://www.gov.scot/Publications/2008/03/25120154/1>

60.

Thorpe J. 1993 Oct. 8, 11; 14(c) Incorporated Council of Law Reporting for England & Wales. [1994] 1 W.L.R. 290. \*290 In re C. (Adult: Refusal of Treatment).

61.

Re T (adult: refusal of medical treatment). Vol. 4, All England Law Reports. 1992.

62.

Re B (adult: refusal of medical treatment). Vol. 2, All England Law Reports. 2002.

63.

Munby J2004 Feb 26, 27, March 1; July 30(c) Incorporated Council of Law Reporting for England & Wales. [2004] EWHC 1879 (Admin). \*424 Regina (Burke) v General Medical Council (Official Solicitor intervening).

64.

/2086Court of Appeal (Civil Division)28 July 2005Before: Lord Phillips of Worth Matravers, MR Lord Justice Waller and Lord Justice Wall Thursday 28th July, 2005Crown copyright. [2005] EWCA Civ 1003. The Queen on the Application of Oliver Leslie Burke v The General Medical Council.

65.

Brooke, Clarke and Maurice Kay LJJ 2004 Sept 17(c) Incorporated Council of Law Reporting for England & Wales. [2004] EWCA Civ 1324. \*833 W Healthcare NHS Trust v H and others.

66.

Re E (Medical treatment: Anorexia) (Rev 1) [2012] EWCOP 1639 (15 June 2012).

67.

Treatment and care towards the end of life: decision making [Internet]. General Medical Council; Available from: [http://www.gmc-uk.org/guidance/ethical\\_guidance/end\\_of\\_life\\_care.asp](http://www.gmc-uk.org/guidance/ethical_guidance/end_of_life_care.asp)

68.

End-of-Life Decisions: views of the BMA [Internet]. 2009. Available from: [http://bmaopac.hosted.exlibrisgroup.com/exlibris/aleph/a23\\_1/apache\\_media/VITJEQ4TGE1SQBYUCDDQ2T93SAHVT.pdf](http://bmaopac.hosted.exlibrisgroup.com/exlibris/aleph/a23_1/apache_media/VITJEQ4TGE1SQBYUCDDQ2T93SAHVT.pdf)

69.

British Medical Association, Dawson Books. Withholding and withdrawing life-prolonging medical treatment: guidance for decision making [Internet]. 3rd ed. Malden, MA: Blackwell Pub; 2007. Available from: <https://www.vlebooks.com/vleweb/product/openreader?id=GlasgowUni&isbn=9781405181464>

70.

Biggs, H. Taking Account of the Views of the Patient, but Only if the Clinician (and the Court) Agrees - R (Burke) v General Medical Council. Child and Family Law Quarterly [Internet]. 2007;19(2):225-38. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/chilflq19&id=225>

71.

BMA - Withdrawing or withholding artificial nutrition and hydration [Internet]. Available from: <https://www.bma.org.uk/advice/employment/ethics/mental-capacity/withdraw-withhold-artificial-nutrition-and-hydration>

72.

BMA - Withdrawing or withholding artificial nutrition and hydration [Internet]. Available from: <https://www.bma.org.uk/advice/employment/ethics/mental-capacity/withdraw-withhold-artificial-nutrition-and-hydration>

73.

British Medical Association, Dawson Books. Withholding and withdrawing life-prolonging medical treatment: guidance for decision making [Internet]. 3rd ed. Malden, MA: Blackwell Pub; 2007. Available from: <https://www.vlebooks.com/vleweb/product/openreader?id=GlasgowUni&isbn=9781405181464>

74.

Treatment and care towards the end of life: decision making [Internet]. General Medical Council; Available from:  
[http://www.gmc-uk.org/guidance/ethical\\_guidance/end\\_of\\_life\\_care.asp](http://www.gmc-uk.org/guidance/ethical_guidance/end_of_life_care.asp)

75.

Price, D. My View of the Sanctity of Life: A Rebuttal of John Keown's Critique. *Legal Studies* [Internet]. 2007;27(4):549-65. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/legstd27&id=559>

76.

Keown, J. Restoring the Sanctity of Life and Replacing the Caricature: A Reply to David Price. *Legal Studies* [Internet]. 2006;26(1):109-19. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/legstd26&id=119>

77.

Price, D. Fairly Bland: An Alternative View of a Supposed New Death Ethic and the BMA Guidelines. *Legal Studies* [Internet]. 2001;21(4):618-43. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/legstd21&id=620>

78.

Coggon J. Could the right to die with dignity represent a new right to die in English law? *Medical Law Review*. 2006 May 3;14(2):219-37.

79.

Cartwright W. Killing and letting die: a defensible distinction. *British Medical Bulletin*. 1996 Apr 1;52(2):354-61.

80.

Keownz J. Beyond Bland: a critique of the BMA guidance on withholding and withdrawing medical treatment. *Legal Studies*. 2000 Mar;20(1):66–84.

81.

Michalowski S. Advance Refusals of Life-Sustaining Medical Treatment: The Relativity of an Absolute Right. *Modern Law Review*. 2005 Nov;68(6):958–82.

82.

Practice Direction [Internet]. Available from:  
[http://webarchive.nationalarchives.gov.uk/20110204003313/http://www.hmcourts-service.gov.uk/cms/files/09E\\_-\\_Serious\\_Medical\\_Treatment\\_PD.pdf](http://webarchive.nationalarchives.gov.uk/20110204003313/http://www.hmcourts-service.gov.uk/cms/files/09E_-_Serious_Medical_Treatment_PD.pdf)

83.

Laurie GT, Harmon S, Dove ES, Mason JK, McCall Smith A. *Mason & McCall Smith's law & medical ethics* [Internet]. 11th edn. [Oxford]: Oxford University Press; 2019. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/he/9780198826217.001.0001>

84.

Mental Capacity Act 2005 c. 9Arrangement of Act. Mental Capacity Act 2005 c. 9.

85.

Adults with Incapacity (Scotland) Act 2000 asp 4 (Scottish Act)Arrangement of Act. Adults with Incapacity (Scotland) Act 2000 asp 4 (Scottish Act).

86.

*In re C (Adult: Refusal of treatment)* [1994] 1 WLR 290. *C (Adult: Refusal of Medical Treatment)*, Re.

87.

Re T (adult: refusal of medical treatment). Vol. 4, All England Law Reports. 1992.

88.

In Re T (Adult - Refusal of Medical Treatment) [1992] 3 WLR 782. T (Adult: Refusal of Treatment), Re.

89.

Re AK. Vol. 58.

90.

HE v A Hospital NHS Trust [2003] EWHC 1017. HE v A Hospital NHS Trust.

91.

W Healthcare NHS Trust v. H and others [2005] 1 W.L.R. 834. W Healthcare NHS Trust v H.

92.

W Healthcare NHS Trust v. H and others [2005] 1 W.L.R. 834. W Healthcare NHS Trust v H.

93.

Re E (Medical treatment: Anorexia) (Rev 1) [2012] EWCOP 1639 (15 June 2012).

94.

Re M; W v M [2011] EWHC 2443 (COP) - Mental Health Law Online.

95.

Dresser R. Dworkin on Dementia: Elegant Theory, Questionable Policy. The Hastings

Center Report. 1995 Nov;25(6).

96.

Dworkin R. Life's dominion: an argument about abortion and euthanasia. London: HarperCollins; 1993.

97.

Maclean AR. Advance Directives and the Rocky Waters of Anticipatory Decision-making. Medical Law Review. 2008 Jan 24;16(1):1-22.

98.

Michalowski S. Trial and Error at the End of Life--No Harm Done? Oxford Journal of Legal Studies. 2005 Dec 20;27(2):257-80.

99.

Walker S. Autonomy or Preservation of Life? Advance Directives and patients with dementia. UCL jurisprudence review. 2011;17:100-21.

100.

Kerrigan J. Living wills - why? The Journal Online [Internet]. 2009;54(1). Available from: <https://www.lawscot.org.uk/members/journal/issues/vol-54-issue-01/living-wills-why/>

101.

Maclean AR. Advance directives, future selves and decision-making. Medical Law Review. 2006 Sep 8;14(3):291-320.

102.

Herring, J. Losing It - Losing What - The Law and Dementia. Child and Family Law Quarterly [Internet]. 2009;21(1):3-29. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/chilflq21&id=3>

103.

Kuhse H. Some Reflections on the Problem of Advance Directives, Personhood, and Personal Identity. *Kennedy Institute of Ethics Journal*. 1999;9(4):347-64.

104.

KUCZEWSKI MG. WHOSE WILL IS IT, ANYWAY? A DISCUSSION OF ADVANCE DIRECTIVES, PERSONAL IDENTITY, AND CONSENSUS IN MEDICAL ETHICS. *Bioethics*. 1994 Jan;8(1):27-48.

105.

Stanford Encyclopedia of Philosophy [Internet]. Available from: <https://plato.stanford.edu/entries/advance-directives/>

106.

The Commission on Assisted Dying. The current legal status of assisted dying is inadequate and incoherent [Internet]. Available from: [https://www.demos.co.uk/files/476\\_CoAD\\_FinalReport\\_158x240\\_I\\_web\\_single-NEW\\_.pdf?1328113363](https://www.demos.co.uk/files/476_CoAD_FinalReport_158x240_I_web_single-NEW_.pdf?1328113363)

107.

Montgomery J. Guarding the gates of St Peter: life, death and law making. *Legal Studies*. 2011 Dec;31(4):644-66.

108.

Livingston, B. A Right to Assist - Assisted Dying and the Interim Policy. *Journal of Criminal Law* [Internet]. 2010;74(1):31-52. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/jcriml74&id=37>

109.

Heywood R. The DPP's Prosecutorial Policy on Assisted Suicide. *King's Law Journal*



[Internet]. 2010;21(3):425-44. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/kingsclj21&id=425>

110.

Greasley K. R(Purdy) v DPP and the Case for Wilful Blindness. *Oxford Journal of Legal Studies*. 2010 Jun 1;30(2):301-26.

111.

Mullock A. Overlooking the criminally compassionate: what are the implications of prosecutorial policy on encouraging or assisting suicide? *Medical Law Review*. 2010 Dec 1;18(4):442-70.

112.

Cartwright N. 48 Years On: Is The Suicide Act Fit For Purpose? *Medical Law Review*. 2009 Sep 1;17(3):467-76.

113.

Keown J. Physician-Assisted Suicide: Lord Joffe's Slippery Bill. *Medical Law Review*. 2007 Jan 10;15(1):126-35.

114.

McLean S. Assisted dying: reflections on the need for law reform [Internet]. Vol. *Biomedical law and ethics library*. Abingdon, Oxon: Routledge-Cavendish; 2007. Available from:  
<https://www.vlebooks.com/vleweb/product/openreader?id=GlasgowUni&isbn=9780203940471>

115.

Lewis P. Assisted dying and legal change [Internet]. Oxford: Oxford University Press; 2007. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/acprof:oso/9780199212873.001.0001>

116.

Dieterle JM. Physician Assisted Suicide: A New Look at the Arguments. *Bioethics*. 2007 Mar;21(3):127-39.

117.

The House of Lords - Assisted Dying Bill Reports [Internet]. Available from: <https://publications.parliament.uk/pa/ld/lldasdy.htm>

118.

Otlowski M. Voluntary euthanasia and the common law [Internet]. Oxford: Oxford University Press; 2000. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/acprof:oso/9780198298687.001.0001>

119.

McLean S, Britton A, Frontline Scotland, System Three (Scotland) Limited. Sometimes a small victory. Glasgow: University of Glasgow, Institute of Law and Ethics in Medicine; 1996.

120.

McLean S. End-of-life decisions and the law. *Journal of Medical Ethics* [Internet]. 1996;22(5). Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1377055>

121.

Battin MP. The least worst death: essays in bioethics on the end of life. New York: Oxford University Press; 1994.

122.

Dworkin R. Life's dominion: an argument about abortion and euthanasia. London: HarperCollins; 1993.

123.

End of life care: Flow chart for decision making when patients may lack capacity. Available from:  
[https://www.gmc-uk.org/guidance/ethical\\_guidance/end\\_of\\_life\\_decision\\_making\\_flowchart.asp](https://www.gmc-uk.org/guidance/ethical_guidance/end_of_life_decision_making_flowchart.asp)

124.

End of life care - NHS Choices. Available from:  
<https://www.nhs.uk/planners/end-of-life-care/Pages/End-of-life-care.aspx>

125.

Herring J. Medical law and ethics [Internet]. 8th edition. Oxford: Oxford University Press; 2020. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/he/9780198846956.001.0001>

126.

Stauch M, Wheat K. Text, cases and materials on medical law and ethics. Fifth edition. Milton Park, Abingdon, Oxon: Routledge; 2015.

127.

Jackson E. Medical law: text, cases, and materials. Fourth edition. Oxford: Oxford University Press; 2016.

128.

Brazier M, Cave E. Medicine, patients and the law. Sixth edition. Vol. Contemporary Issues in Bioethics, Law and Medical Humanities. Manchester: Manchester University Press; 2016.

129.

Sally Lipscombe. Assisted suicide [Internet]. Available from:  
<http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN04857>

130.

Suicide Act 1961 c. 60 Arrangement of Act. Suicide Act 1961 c. 60.

131.

Coroners and Justice Act 2009 c. 25 Arrangement of Act. Coroners and Justice Act 2009 c. 25.

132.

Assisted Dying (No. 2) Bill 2015-16 — UK Parliament [Internet]. Available from: <http://services.parliament.uk/bills/2015-16/assisteddyingno2.html>

133.

Assisted Dying Bill (HL Bill 25 2015-16) [Internet]. Available from: <https://publications.parliament.uk/pa/bills/lbill/2015-2016/0025/160025.pdf>

134.

Assisted Dying Bill Explanatory Notes (HL Bill 25) [Internet]. Available from: <https://publications.parliament.uk/pa/bills/lbill/2015-2016/0025/en/160025en.pdf>

135.

Assisted Dying Bill (HL Bill 6 2014-15) [Internet]. Available from: <https://publications.parliament.uk/pa/bills/lbill/2014-2015/0006/15006.pdf>

136.

Bill documents — Assisted Dying Bill [HL] 2014-15 — UK Parliament [Internet]. Available from: <http://services.parliament.uk/bills/2014-15/assisteddying/documents.html>

137.

Assisted Dying Bill (HL Bill 6 2014-15) explanatory notes [Internet]. Available from: <https://publications.parliament.uk/pa/bills/lbill/2014-2015/0006/en/15006en.pdf>

138.

Assisted Suicide (Scotland) Bill [Internet]. Available from: [http://www.parliament.scot/S4\\_Bills/Assisted%20Suicide/b40s4-introd.pdf](http://www.parliament.scot/S4_Bills/Assisted%20Suicide/b40s4-introd.pdf)

139.

Assisted Suicide Bill Explanatory Notes [Internet]. Available from: [http://www.parliament.scot/S4\\_Bills/Assisted%20Suicide/b40s4-introd-en.pdf](http://www.parliament.scot/S4_Bills/Assisted%20Suicide/b40s4-introd-en.pdf)

140.

Scottish parliament rejects assisted dying law. The Guardian [Internet]. 2015; Available from: <https://www.theguardian.com/society/2015/may/27/scottish-parliament-rejects-assisted-suicide-law>

141.

Assisted Suicide (Scotland) Bill [Internet]. Available from: <http://www.parliament.scot/parliamentarybusiness/Bills/69604.aspx>

142.

The CPS : Assisted Suicide : 'Policy for Prosecutors in respect of cases of encouraging or assisting suicide' [Internet]. Available from: <https://www.cps.gov.uk/publication/assisted-suicide>

143.

The CPS : Assisted Suicide [Internet]. Available from: <https://www.cps.gov.uk/publication/assisted-suicide>

144.

Director of Public Prosecutions responds to Supreme Court on assisted suicide policy [Internet]. Available from: [http://www.cps.gov.uk/news/latest\\_news/director\\_of\\_public\\_prosecutions\\_responds\\_to\\_supreme\\_court\\_on\\_assisted\\_suicide\\_policy/](http://www.cps.gov.uk/news/latest_news/director_of_public_prosecutions_responds_to_supreme_court_on_assisted_suicide_policy/)

145.

DPP publishes assisted suicide policy [Internet]. Available from: [http://www.cps.gov.uk/news/latest\\_news/109\\_10/](http://www.cps.gov.uk/news/latest_news/109_10/)

146.

DPP publishes interim policy on prosecuting assisted suicide - CPS press release [Internet]. Available from: [http://www.cps.gov.uk/news/latest\\_news/144\\_09/](http://www.cps.gov.uk/news/latest_news/144_09/)

147.

Kerr D. Preserving Life: Scots Law and Assisted Suicide. *The Juridical review*. 2011;1:33-44.

148.

Laurie G, Mason JJ. Assistance in Dying or Euthanasia - Comments on the End of Life Assistance (Scotland) Bill. *Edinburgh Law Review* [Internet]. 2010;14(3):493-7. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/edinlr14&id=493>

149.

McLean SAM, Connelly C, Mason JK. Purdy in Scotland: We Hear But Should We Listen? *The Juridical review*. 2009;4:265-84.

150.

Ferguson PR. Killing without Getting into Trouble - Assisted Suicide and Scots Criminal Law. *Edinburgh Law Review* [Internet]. 1998;2(3):288-314. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/edinlr2&id=294>

151.

Biggs H. Legitimate Compassion or Compassionate Legitimation? Reflections on the Policy for Prosecutors in Respect of Cases of Encouraging or Assisting Suicide. *Feminist Legal Studies*. 2011 Apr;19(1):83–91.

152.

Lewis P. Informal legal change on assisted suicide: the policy for prosecutors. *Legal Studies*. 2011 Mar;31(1):119–34.

153.

Medical Law Review. 2010;18(4). Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://academic-oup-com/medlaw/issue/18/4>

154.

Chalmers, J. Assisted Suicide: Jurisdiction and Discretion. *Edinburgh Law Review* [Internet]. 2010;14(2):295–300. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/edinlr14&id=295>

155.

Williams, G. Assisting Suicide, the Code for Crown Prosecutors and the DPP's Discretion. *Common Law World Review* [Internet]. 2010;39(2):181–203. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/comlwr39&id=185>

156.

Burns S. The Limits of Maternal Love. *Criminal Law & Justice Weekly* [Internet]. 2010;174. Available from: <https://www.criminallawandjustice.co.uk/features/Limits-Maternal-Love>

157.

Ost S. The de-medicalisation of assisted dying: is a less medicalised model the way

forward? *Medical Law Review*. 2010 Dec 1;18(4):497–540.

158.

Mullock A. 'Prosecutors Making Bad Law? *Medical Law Review*. 2009 Jun 1;17(2):290–9.

159.

Grosse C, Grosse A. Assisted suicide: Models of legal regulation in selected European countries and the case law of the European Court of Human Rights. *Medicine, Science and the Law*. 2015 Oct;55(4):246–58.

160.

Battin MP, van der Heide A, Ganzini L, van der Wal G, Onwuteaka-Philipsen BD. Legal physician-assisted dying in Oregon and the Netherlands: evidence concerning the impact on patients in 'vulnerable' groups. *Journal of Medical Ethics*. 2007 Oct 1;33(10):591–7.

161.

Oregon Health Authority : Frequently Asked Questions : Death with Dignity Act : State of Oregon [Internet]. Available from:  
<http://www.oregon.gov/oha/ph/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Pages/faqs.aspx>

162.

R v Reed [1982] Crim LR 819.

163.

Attorney General v Able and others [1984] 1 QB 795. Attorney General v Able.

164.

R v Cox. Vol. 12.



165.

R v Director of Public Prosecutions, Secretary of State for the Home Department, ex parte Dianne Pretty [2002] 1 AC 800 (HL). R. (on the application of Pretty) v DPP.

166.

Pretty v UK, Application no. 2346/02 [2002] 2 FLR 45. Pretty v United Kingdom (2346/02).

167.

Pretty v UK, Application no. 2346/02 (2002) 35 EHRR 1. Pretty v United Kingdom (2346/02).

168.

Re Z [2004] WL 2790666 (Fam Div), [2005] 1 W.L.R. 959. Z (Local Authority: Duty), Re.

169.

R. v S [2005] EWCA Crim 819. R. v S.

170.

R. (on the application of Purdy) v DPP [2009] EWCA Civ 92. R. (on the application of Purdy) v DPP.

171.

Appeal to the House of Lords, [2009] UKHL 45. R. (on the application of Purdy) v DPP.

172.

Nicklinson v Ministry of Justice [2014] UKSC 38. R. (on the application of Nicklinson) v

Ministry of Justice.

173.

Nicklinson v UK (admissibility) (2015) 61 EHRR SE7. Nicklinson v United Kingdom (Admissibility) (2478/15).

174.

The Coroners and Justice Bill 2008-9 [Internet]. Available from:  
<https://publications.parliament.uk/pa/cm200809/cmbills/009/2009009.pdf>

175.

LDW - Parliament - Safeguarding Choice - Draft Bill [Internet]. Available from:  
<http://www.livinganddyingwell.org.uk/sites/default/files/LDW%20-%20Parliament%20-%20Safeguarding%20Choice%20-%20Draft%20Bill.pdf>

176.

Info about the All Party Parliamentary Group on Choice at the End of Life | Social work and end-of-life care [Internet]. Available from:  
<https://sweol.wordpress.com/2012/11/13/info-about-the-all-party-parliamentary-group-on-choice-at-the-end-of-life/>

177.

Assisted Dying for the Terminally Ill Bill 2005 (Lord Joffe's Bill) [Internet]. Available from:  
<https://publications.parliament.uk/pa/ld200506/ldbills/036/2006036.pdf>

178.

Dying with Dignity Consultation paper [Internet]. Available from:  
[http://www.parliament.scot/S2\\_MembersBills/Draft%20proposals/Dying%20with%20Dignity%20Consultation%20paper.pdf](http://www.parliament.scot/S2_MembersBills/Draft%20proposals/Dying%20with%20Dignity%20Consultation%20paper.pdf)

179.

End of Life Assistance (Scotland) Bill [Internet]. Available from:  
<http://www.parliament.scot/parliamentarybusiness/Bills/21272.aspx>

180.

End of Life Assistance (Scotland) Bill [Internet]. Available from:  
<http://www.parliament.scot/SPICeResources/Research%20briefings%20and%20fact%20sheets/SB10-51.pdf>

181.

Margo MacDonald's End of Life Assistance Bill rejected - BBC News [Internet]. Available from: <https://www.bbc.co.uk/news/uk-scotland-11876821>

182.

Healthcare Professionals for Assisted Dying Home [Internet]. Available from:  
<http://www.hpad.org.uk/>

183.

Campaign for Dignity in Dying [Internet]. Available from:  
<https://www.dignityindying.org.uk/about-us/>

184.

Assisted Dying in Oregon, USA | Dignity in Dying [Internet]. Available from:  
<https://www.dignityindying.org.uk/assisted-dying/international-examples/assisted-dying-oregon/>

185.

Care Not Killing [Internet]. Available from: <http://www.carenotkilling.org.uk/>

186.

Treatment and care towards the end of life: decision making [Internet]. General Medical Council; Available from:

[http://www.gmc-uk.org/guidance/ethical\\_guidance/end\\_of\\_life\\_care.asp](http://www.gmc-uk.org/guidance/ethical_guidance/end_of_life_care.asp)

187.

End-of-Life Decisions: views of the BMA [Internet]. 2009. Available from:  
[http://bmaopac.hosted.exlibrisgroup.com/exlibris/aleph/a23\\_1/apache\\_media/VITJEQ4TGE1SQBYUCDDQ2T93SAHVT.pdf](http://bmaopac.hosted.exlibrisgroup.com/exlibris/aleph/a23_1/apache_media/VITJEQ4TGE1SQBYUCDDQ2T93SAHVT.pdf)

188.

Laurie GT, Harmon S, Dove ES, Mason JK, McCall Smith A. Mason & McCall Smith's law & medical ethics [Internet]. 11th edn. [Oxford]: Oxford University Press; 2019. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/he/9780198826217.001.0001>

189.

McLean S. Assisted dying: reflections on the need for law reform [Internet]. Vol. Biomedical law and ethics library. Abingdon, Oxon: Routledge-Cavendish; 2007. Available from:  
<https://www.vlebooks.com/vleweb/product/openreader?id=GlasgowUni&isbn=9780203940471>

190.

Jackson E, Keown J. Debating euthanasia. Vol. Debating law. Oxford: Hart; 2012.

191.

Jackson E. Medical law: text, cases, and materials [Internet]. 5th edn. [Oxford]: Oxford University Press; 2019. Available from:  
<https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/he/9780198825845.001.0001>

192.

R v Cox. Vol. 12.

193.

Nicklinson v Ministry of Justice [2014] UKSC 38. R. (on the application of Nicklinson) v Ministry of Justice.

194.

Nicklinson v UK (admissibility) (2015) 61EHRRE7. Nicklinson v United Kingdom (Admissibility) (2478/15).

195.

Glover J. Causing death and saving lives. Vol. Penguin philosophy. Harmondsworth: Penguin; 1990.

196.

Harris J, Ebooks Corporation Limited. The value of life [Internet]. London: Routledge & Kegan Paul; 1985. Available from: [http://www.GLA.eblib.com/EBLWeb/patron?target=patron&extendedid=P\\_178154\\_0& amp;](http://www.GLA.eblib.com/EBLWeb/patron?target=patron&extendedid=P_178154_0&)

197.

Keown J. Euthanasia, ethics and public policy: an argument against legalisation [Internet]. Second edition. Cambridge: Cambridge University Press; 2018. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://doi.org/10.1017/9781107337909>

198.

Kushe H. The 2. Case for Active Voluntary Euthanasia. Law, Medicine and Health Care [Internet]. 1986;(4):145–8. Available from: [https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false& handle=hein.journals/medeth14&id=145](https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/medeth14&id=145)

199.

Otlowski M. Voluntary euthanasia and the common law [Internet]. Oxford: Oxford University Press; 2000. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://dx.doi.org/10.1093/acprof:oso/97801982986>

87.001.0001

200.

Singer P. Applied ethics. Vol. Oxford readings in philosophy. Oxford: Oxford University Press; 1986.

201.

Smith SW. Evidence for the Practical Slippery Slope in the Debate on Physician-Assisted Suicide and Euthanasia. Medical Law Review. 2005 Mar 1;13(1):17-44.

202.

Williams GO. Intention and causation in medical non-killing: the impact of criminal law concepts on euthanasia and assisted suicide. Vol. Biomedical law and ethics library. London: Routledge-Cavendish; 2007.

203.

McCall Smith A. Euthanasia: the strengths of the middle ground. Medical Law Review. 1999 Jun 1;7(2):194-207.

204.

Casonato, C. Informed Consent and End-of-Life Decisions: Notes of Comparative Law. Maastricht Journal of European and Comparative Law [Internet]. 2011;18(3):225-56.

Available from:

<https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/maastje18&id=227>

205.

Griffiths J, Weyers H, Adams M, Academic Rights Press. Euthanasia and law in Europe [Internet]. Oxford: Hart Pub; 2008. Available from:

<https://ezproxy.lib.gla.ac.uk/login?url=https://portal.igpublish.com/iglibrary/search/HARTB0000419.html>

206.

Cohen-Almagori R. The Chabot Case: Analysis and Account of Dutch Perspectives. *Medical Law International*. 2002 Mar;5(3):141-59.

207.

De Haan J. The New Dutch Law on Euthanasia. *Medical Law Review*. 2002 Mar 1;10(1):57-75.

208.

Griffiths J. Assisted Suicide in the Netherlands: The Chabot Case. *The Modern Law Review* [Internet]. 1995;58(2):232-48. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://www.jstor.org/stable/1096356>

209.

Keown J. *Euthanasia, ethics and public policy: an argument against legalisation* [Internet]. Second edition. Cambridge: Cambridge University Press; 2018. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://doi.org/10.1017/9781107337909>

210.

Keown J. *Euthanasia examined: ethical, clinical and legal perspectives*. Cambridge: Cambridge University Press; 1997.

211.

Jochemsen H. Euthanasia in Holland: an ethical critique of the new law. *Journal of Medical Ethics* [Internet]. 1994;20(4). Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1376557>

212.

Jochemsen H, Keown J. Voluntary euthanasia under control? Further empirical evidence from The Netherlands. *Journal of Medical Ethics*. 1999 Feb 1;25(1):16-21.

213.

Kimsma GK, Van Leeuwen E. Dutch Euthanasia: Background, Practice, and Present Justifications. *Cambridge Quarterly of Healthcare Ethics*. 1993 Dec;2(01).

214.

Legemaate J, Gevers JKM. Physician-Assisted Suicide in Psychiatry: Developments in the Netherlands. *Cambridge Quarterly of Healthcare Ethics*. 1997 Mar;6(02).

215.

Möller M. Euthanasia in the Netherlands: the case of "life fatigue". *The New Law Journal* [Internet]. 151(7006). Available from: <https://plus-lexis-com.ezproxy.lib.gla.ac.uk/api/document/collection/uk/id/4GR8-W780-TWWR-G0X1-00000-00?context=1001073&identityprofileid=32QDCK57563>

216.

Ogilvie AD, Potts SG. Assisted suicide for depression: the slippery slope in action? *BMJ*. 1994 Aug 20;309(6953):492-3.

217.

van Delden JJ. Slippery slopes in flat countries--a response. *Journal of Medical Ethics*. 1999 Feb 1;25(1):22-4.

218.

Van der Maas P. Euthanasia and other medical decisions concerning the end of life. *The Lancet*. 1991 Sep;338(8768):669-74.

219.

van der Maas PJ, van der Wal G, Haverkate I, de Graaff CLM, Kester JGC, Onwuteaka-Philipsen BD, et al. Euthanasia, Physician-Assisted Suicide, and Other Medical Practices Involving the End of Life in the Netherlands, 1990-1995. *New England Journal of Medicine*. 1996 Nov 28;335(22):1699-705.



220.

van der Wal G, Muller MT, Christ LM, Ribbe MW, van Eijk JThM. 'Voluntary Active Euthanasia and Physician-Assisted Suicide in Dutch Nursing Homes: Requests and Administration. *Journal of the American Geriatrics Society*. 1994;42:620-3.

221.

Vickers L. Assisted dying and the laws of three European countries. *The New Law Journal* [Internet]. 147(6789). Available from: [https://plus-lexis-com.ezproxy.lib.gla.ac.uk/api/document/collection/uk/id/4RCW-XHM0-TWWR-G1GM-00000-00?context=1001073&identityprofileid=32QDCK57563](https://plus.lexis-com.ezproxy.lib.gla.ac.uk/api/document/collection/uk/id/4RCW-XHM0-TWWR-G1GM-00000-00?context=1001073&identityprofileid=32QDCK57563)

222.

Stanford Encyclopedia of Philosophy [Internet]. Available from: <https://plato.stanford.edu/entries/euthanasia-voluntary/>

223.

Brownsword R. Regulating Human Genetics: New Dilemmas For A New Millennium. *Medical Law Review*. 2004 Mar 1;12(1):14-39.

224.

de Melo-Martin I. Firing up the nature/nurture controversy: bioethics and genetic determinism. *Journal of Medical Ethics*. 2005 Sep 1;31(9):526-30.

225.

Ilkilic I. Coming to Grips with Genetic Exceptionalism: Roots and Reach of an Explanatory Model. *Medicine Studies*. 2009 Jun;1(2):131-42.

226.

Kakuk P. Genetic Information in the Age of Genotype. *Medicine, Health Care and Philosophy* [Internet]. 2006 Dec;9(3):325-37. Available from: <https://www.ncbi.nlm.nih.gov/pubmed/17072566>

227.

Wikler D. Can we learn from eugenics? *Journal of Medical Ethics*. 1999 Apr 1;25(2):183-94.

228.

Stewart A, Brice P. Genetics, Health and Disease [Internet]. 2004. Available from: <http://www.phgfoundation.org/>

229.

Lucassen A, Gilbar R. Disclosure of genetic information to relatives: balancing confidentiality and relatives' interests. *Journal of Medical Genetics*. 2018 Apr;55(4):285-6.

230.

Gilbar R. *The status of the family in law and bioethics: the genetic context*. Aldershot: Ashgate; 2005.

231.

*ABC v St George's Healthcare NHS Trust & Ors* [2017] EWCA Civ 336 (16 May 2017).

232.

Gilbar R, Foster C. It's arrived! Relational Autonomy Comes to Court: *ABC v ST George's Healthcare NHS Trust* [2017] EWCA 336. *Medical Law Review*. 2018 Feb 1;26(1):125-33.

233.

*Smith & Anor v University of Leicester NHS Trust* [2016] EWHC 817 (QB) (15 April 2016).

234.

Fay M. Cousins, Genetic Diagnosis and Liability of Clinicians: Smith & Another V University of Leicester NHS Trust [2016] EWHC 817 (QB). Medical Law Review. 2017 Nov 1;25(4):672-83.

235.

Confidentiality: good practice in handling patient information (2017) [Internet]. General Medical Council; 2017. Available from: [https://www.gmc-uk.org/guidance/ethical\\_guidance/confidentiality.asp](https://www.gmc-uk.org/guidance/ethical_guidance/confidentiality.asp)

236.

Human Tissue Act 2004 c. 30Arrangement of Act.

237.

Lucassen A, Kaye J. Genetic testing without consent: the implications of the new Human Tissue Act 2004. Journal of Medical Ethics. 2006 Dec 1;32(12):690-2.

238.

Non-consensual DNA analysis | Human Tissue Authority [Internet]. Available from: <https://www.hta.gov.uk/policies/non-consensual-dna-analysis>

239.

Chico V. Non-disclosure of genetic risks. Medical Law International. 2016 Mar;16(1-2):3-26.

240.

Fay M. Negligence, genetics and families. Medical Law International. 2016 Sep;16(3-4):115-42.

241.

Gilbar R. The Passive Patient and Disclosure of Genetic Information: Can English Tort Law Protect the Relatives' Right to Know? International Journal of Law, Policy and the Family.

2016 Apr;30(1):79–104.

242.

Mitchell CR. A duty to warn relatives in clinical genetics: arguably 'fair, just and reasonable' in English law? *Professional Negligence* [Internet]. 2016;32:120–36. Available from: <https://signon.thomsonreuters.com/federation/UKF?entityID=https%3A%2F%2Fidp.gla.ac.uk%2Fshibboleth&returnto=https%3A%2F%2Fuk.practicallaw.thomsonreuters.com%2FDocument%2FI008F37404AE911E69426958412386EA1%2FView%2FFullText.html%3FskipAnonymous%3Dtrue>

243.

Andorno R. The right not to know: an autonomy based approach. *Journal of Medical Ethics*. 2004 Oct 1;30(5):435–9.

244.

Liao SM. Is there a duty to share genetic information? *Journal of Medical Ethics*. 2009 May 1;35(5):306–9.

245.

Parker M. Genetic information: a joint account? *BMJ*. 2004 Jul 17;329(7458):165–7.

246.

Dheensa S, Fenwick A, Lucassen A. 'Is this knowledge mine and nobody else's? I don't feel that.' Patient views about consent, confidentiality and information-sharing in genetic medicine: Table 1. *Journal of Medical Ethics*. 2016 Mar;42(3):174–9.

247.

Foster C, Herring J, Boyd M. Testing the limits of the 'joint account' model of genetic information: a legal thought experiment. *Journal of Medical Ethics*. 2015 May;41(5):379–82.

248.

Chadwick RF, Levitt M, Shickle D, editors. The right to know and the right not to know: genetic privacy and responsibility. Second edition. Cambridge: Cambridge University Press; 2014.

249.

Mulheron RP. Medical negligence: non-patient and third party claims. Burlington, VT: Ashgate; 2010.

250.

Stark Z, Wallace J, Gillam L, Burgess M, Delatycki MB. Predictive genetic testing for neurodegenerative conditions: how should conflicting interests within families be managed? *Journal of Medical Ethics*. 2016 Oct;42(10):640-2.

251.

Malpas PJ. Is genetic information relevantly different from other kinds of non-genetic information in the life insurance context? *Journal of Medical Ethics*. 2008 Jul 1;34(7):548-51.

252.

Mittra J. Predictive Genetic Information and Access to Life Assurance: The Poverty of 'Genetic Exceptionalism'. *BioSocieties*. 2007 Sep;2(3):349-73.

253.

Stirton R. Insurance, Genetic Information and the Future of Industry Self-Regulation in the UK. *Law, Innovation and Technology*. 2012 Dec 15;4(2):212-37.

254.

Thomas RG. Genetics and insurance in the United Kingdom 1995-2010: the rise and fall of "scientific" discrimination. *New Genetics and Society*. 2012 Jun;31(2):203-22.

255.

Wilkinson R. Unjustified Discrimination: Is the Moratorium on the use of Genetic Test Results by Insurers a Contradiction in Terms? *Health Care Analysis*. 2010 Sep;18(3):279-93.

256.

Wilkinson RH. Genetic information: Important but not "exceptional". *Identity in the Information Society*. 2010 Dec;3(3):457-72.

257.

Code on Genetic Testing and Insurance [Internet]. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751230/code-on-genetic-testing-and-insurance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751230/code-on-genetic-testing-and-insurance.pdf)

258.

The Employment Practices Code [Internet]. Available from: [https://ico.org.uk/media/for-organisations/documents/1064/the\\_employment\\_practices\\_code.pdf](https://ico.org.uk/media/for-organisations/documents/1064/the_employment_practices_code.pdf)

259.

The Employment Practices Code – Supplementary Guidance [Internet]. Available from: [https://ico.org.uk/media/for-organisations/documents/1066/employment\\_practice\\_code\\_supplementary\\_guidance.pdf](https://ico.org.uk/media/for-organisations/documents/1066/employment_practice_code_supplementary_guidance.pdf)

260.

Lippert-Rasmussen K. Genetic Discrimination and Health Insurance. *Res Publica*. 2015 May;21(2):185-99.

261.

Otlowski M, Taylor S, Bombard Y. Genetic Discrimination: International Perspectives. *Annual Review of Genomics and Human Genetics*. 2012 Sep 22;13(1):433-54.

262.

Plümecke T. Genes, symptoms, and the "asymptomatic ill": toward a broader understanding of genetic discrimination. *New Genetics and Society*. 2016 Apr 2;35(2):124-48.

263.

Jackson E. *Medical law: text, cases, and materials*. Fourth edition. Oxford: Oxford University Press; 2016.

264.

Human Fertilisation and Embryology Act 1990.

265.

HFEA Code of Practice [Internet]. Available from:  
<https://www.hfea.gov.uk/media/2793/2019-01-03-code-of-practice-9th-edition-v2.pdf>

266.

Dawson Books. *Revisiting the regulation of human fertilisation and embryology* [Internet]. Horsey K, editor. Abingdon, Oxon: Routledge; 2015. Available from:  
<https://www.vlebooks.com/vleweb/product/openreader?id=GlasgowUni&isbn=9781315767895>

267.

Fovargue S, Bennett R. What Role Should Public Opinion Play in Ethico-Legal decision Making? The Example of Selecting Sex for Non-Medical Reasons Using Preimplantation Genetic Diagnosis. *Medical Law Review*. 2016 Jan 24;

268.

Malek J. Deciding against disability: does the use of reproductive genetic technologies express disvalue for people with disabilities? *Journal of Medical Ethics*. 2010 Apr 1;36(4):217-21.

269.

Porter G, Smith MK. Preventing the selection of "deaf embryos" under the Human Fertilisation and Embryology Act 2008: problematizing disability? *New Genetics and Society*. 2013 Jun;32(2):171–89.

270.

Smith MK. The Human Fertilisation and Embryology Act 2008: restrictions on the creation of "saviour siblings" and the relevance of the harm principle. *New Genetics and Society*. 2013 Jun;32(2):154–70.

271.

de Melo-Martín I. Sex Selection and the Procreative Liberty Framework. *Kennedy Institute of Ethics Journal*. 2013;23(1):1–18.

272.

Gilbar R. Between Unconditional Acceptance and Responsibility: Should Family Ethics Limit the Scope of Reproductive Autonomy. *Child and Family Law Quarterly* [Internet]. 2009;(3). Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/chilflq21&id=1>

273.

Gyngell C, Douglas T. Selecting Against Disability: The Liberal Eugenic Challenge and the Argument from Cognitive Diversity. *Journal of Applied Philosophy*. 2018 May;35(2):319–40.

274.

Krahn TM. Regulating preimplantation genetic diagnosis: the case of Down's Syndrome. *Medical Law Review*. 2011 Mar 1;19(2):157–91.

275.

Wilkinson S. Sexism, Sex Selection and 'Family Balancing'. *Medical Law Review*. 2008 Jul;16(3):369–89.



276.

Savulescu J, Kahane G. The Moral Obligation to Create Children with the Best Chance of the Best Life. *Bioethics*. 2009 Jun;23(5):274–90.

277.

Bennett R. The Fallacy of the Principle of Procreative Beneficence. *Bioethics*. 2009 Jun;23(5):265–73.

278.

R. (on the application of Quintavalle) v Human Fertilisation and Embryology Authority (HL) [2005] UKHL 28.

279.

Alghrani, A. Suitable to Be a Saviour: R (Quintavalle) v Human Fertilisation and Embryology Authority. *Child and Family Law Quarterly* [Internet]. 2006;(3). Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/chilflq18&id=1>

280.

Brownsword, R. Happy Families, Consenting Couples, and Children with Dignity: Sex Selection and Saviour Siblings. *Child and Family Law Quarterly* [Internet]. 2005;(4). Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/Page?public=false&handle=hein.journals/chilflq17&id=1>

281.

Welcome to the HFEA | Human Fertilisation and Embryology Authority [Internet]. Available from: <https://www.hfea.gov.uk/>

282.

Jackson E. *Medical law: text, cases, and materials*. Fourth edition. Oxford: Oxford

University Press; 2016.

283.

Human Fertilisation and Embryology Act 1990.

284.

de Melo-Martin I. On Cloning Human Beings. *Bioethics*. 2002 Jun;16(3):246–65.

285.

Elsner D. Just another reproductive technology? The ethics of human reproductive cloning as an experimental medical procedure. *Journal of Medical Ethics*. 2006 Oct 1;32(10):596–600.

286.

Harris J. Time to Exorcise the Cloning Demon. *Cambridge Quarterly of Healthcare Ethics*. 2014 Jan;23(01):53–62.

287.

Hayry M. Philosophical Arguments for and Against Human Reproductive Cloning. *Bioethics*. 2003 Oct;17(5–6):447–60.

288.

Holm S. Going to the Roots of the Stem Cell Controversy. *Bioethics*. 2002 Nov;16(6):493–507.

289.

Savulescu J, Harris J. The Creation Lottery: Final Lessons from Natural Reproduction: Why Those Who Accept Natural Reproduction Should Accept Cloning and Other Frankenstein Reproductive Technologies. *Cambridge Quarterly of Healthcare Ethics*. 2004 Jan;13(01).

290.

Sparrow R. Cloning, Parenthood, and Genetic Relatedness. *Bioethics*. 2006 Nov;20(6):308-18.

291.

Camporesi S, Boniolo G. Fearing a non-existing Minotaur? The ethical challenges of research on cytoplasmic hybrid embryos. *Journal of Medical Ethics*. 2008 Nov 1;34(11):821-5.

292.

Harris J. Cloning and Human Dignity. *Cambridge Quarterly of Healthcare Ethics* [Internet]. 7(2):163-7. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://www.cambridge.org/core/journals/cambridge-quarterly-of-healthcare-ethics/article/cloning-and-human-dignity/8013F6CB7E353AF55711F75DD2B79B>

293.

Havstad JC. Human Reproductive Cloning: A Conflict of Liberties. *Bioethics*. 2010 Feb;24(2):71-7.

294.

Matti Häyry. Response to Special Section: "Cloning: Technology, Policy, and Ethics" (CQ Vol 7, No 2): But What If We *Feel* That Cloning Is Wrong? *Cambridge Quarterly of Healthcare Ethics* [Internet]. 10(2):205-8. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://www.cambridge.org/core/journals/cambridge-quarterly-of-healthcare-ethics/article/response-to-special-section-cloning-technology-policy-and-ethics-cq-vol-7-no-2/9A19907ED4C4458D97F2849B269569C6>

295.

Holm S. A Life in the Shadow: One Reason Why We Should Not Clone Humans. *Cambridge Quarterly of Healthcare Ethics* [Internet]. 7(2):160-2. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://www.cambridge.org/core/journals/cambridge-quarterly-of-healthcare-ethics/article/life-in-the-shadow-one-reason-why-we-should-not-clone-humans/C7041CE009D24E27729F64BD329938D2>

296.

Hansen JES. Embryonic stem cell production through therapeutic cloning has fewer ethical problems than stem cell harvest from surplus IVF embryos. (Original Article). *Journal of Medical Ethics* [Internet]. 2002;28:86-8. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://go.galegroup.com/ps/i.do?p=AONE&u=glasuni&id=GALE|A85370632&v=2.1&it=r&sid=summon&authCount=1>

297.

Jensen DA. Human reproductive cloning and reasons for deprivation. *Journal of Medical Ethics*. 2008 Aug 1;34(8):619-23.

298.

McDougall R. A resource-based version of the argument that cloning is an affront to human dignity. *Journal of Medical Ethics*. 2008 Apr 1;34(4):259-61.

299.

Strong C. Cloning and Infertility. *Cambridge Quarterly of Healthcare Ethics* [Internet]. 7(3):279-93. Available from: <https://ezproxy.lib.gla.ac.uk/login?url=https://www.cambridge.org/core/journals/cambridge-quarterly-of-healthcare-ethics/article/cloning-and-infertility/E5D1B6551037AD9AB07C0858419546BA>

300.

R (On the Application of Quintavalle) v Secretary of State for Health (HL) [2003] UKHL 13.

301.

Mason JK. Clones and Cell Nuclear Replacements: A  
*Law Review*. 2003 Sep;7(3):379-87.

Saga. Edinburgh

302.

World's first gene-edited babies created in China, claims scientist. Guardian [Internet]. 2018 Nov 26; Available from: <https://www.theguardian.com/science/2018/nov/26/worlds-first-gene-edited-babies-created-in-china-claims-scientist>

303.

Second woman carrying gene-edited baby, Chinese authorities confirm. Guardian [Internet]. 2019 Jan 22; Available from: <https://www.theguardian.com/science/2019/jan/22/second-woman-carrying-gene-edited-baby-chinese-authorities-confirm>

304.

Hannah Devlin. Gene-edited babies: why are scientists so appalled? – Science Weekly podcast. Guardian [Internet]. 2018 Dec 7; Available from: <https://www.theguardian.com/science/audio/2018/dec/07/gene-edited-babies-why-are-scientists-so-appalled-science-weekly-podcast>

305.

Ian Sample. UK doctors select first women to have 'three-person babies'. Guardian [Internet]. 2018 Feb 1; Available from: <https://www.theguardian.com/science/2018/feb/01/permission-given-to-create-britains-first-three-person-babies>

306.

Holtug N. Altering Humans—The Case For and Against Human Gene Therapy. Cambridge Quarterly of Healthcare Ethics. 1997 Mar;6(02).

307.

Sarah Barber. Mitochondrial Donation [Internet]. Available from: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06833>

308.

Nuffield Council on Bioethics Genome editing and human reproduction short guide [Internet]. Available from:

<http://nuffieldbioethics.org/wp-content/uploads/Genome-editing-and-human-reproduction-s hort-guide-website.pdf>

309.

Nuffield Council on Bioethics Genome editing and human reproduction [Internet]. Available from:  
<http://nuffieldbioethics.org/wp-content/uploads/Genome-editing-and-human-reproduction-FINAL-website.pdf>

310.

Harris J. Germline Modification and the Burden of Human Existence. *Cambridge Quarterly of Healthcare Ethics*. 2016 Jan;25(01):6-18.

311.

De Melo-Martin I. When the Milk of Human Kindness Becomes a Luxury (and Untested) Good. *Cambridge Quarterly of Healthcare Ethics*. 2017 Jan;26(01):159-65.

312.

Harris J. How To Welcome New Technologies. *Cambridge Quarterly of Healthcare Ethics*. 2017 Jan;26(01):166-72.

313.

Baylis F. Human Nuclear Genome Transfer (So-Called Mitochondrial Replacement): Clearing the Underbrush. *Bioethics*. 2017 Jan;31(1):7-19.

314.

Chau PL, Herring J. Three parents and a baby. 2015;45(8):861-1020. Available from:  
<http://ezproxy.lib.gla.ac.uk/login?url=http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?lni=5K8D-GM21-DYHX-92J6&csi=432082&oc=00240&perma=true&elb=t>

315.

Herbrand C. Mitochondrial Replacement Techniques: Who are the Potential Users and will they Benefit? *Bioethics*. 2017 Jan;31(1):46–54.

316.

Jones DA. The other woman: Evaluating the language of 'three parent' embryos. *Clinical Ethics*. 2015 Dec;10(4):97–106.

317.

Varvaštian S. UK's Legalisation of Mitochondrial Donation in IVF Treatment: A Challenge to the International Community or a Promotion of Life-saving Medical Innovation to Be Followed by Others? *European Journal of Health Law* [Internet]. 2015;22(5):405–25. Available from: <http://ezproxy.lib.gla.ac.uk/login?url=https://heinonline.org/HOL/P?h=hein.journals/eurjhlb22&i=419>

318.

Brandt R. Mitochondrial donation and 'the right to know'. *Journal of Medical Ethics*. 2016 Oct;42(10):678–84.

319.

Gyngell C, Douglas T, Savulescu J. The Ethics of Germline Gene Editing. *Journal of Applied Philosophy*. 2017 Aug;34(4):498–513.

320.

Wrigley A, Wilkinson S, Appleby JB. Mitochondrial Replacement: Ethics and Identity. *Bioethics*. 2015 Nov;29(9):631–8.

321.

Rulli T. The Mitochondrial Replacement 'Therapy' Myth. *Bioethics*. 2017 Jun;31(5):368–74.

322.

The Human Fertilisation and Embryology (Mitochondrial Donation) Regulations 2015.

323.

HFEA Code of Practice [Internet]. Available from:

<https://www.hfea.gov.uk/media/2793/2019-01-03-code-of-practice-9th-edition-v2.pdf>

324.

Human Fertilisation and Embryology Act 1990.