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Medico Legal Aspects Of Reproduction And Parenthood Medico Legal Series | 49c76ae854931e317f807ec364e65fd0


"The four studies that comprise this volume are, ostensibly, about legal issues arising from the existence and use of new reproductive technologies. At their base, however, they are about something much more fundamental - how we define the rights and responsibilities attached to the concepts of motherhood, fatherhood, and families, and what role we see the state as having in their regulation."--

In Roe v. Wade, Justice Harry Blackmun structured the argument of the majority around the history of abortion laws. That history built on the work of law professor Cynthia Means, J., and historian James O. M. Mears and M. Mohr proclaim four theses as summarizing the "true" history of abortion in England and America: (1) Abortion was not a crime "at common law" (before the enactment of abortion statutes in the nineteenth century. (2) Abortion was common and relatively safe during this time. (3) Abortion statutes were enacted in the nineteenth century in order to protect the life of the mother rather than the life of the embryo or fetus. (4) The moving force behind the nineteenth-century statutes was the attempt of the male medical profession to suppress competition from competing practitioners of alternative forms of medicine. This book dispels these myths and sets forth the true history of abortion and abortion law in English and American society. Anglo-American law has always treated abortion as a serious crime, generally including early pregnancy. Prosecutions and even executions go back 800 years in England, establishing law that carried over to colonial America. The reasons offered for these prosecutions and penalties consistently focused on protecting the life of the unborn child. This unbroken tradition refutes the claims that unborn children have not been treated as persons in our law or as persons under the Constitution of the United States.

Examines emerging assisted reproductive technologies that will revolutionise the future of human reproduction and their regulation.

Issues surrounding the end of life, and in particular questions of patient choice, have seldom been so high on the legal, ethical and political agenda. This book examines these issues from a comparative perspective, drawing conclusions about the role of the doctor, the individual and the law-makers in this moral minefield.

Published in 1998, this work is concerned, in the main, with reproduction - for which marriage is not an essential prerequisite. Nevertheless, much of sexuality and the greater part of parenthood still subsist within the marital relationship. Sex and marriage are interdependent - indeed the definition of the latter depends on the former. After looking at the prerequisites for marriage and for making a marriage void, the author shows that the medicolegal interests of marriage relate to the mental health and the sex of the parties. The author also looks at various aspects of the sexual-familial relationship, including contraception, sterilization, abortion, protection of the foetus, foetal experimentation, the infertile husband, the infertile woman, defective neonates and infants, consent to treatment and research in children, the protection of young children and the killing of children within the family. Cases are used to highlight the legal aspects of these subjects.

First multi-year cumulation covers six years: 1965-70.

The author of this book suggests that there are two main reasons for the expansion of family planning in the last thirty years. The first is the greater rights consciousness of women in the western world which has led to a greater expectation of choice of whole lifestyle; and the second a recognition that sexual intercourse is something good in itself. Legislation has reflected this change and the book discusses the various kinds of family planning available and the legal situation eg. birth control and minors, the rights of partners, the rights of the mentally disabled, and the responsibilities of doctors and other professionals.

An up-to-date, user-friendly guide to the subject of commercial law as it operates in Scotland, this book is intended primarily for students on commercial law, mercantile law or business law courses. It should also be useful for postgraduate courses and for practitioners.

"The practice of prenatal diagnosis involves a complex relationship between technology and individuals, partly because of the seriousness of the choices that may have to be made because of the technology's use. This relationship provides the context for the studies in the next three volumes examining prenatal diagnostic technologies. This volume outlines the development of prenatal diagnosis in Canada and what is known about its risks and long-term effects. It goes on to provide some data relevant to the demographics of women in Canada using prenatal diagnosis and then explores in depth the views of some of these women."--Introduction.

"The book is a case study in the regulation of medical innovation and is one of the first to put on record the development of a new medical technology together with an account of the evolution of related regulation and legislation. Focusing primarily on the UK, it documents the development of human in vitro fertilization, the regulation of research and clinical provision by the Voluntary (later Interim) Licensing Authority and the move to legislation and statutory regulation. There is a discussion of the ethical issues involved and an analysis of the success of voluntary regulation. Finally, a summary is provided of the regulation of I.V.F. around the world. The authors have unique access to the records of the Medical Research Council and the V.L.A."--BOOK JACKET.Title Summary field provided by Blackwell North America, Inc. All Rights Reserved
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This document contains papers on the following topics: a review of medically assisted reproductive technologies; a socio-historical examination of the development of in vitro fertilization and related assisted reproductive techniques; the professions involved in new reproductive technologies; legislation, inquiries, and guidelines on infertility treatment and surrogacy/preconception contracts; an overview of donor insemination; issues and responses to artificial insemination; the social meanings of donor insemination; lesbian women and donor insemination; self-insemination in Canada; the conceptual framework of donor insemination; and a bibliography of artificial insemination.

The well-being of women and children in our society is intimately tied to health policy. This book looks at a range of issues affecting the health of women and infants from the point of view of health policy, ethics, and economics. The book addresses all the groups that formulate health policy, with the issues laid out by experts in the field but written with a view to the broad audience.

Drawing primarily on Australian material but with reference to US and to a lesser extent UK materials, this book provides an overview of the interaction between social and institutional forces shaping medical autonomy. The various forces which will be examined include the consumer and women's movements, Bioethics, the common law and government. Although each of these forces has developed independently, nevertheless there is a common interest in underlying concepts of patients' rights and autonomy. The effects of each of these forces is examined in the context of the clinical relationship with particular reference to information disclosure and the rights of patients to refuse and demand treatment. The book will be also concerned with the effect of these forces in professional self-regulation.

This volume collects in convenient form the most influential articles analysing the key issues surrounding children, medicine and the law today. Issues examined include the implications of assisted reproduction for children, neonatal intensive care, health care, HIV testing of new-born children. The competition for limited health care resources is intensifying. We urgently need an acceptable method for deciding how they should be allocated. The Quality Adjusted Life Year, or QALY, is the most developed proposal for such allocation. In this book Mason looks at the legal response to those aspects of the troubled pregnancy which require or involve medico-legal intervention. The unwanted pregnancy is considered particularly in the light of the Abortion Act 1967, s1(1)(d) and the related action for so-called wrongful birth due to faulty ante-natal care. The unexpected or unconsented birth of a healthy child resulting from failed sterilisation is approached through an analysis of the seminal case of McFarlane and associated cases involving disability in either the neonate or the mother. The disabled neonate's right to sue for its diminished life is discussed and the legal approach to the management of severe congenital disease is analysed - thus following Baroness Hale in believing that care of the newborn is an integral part of pregnancy. Aspects are considered from historical and comparative perspectives, including coverage of experience in the USA, the Commonwealth and Europe.

Combining legal principles with discussion of policy and practice issues, this updated edition takes account of a large body of important case law developments which have accumulated in relation to the Children Act. It also reflects the Child Support Act, divorce reform and the reform and codification of the law governing remedies against domestic violence. The book also covers the international dimension, outlining the rules governing cross-frontier jurisdiction and enforcement. The European Convention on Human Rights is covered in detail.

The Oxford Readings in Philosophy series brings together important recent writing in major areas of philosophical enquiry, selected from a variety of sources which may not be conveniently available to the university student or general reader. In this volume, John Harris presents the examples of the very best philosophical writing in bioethics from an internationally renowned list of contributors; authors featured include Peter Singer, Helga Kuhse, Tom Beauchamp, Ruth Macklin, and Ronald Dworkin. The book begins with a substantial overview by John Harris, looking at the evolution and nature of bioethics, contemporary debates, and introduces each of the pieces included, setting them in their academic context. Organized thematically, the volume covers the beginnings of life, end of life, value of life, quality of life, future generations, and professional ethics. It is a wide-ranging volume that covers the broad spectrum of the major topics in bioethics, and its clear and accessible approach makes it essential reading for all students of bioethics.

Bibliography of works which discuss the ethical aspects of: physician patient relationship, health care, contraception, abortion, population, reproductive technologies, genetic intervention, mental health therapies, human experimentation, artificial and transplanted organs are tissues, death and dying, and international dimensions of biology and medicine.

Those involved in family and sexual relationships today face a bewildering variety of medico-legal dilemmas. These are encountered as early as the preconception state of the embryo and continue throughout the period of child raising until the status of the mature minor is achieved. This book dissects a wide range of legal, medical and ethical issues surrounding reproduction and the parental relationship with the resultant child. Questions posed in the various sections include: what constitutes sexual intercourse, what are the implications of contraception and sterilization, is the abortion issue dead? Is there a right to reproduce and, if so, how is this applied to the modern methods of assisted reproduction? Is surrogate motherhood acceptable or workable?. The concept of fetal rights is explored and specific attention is given to the management of defective neonates in the light of recent judicial decisions. Other chapters look at the parent/child relationship in respect of medical treatment and the book concludes with a review of the interfamily protection of young children under both the civil and the criminal law. Many of the views expressed are novel in that they represent those of a medical doctor exploring the legal field. It is neither a conventional book on family law nor one on medical law; rather, it draws on both to examine a specific area which affects both in a particularly significant way. Both statute and case law have been extensively updated since the publication of the first edition.

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