LAWS 3050 MEDICAL LAW

Credit Points 10

Legacy Code 200856

Coordinator Emma Bartley (https://directory.westernsydney.edu.au/search/name/Emma Bartley/)

Description This subject aims to provide knowledge and understanding of Australian medical law, including some cutting edge legal and policy issues that arise in this field. The legal issues are examined in broad social, cultural and ethical contexts, including critical perspectives on medical law and policy relating to Indigenous people. Medical law is an exceptionally vibrant and challenging field, underpinned by the rapid pace of scientific and social developments that generate new issues for medicine and for the law. Many of the more challenging issues for the law are at the core of policy — birth and reproduction, choice and responsibility, life and death.

School Law

Discipline Legal Practice

Student Contribution Band HECS Band 4 10cp

Check your fees via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2013 AND
LAWS 3082 AND
LAWS 2008 AND
LAWS 2004 AND
LAWS 2003

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Identify and evaluate medico legal principles from primary and secondary legal sources.
2. Analyse and apply legal principles to specific medical fact situation.
3. Analyse and describe the relationship between law, medicine and ethics.
4. Evaluate recent and potential areas appropriate for medical law reform.
5. Communicate effectively, orally and in writing.
6. Identify and evaluate the key concepts and principles of medical law.

Subject Content

- Privacy, confidence and medical record access
- Consent / trespass; consent / incapacity
- Negligence - Dury and breach, conflicting duties
- Civil liability legislation
- Limitation periods
- Expert evidence and immunity.
- Beginning of life
- End of life
- Discipline, mandatory reporting and crime
- Coronial jurisdiction
- Wrongful life and birth
- Causation / apportionment
- Duties to third parties
- Vicarious liability and non-delegable duties
- Mental harm claims
- Contract and Australian Consumer Law claims
- Information cases / failure to warn
- Medicare
- Insurance
- Alternative dispute resolution
- Medical law and policy relating to Indigenous people

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/ Group Task
Reflection	1000 words or equivalent	30	N	Individual
Professional Task	2500 words	35	N	Individual
Professional Task	2500 words	35	N	Individual

Prescribed Texts

- Madden, McIlwraith & Madden, *Australian Medical Liability* (LexisNexis 4th ed 2021)

Teaching Periods

Spring (2023)

Parramatta - Victoria Rd

On-site

Subject Contact Emma Bartley (https://directory.westernsydney.edu.au/search/name/Emma Bartley/)

View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS3050_23-SPR_PS_1#subjects)

Spring (2024)

Parramatta - Victoria Rd

On-site

Subject Contact Emma Bartley (https://directory.westernsydney.edu.au/search/name/Emma Bartley/)

View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3050_24-SPR_PS_1#subjects)