

Cambridge University Press

978-1-107-02512-7 - Bioethics, Medicine and the Criminal Law Volume I: The Criminal Law and Bioethical Conflict: Walking the Tightrope

Edited by Amel Alghrani, Rebecca Bennett and Suzanne Ost

Table of Contents

[More information](#)

Contents

<i>List of contributors</i>	<i>page</i> ix
<i>Foreword: Mark Hedley</i>	xiv
<i>Acknowledgements</i>	xvi
1. Introduction: When criminal law encounters bioethics: a case of tensions and incompatibilities or an apt forum for resolving ethical conflict?	1
AMEL ALGHRANI, REBECCA BENNETT AND SUZANNE OST	
Part I Death, dying and the criminal law	13
2. Euthanasia and assisted suicide should, when properly performed by a doctor in an appropriate case, be decriminalised	15
JOHN GRIFFITHS	
3. Five flawed arguments for decriminalising euthanasia	30
JOHN KEOWN	
4. Euthanasia excused: between prohibition and permission	49
RICHARD HUXTABLE	
Part II Freedom and autonomy: when consent is not enough	69
5. Body Integrity Identity Disorder: a problem of perception?	71
ROBERT C. SMITH	
6. Risky sex and ‘manly diversions’: contours of consent in HIV transmission and rough horseplay cases	88
DAVID GURNHAM	
7. ‘Consensual’ sexual activity between doctors and patients: a matter for the criminal law?	102
SUZANNE OST AND HAZEL BIGGS	
	vii

Cambridge University Press

978-1-107-02512-7 - Bioethics, Medicine and the Criminal Law Volume I: The Criminal Law and Bioethical Conflict: Walking the Tightrope

Edited by Amel Alghrani, Rebecca Bennett and Suzanne Ost

Table of Contents

[More information](#)

viii	Contents	
	Part III Criminalising biomedical science	119
8.	‘Scientists in the dock’: regulating science AMEL ALGHRANI AND SARAH CHAN	121
9.	Bioethical conflict and developing biotechnologies: is protecting individual and public health from the risks of xenotransplantation a matter for the (criminal) law? SARA FOVARGUE	140
10.	The criminal law and enhancement: none of the law’s business? NISHAT HYDER AND JOHN HARRIS	157
11.	Dignity as a socially constructed value STEPHEN W. SMITH	175
	Part IV Bioethics and criminal law in the dock	189
12.	Can English law accommodate moral controversy in medicine? Lessons from abortion MARGARET BRAZIER	191
13.	The case for decriminalising abortion in Northern Ireland MARIE FOX	203
14.	The impact of the loss of deference towards the medical profession JOSÉ MIOLA	220
15.	Criminalising medical negligence DAVID ARCHARD	236
16.	All to the good? Criminality, politics, and public health JOHN COGGON	251
17.	Moral controversy, human rights and the common law judge BRENDA HALE	265
	<i>Index</i>	279