

## Teaching medical ethics symposium

# Combining law with medical ethics

David Greaves *King's College, London*

### Author's abstract

*A postgraduate Diploma in Medical Ethics and Law was started in October 1984 by the Centre of Medical Law and Ethics at King's College. It is a part-time one year course designed so as to enable students to continue with full-time employment if they wish. It is multidisciplinary and is open to all who have a first degree in a relevant discipline, for example law, philosophy, theology, medicine and nursing studies. It is unique in combining medical law and medical ethics and has attracted students of high calibre from a variety of backgrounds during its first three years. Building on the experience of the diploma the course is being upgraded to an MA in 1987-88. It will be available either full-time for one year or part-time for two years.*

### Introduction

The Centre of Medical Law and Ethics was established at King's College in 1978 to provide opportunities for teaching, study, research and discussion of issues in medicine which involve consideration of law and ethics. The college includes Faculties of Law, Medicine and Theology and Departments of Philosophy and Nursing Studies and thus may be considered ideally suited for the purpose. From 1978-84 the centre's activities included public lectures, colloquia, specialist courses, research and the maintenance and development of a specialist library in conjunction with four other libraries in London.

The early experience of the centre revealed an increasing interest in and demand for a postgraduate course and this led to the establishment of a one-year Diploma in Medical Ethics and Law which started in October 1984. The course was the first of its kind in Britain and is now in its third year. It is multidisciplinary, being open to all who have a first degree in a relevant discipline, for example law, philosophy, theology, medicine and nursing studies. (As from October 1987 the course is to be upgraded and extended to a London University MA course.)

### Aims and methods

The aims of the course are:

- (i) to study the methods of reasoning and analysis in ethics and law;
- (ii) to examine selected areas of health care and medical practice from a perspective of medical ethics and law;
- (iii) to further the understanding of those whose work brings them into contact with medical ethics and law and those who wish to embark on further study or research.

Teaching is by lectures, seminars and supervised study. The principal formal teaching is on Wednesday afternoons from 2-5 pm during university terms. There are twenty-five of these sessions, totalling some seventy-five hours in all. Tutorials have been held from October 1986, at noon until 2 pm on Mondays. Restricting the formal teaching in this way is designed to enable students to take the course on a half-day release basis, so that they can continue in full-time employment if they wish. Students must also, however, undertake a considerable amount of additional private study and a comprehensive bibliography is provided to accompany each weekly session. In addition, they are required to submit four written papers during the first and second term. These papers are marked and form the basis for further supervision arranged to suit the students' timetable.

The curriculum covers the following areas:

- (i) **Issues in moral philosophy:** theories of moral reasoning; ends and means; rules; duties and ideals; values and virtues; acts and omissions; double effect; morality and religion.
- (ii) **Issues in law:** legal sources; formal and informal rule-making; legal reasoning; the relationship between law and morality.
- (iii) **An introduction to the nature of health and the relationship between health and medical care**
- (iv) **Issues in health care**
  - (a) the allocation of scarce resources;
  - (b) the doctor-patient relationship;
  - (c) the concept of treatment;
  - (d) consent and competence;
  - (e) autonomy and paternalism;

### Key words

Medical ethics teaching.

- (f) respect for life; reproductive medicine; abortion; genetic screening; disablement at birth; terminal illness; death;
- (g) clinical research.
- (v) **Mechanisms of regulation of health care professionals**
  - (a) the principle of accountability;
  - (b) professional self-regulation; guidelines; codes of practice; law.

The course is under the overall direction of Professor Ian Kennedy, Professor of Medical Law and Ethics and Director of the centre. The Course Director from 1984-86 was Dr Michael Lockwood of the Department of External Studies at Oxford. From 1986 it has been directed by Dr Raanan Gillon, Director of the Student Health Service at Imperial College, London and Editor of the *Journal of Medical Ethics*. Miss Shelley Roberts, Lecturer in Law and Dr David Greaves, Director of Research at the centre also assist in teaching and supervision. Students with special expertise lead discussion in certain areas from time to time.

The course is examined in three parts: assessment of course-work during the year; a three-hour written examination held in June; and a dissertation of 8,000-12,000 words to be submitted by September.

### Experience of the course

Students have come from a wide range of backgrounds, with first degrees in medicine, dentistry, natural science, nursing studies, theology, philosophy and law. They have also varied considerably in age and experience. Several have had second degrees or higher degrees. There have been students from the United States, Canada and Australia as well as the UK.

Perhaps the most challenging aspect of the course has been the integration of the three disciplines, medicine, law and ethics. This has meant that most students have had to engage with two new disciplines. The success of the course in this regard has only been possible because of the range of skills and abilities which students have brought and their enthusiasm in meeting the challenge. This, combined with multidisciplinary teaching, has created the circumstances for mutual exchange and learning which is the hallmark of the course.

The degree of commitment from the students can be demonstrated by the fact that all those who have completed the three parts of the assessment have passed and received the diploma. Equally gratifying has been the recent formation of a group of Associate Members of the Centre started by past students. They hold evening meetings at which papers are read and which are combined social and academic events. They are also kept in touch with the continuing activities of the centre.

The manner in which the course is structured has posed considerable problems. The most difficult has been how to maintain a balance between formal

teaching and discussion, whilst ensuring that the very substantial curriculum is dealt with in a rigorous fashion. Many students have felt the need for more time for discussion. Another and related problem has been the limited opportunity for students to develop a sense of collegiality, given that they only meet together as a group on one afternoon a week. A response to both of these problems has been the introduction, in October 1986, of additional tutorials for those who are able to attend.

### Future plans and advice to others

Once the course has been upgraded to an MA degree, in October 1987, it will then be available either on a full-time basis over one year or part-time over two years. Formal teaching will be on two afternoons a week, amounting to six hours in all, the increase in contact hours reflecting the added depth of study appropriate for a master's degree. As such, the course may be more attractive to students in terms of their careers, as well as making it more likely that grants will be available, since students in the past have found great difficulty in obtaining financial support. It is not intended that the curriculum will be expanded a great deal, but rather that more time will be made available for the issues to be explored in greater depth.

The first three years in which the diploma course has been held at King's College have been highly successful in terms of academic achievement and student satisfaction, but only a limited number of students have been able to attend. The evolution and upgrading of the course to an MA degree should build on the experience gained and help remedy the problems identified. It is hoped to attract up to 25 students in 1987/88.

The issues raised by the relationship between medicine, law and ethics have always been of the greatest importance to society, but it is only in the last few years that they have captured the imagination of both the professionals and the public in Britain. It seems certain that this is not merely a passing fashion which will soon fade. The debate is now firmly in the public arena and it is not likely to go away.

The issues involved in the Warnock Report and the controversy generated in the media by cases such as Gillick have whetted the appetite of many for formal study. The aim of an academic course is to convert initial interest into disciplined study that will enable rigorous analysis.

Potential students who are seriously intent on pursuing the subject at a postgraduate level come from a diversity of backgrounds, and have a great variety of interests and commitments. It would therefore be most sensible if an equally varied pattern of courses were developed to meet different needs. Currently substantive university courses are only available at King's College London and the University of Wales at Swansea, although others are planned. The course at

King's College is unique in combining medical law and medical ethics. The aim of the course has always been in part at least 'to teach the teachers'; to introduce, in other words, professionals who are already qualified in one discipline, to medical ethics and law in the hope and expectation that they will take their experience back to their practice and pass it on. In this way the centre at King's College seeks to raise the awareness of

those currently concerned with health care and medicine and those who will follow. The establishment of formal and compulsory courses in medical ethics within medical schools must be the inevitable next step in this process.

*David Greaves MB MLitt Dip in Med Ethics and Law is Director of Research at the King's College Centre of Medical Law and Ethics, King's College, London.*