

UNIVERSITY OF CUMBRIA
COURSEWORK REASSESSMENT REQUIREMENT

Module Code: LAWS 6205

Module Title: Medical Law and Ethics

Tutor: Fiona Buchanan

Title of the item of work: Medical law and Ethics Coursework 1

Wordage: 1500 words

Details and Criteria: (Please attach additional sheets if necessary)

Consider the circumstances described, and advise the Fellside Hospital NHS Trust as to the issues set out below:

Pete and Dud are old school friends visiting Bumbria on a walking holiday. They decide to climb Stickle Pike, one of England's tallest mountains. As they approach the summit Dud loses his footing and tumbles 30 feet down a rock face. Dud is quickly taken by Air Ambulance to the Fellside Hospital NHS Trust.

Dud has suffered concussion, cuts and bruises and a fracture to his left leg, which is carefully manipulated and put into plaster. He is admitted to the hospital's orthopaedic ward. During the night Dud's leg is very painful, and he experiences severe pins and needles. He alerts the staff and is examined by Dr Freshface, a newly qualified doctor, who prescribes a stronger painkiller "to see him through the night". He is examined again in the morning by Mr Sawbones (Orthopaedic Consultant) on his ward round, who immediately diagnoses acute Compartment Syndrome, a recognised complication of trauma caused by compression of nerves and vessels within a swollen limb.

Mr Sawbones realises that it is too late to operate to relieve the pressure in the leg, although this might have been possible if diagnosis had been made during the night. He tells Dud that the lower leg is in a very poor condition and needs to be amputated. He advises Dud that he will lose all function in the limb anyway, and without urgent surgery he is in danger of going into kidney failure. Since childhood, Dud has had a morbid fear of dying whilst under

anaesthetic. Although he seems to understand the Consultant's advice, he says he is too frightened to have the operation and refuses to give his consent.

Advise the Fellside Hospital NHS Trust as to:

- (i) the legality of proceeding with the amputation procedure in the absence of the patient's consent;**
- (ii) whether Dud might be able to successfully pursue a legal claim against them for Dr Freshface's failure to diagnose Compression Syndrome in the night.**

Assessment Criteria

There are 5 broad categories of criteria:

Knowledge – of the relevant law

Understanding & Application – of how the law is applied to facts or has any practical or policy implications

Analysis & Evaluation – consideration of alternatives, detailed meanings and strengths and weaknesses of relevant law, practice, policy etc.

Research – finding and using an appropriate range of relevant sources

Structure & Presentation – logical structure, clear language and presentation as required by the assessment format

These criteria will be used within modules to aid discussion about assessment and feedback and to act as a general guide. They are indicative and are not intended as a comprehensive list of every feature that could be in an assessment. They will often overlap but are presented separately for clarity. Please note that the mark you are awarded reflects the tutor's overall impression based on these criteria. While you may receive a high mark there may be areas of weakness. Equally, you may receive a low mark but there could still be strengths in your work. You should take note of the feedback, build on your strengths and learn from and minimise your weaknesses.

SUBMISSION DATE AS PER STUDENT PORTAL

(please tick as appropriate but must be completed)

To be submitted via Blackboard by 4pm on 12th August 2022 in accordance with instructions given by the course team.