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EDITORIAL

This issue of the *Mountbatten Journal of Legal Studies* looks at two particular areas of law. The first two articles are concerned with the inter-relationship of law with economics and regulatory theory. The third article and both the Legal Comment and Case Study refer to the law with regard to the medical sector.

The first article discusses the theories of law and economics with a particular view on regulatory capture. This lays a good foundation for the second article which analyses the effects of the German legislation upon the electricity tariffs in Germany. A careful analysis is carried out concerning the relationship between German regulation and European legislative imperatives and conclusions are drawn with respect to the proposed legislation currently being considered by the Bundesrat.

The third article considers the rights of the pregnant woman to refuse a caesarean section and considers the effect of both *The Patients Charter* 1992 and the Cumberledge Report, *Changing Childbirth* 1993. Although the main recommendations of the Report were that maternity services should be women centred, with the main thrust of the recommendations being patient's choice and autonomy, the law in this area still does not afford the patient any enforceable rights. One area which still is to be settled by the courts is whether the rights of a mother refusing to have treatment must prevail against those of her unborn child. Although the UK law does not afford the fetus any legal rights, a potential limit to the absolute right of a competent adult to accept or reject treatment was recognised by Lord Donaldson MR in *Re T (adult refusal of treatment)*. He acknowledged that if a woman's choice to reject treatment was to lead to the death of a viable fetus her absolute right to choose may be curtailed. This article is a scholarly discussion on the whole subject.

A legal comment addresses the developing situation in this area in the USA.

Professor Patricia Park
Editor