



## **Medical Technology: Should we do what we can?**

As part of the ESRC Festival of Social Science, the medical law team at Manchester Metropolitan was granted funding to host a round table discussion. Individuals from Law, Health Sciences, and Clinical Research Organizations met to discuss the development of legislation surrounding medical innovation. Dr. Melanie Latham, (Reader in Healthcare Law) chaired the event at which we aimed to discuss key concepts and challenges around the introduction of the *Access to Medical Treatments (Innovation) Act 2016*.

Nigel Poole QC from Kings Chambers Manchester presented a history of the legal frameworks relating to medical treatment and the political campaigns that ran alongside including the opposition to the proposed legislation. Whilst research fellow, David Lawrence, who visited from Newcastle University discussed the nature of innovation as being an innate human development.

Nigel recounted the development of legislation in the area highlighting the use of emotionally loaded arguments. He also looked at the entanglement of our necessary human desire to live longer and flourish with the need for the state to act as an objective outsider and to protect individuals from risk and exploitation.

Themes that arose from David's paper were, the idea that innovation is not a new or modern concept, innovation is a word used when a practice or technology is new and 'innovative'. He reminded us that fire, and hammers, were once perhaps innovative. Innovation, or the creation of technology to aid our

evolution is a part of our history, and a part of what it is to be human.

The discussion following the talks centered on the use of political spin and advertising practices that were used both in Saatchi's campaign, and parallels were drawn with other political campaigns, such as the Brexit campaigns. The practicalities of the introduction of any such law to allow freedom of 'innovation' were also a concern to the individuals who attended.

The unknown outcomes of experimental treatment were also a concern, if things were to harm individuals then blame would be apportioned, however if success were found then we would question why the state had been so restrictive in the first instance.

Nigel has a blog, "My learned friend" and frequently comments on the subject of innovation v negligence and medical responsibility.

David is currently a research fellow and working on a manuscript that addresses the concepts of human enhancement.

Thanks go to both of our speakers and those who attended and to Melanie Latham and Catherine Downs from MLS for helping to organise and run the evening. Also to Gary Lindsay who supported the organization of the event.

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