

**MARCH ISSUE 2020**

We are CMEL! Welcome to the thirty-seventh issue of the CMEL Newsletter! This publication aims to update you on the latest news and information in the biomedical world. We will also share information about upcoming events, so stay tuned! Find out more about [CMEL](#). We also have a Facebook page, you can follow us [here](#).

Top story in this newsletter**New Case Briefing:****English court recognised duty owed by a hospital trust to the daughter of its patient in respect of genetic information*****ABC v St George's Healthcare NHS Trust and others* [2020] EWHC 455 (QB)**

In this recent English case, the High Court recognised that the second defendant, a trust which ran a hospital, owed a duty of care to the daughter of its patient to “balance her interest in being informed of her genetic risk against her father’s interest in preserving confidentiality in relation to his diagnosis and the public interest in maintaining medical confidentiality generally”. The patient was diagnosed with a genetic disorder. He declined to consent to disclosure to his daughter. The trust did not disclose to his daughter during her pregnancy the risk that she had inherited the gene for the disease. On the facts, the trust’s decision not to disclose did not amount to a breach of the duty recognised, as it was supported by a responsible body of medical opinion. The duty recognised may potentially apply to other information that reveals a serious risk to a third party. Read our bilingual case briefing [here](#).

近期一宗英國案件中，高等法院確認案中營運醫院的一個信託(第二被告)對其病人的女兒負有謹慎責任去衡量(a) 她得知自己的遺傳風險的利益、(b) 她父親的診斷被保密的利益及(c) 保密醫療隱私的公共利益。案中病人被診斷患有遺傳病，在他不同意披露的情況下，該信託沒有在他的女兒懷孕期間向她披露她可能遺傳該病的基因。在本案的案情下，該信託不披露的決定，獲得負責任的醫學團體的意見支持，所以不違反上述責任。上述責任可能適用於其他揭示第三方有嚴重風險的資料。[按此](#)閱讀本中心的雙語案件簡要。

In the News:**Rationing ventilators and hospital resources during the COVID-19 pandemic**

Hospitals in countries hit by COVID-19 are facing difficult decisions on the rationing of ventilators, beds and other resources where the number of COVID-19 patients exceeds capacity. Click [here](#) for an article that discusses a number of possible rationing principles, such as maximising the total number of lives saved. Recently [official guidance](#) has been issued to NHS doctors in England on how to decide which COVID-19 patients should be admitted to critical care. The guidance offers an “algorithm” to help doctors make a decision.

新冠病毒疫情擴散，多國醫院面臨當新冠病人數目超過醫院負荷時，如何分配呼吸機及床位等資源的問題，[按此](#)閱讀一篇討論多種可能的分配原則的文章，例如拯救最多數目的人。

就新冠病人中何人會獲得深切治療一事，英格蘭的英國國民保健系統的醫生最近獲發[官方指引](#)，該指引提供了一種“計算方法”協助醫生作出決定。

Interview:**Ethics in the COVID-19 crisis: perspectives from a clinical ethicist**

In a recent interview with the New Yorker, a clinical ethicist shared her views on ethics in the COVID-19 crisis. Click [here](#) for the article on the interview.

《紐約客》最近訪問了一位臨床倫理學家，她在訪問中分享對新冠病毒危機中的倫理問題的想法，[按此](#)閱讀該訪問的報道。