

Medical Consent: Practical Implications for Hong Kong

Objective, Coverage and Learning Outcomes:

Consent is fundamentally important to medical practice since it generally determines whether treatment is lawful. In the ten years following the landmark decision in *Montgomery v Lanarkshire*, which established a pro-patient standard for information disclosure, several significant legal changes have occurred. This seminar will explore the legal issues arising from consent to medical treatment, including important decisions from across common law and legislative interventions such as the Advance Decision on Life-Sustaining Treatment Ordinance. The practical application and implications of these developments for medical practice in Hong Kong will also be examined.

Participants will acquire knowledge of the above.

Date: 9 April 2025 (Wednesday)

Time: 6:00 pm – 7:45 pm (Hong Kong Time)

Venue: Function Room 1-2, 2/F, Hong Kong Academy of Medicine Jockey Club Building, 99 Wong Chuk Hang Road, Aberdeen

Mode: Face to face or Zoom

Target Audience: Legal professionals, healthcare professionals and anyone interested

Level: Elementary (no prior knowledge/ experience required)

The Programme

6:00pm - 6:10pm	<p>Opening address and introductory remarks</p> <p>Professor Gilberto Leung <i>Co-Director, Centre for Medical Ethics and Law, Tsang Wing-Hing Professor in Clinical Neuroscience & Associate Dean (Clinical Sciences Education), LKS Faculty of Medicine, HKU</i></p>
6:10pm - 6:40pm	<p>Impact of <i>Montgomery v Lanarkshire</i></p> <p>Professor Rachael Mulheron <i>Professor, Tort Law and Civil Justice, Department of Law, Queen Mary University of London</i></p>
6:40pm - 7:45pm	<p>Discussion and Q&A</p> <p>Professor Rachael Mulheron <i>Professor, Tort Law and Civil Justice, Department of Law, Queen Mary University of London</i></p> <p>Professor Craig Purshouse <i>Research Fellow, Centre for Medical Ethics and Law & Associate Professor, Faculty of Law, HKU</i></p> <p>Professor Albert Lee <i>Senior Research Fellow, Centre for Medical Ethics and Law & Honorary Professor, Department of Paediatrics and Adolescent Medicine, HKUMed</i></p> <p>Dr James Chiu <i>Senior Research Fellow, Centre for Medical Ethics and Law & Honorary Clinical Assistant Professor, Department of Family Medicine and Primary Care, HKUMed</i></p> <p>Professor Gilberto Leung <i>Co-Director, Centre for Medical Ethics and Law, Tsang Wing-Hing Professor in Clinical Neuroscience & Associate Dean (Clinical Sciences Education), LKS Faculty of Medicine, HKU</i></p>

Biographies



Professor Rachael Mulheron

Professor, Tort Law and Civil Justice, Department of Law, Queen Mary University of London

Rachael is Professor of Tort Law and Civil Justice at QMUL, and an Ordinary (Non-judicial) member of the Competition Appeal Tribunal (since 2023). Rachael's research interests encompass torts, medical negligence, collective (class) actions and civil justice, and she has authored over 100 academic publications on these topics. Rachael has participated in numerous law reform roles, including being a member of the UK's Civil Justice Council for almost a decade. Her services to law reform were recognised by her appointment as Honorary Queen's Counsel for services to law reform in 2021 and in 2024, Rachael was elected as a Fellow of the British Academy. Prior to her academic career, she practised as a litigation solicitor in Brisbane.



Professor Craig Purshouse

Research Fellow, Centre for Medical Ethics and Law & Associate Professor, Faculty of Law, HKU

Craig is an Associate Professor in the Faculty of Law and a Research Fellow at the Centre for Medical Ethics and Law at the University of Hong Kong. He has published widely in the field of medical law and torts and was previously the joint editor-in-chief of *Medical Law International*.



Professor Albert Lee

Senior Research Fellow, Centre for Medical Ethics and Law & Honorary Professor, Department of Paediatrics and Adolescent Medicine, HKUMed

Albert received his Medical Degree (MB BS-UCL-Middlesex Hospital) and Law Degree (LLB) from University of London in 1984 and 2015 respectively with higher academic and/or professional qualifications in Family Medicine, Public Health, Legal Medicine, Law, Arbitration, Mediation, and Education. He is admitted as lawyer by NSW Supreme Court, Australia in March 2021, Barrister and Solicitor by New Zealand High Court in July 2022, and registered foreign lawyer in Hong Kong in February 2025. Albert has published over 270 papers in peer-reviewed journals and editor of four books in primary healthcare, one book on “Healthy Setting Approach” and one book on “Healthcare Law and Ethics”.



Dr James Chiu

Senior Research Fellow, Centre for Medical Ethics and Law & Honorary Clinical Assistant Professor, Department of Family Medicine and Primary Care, HKUMed

James LLB (Hons) Lond, Specialist in General Surgery, is the Co-Chairman of the Professionalism and Ethics Committee & the Convenor of the Task Force on Laws for Healthcare Practitioners, Hong Kong Academy of Medicine. His research areas include consent, expert witnesses, healthcare laws, healthcare ethics, apologies, apology legislation, negotiation, mediation and other medico-legal issues. James has published extensively in journals in Hong Kong and abroad as well as book chapters on his research areas. He has chaired or spoken in over 100 local or international meetings/conferences to both medical and legal practitioners.



Professor Gilberto Leung

Co-Director, Centre for Medical Ethics and Law, Tsang Wing-Hing Professor in Clinical Neuroscience & Associate Dean (Clinical Sciences Education), LKS Faculty of Medicine, HKU

Gilberto is a neurosurgeon, Clinical Professor, and holder of the endowed Tsang Wing-Hing Professorship in Clinical Neuroscience at the University of Hong Kong (HKU). He graduated from the University of London with MBBS in 1992. During postgraduate training, he was awarded the Hallett Gold Medal and the J. Douglas Miller Medal in Neurosurgery by the Royal College of Surgeons of England and that of Edinburgh, respectively. He obtained his MS, PhD and MD from HKU; LLB from the University of London; and LLM in Medical Law and Ethics with Distinction from the University of Edinburgh. He is Immediate-Past President of the Hong Kong Academy of Medicine, Co-Director of the Centre for Medical Ethics and Law at HKU, Associate Dean of the HKU medical faculty, and Honorary Consultant Neurosurgeon at Queen Mary Hospital.

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