



Genomic Negligence: An Interest in Autonomy as the Basis for Novel Negligence Claims Generated by Genetic Technology (Biomedical Law and Ethics Library)

Victoria Chico

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Advances in genetic technology will lead to novel legal challenges. This book identifies four potential genomic claims which may be articulated as novel negligence challenges. Each of these claims is considered from the perspective of the English courts' approach to novel kinds of damage. It is argued that these novel genomic claims are unlikely to be favourably received given the current judicial attitude to new forms of damage. However, Victoria Chico argues that the genomic claims could be conceived of as harm because they concern interferences with autonomy. Each claim is considered from the perspective of a hypothetical English negligence system imbued with explicit recognition of the interest in autonomy. Chico examines how recognition of this new form of damage would lead to novel genomic negligence claims being treated in a way which they would not, if considered within traditional parameters of harm in negligence.

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