



SEMINAR

Law, Politics and the Allocation of Scarce Health Care Resources

Dr Kenneth Veitch

Tuesday, 5 October 2010, 1:00 - 2:00 pm
Room LG102, LG 1 Floor, KK Leung Building,
The University of Hong Kong

In 1942, Sir William Beveridge produced a template for the establishment of a comprehensive welfare state within the UK, one of the purposes of which was to begin to address the ‘five giants’ of Want, Disease, Squalor, Idleness, and Ignorance. In 1948, the National Health Service (NHS) was founded on the guiding principle that patients’ access to health care would be based on clinical need rather than ability to pay. While this principle continues to be emphasised by politicians today, others have argued that it is under attack from policies designed to ensure an increasing role of private organisations within the UK’s publicly funded health care system.

Against this background, this paper explores the role of law in situations where patients who have been denied access to the NHS’s scarce health care resources take their claims of entitlement to medical treatment to court. More specifically, the paper considers what impact the increasing role of European Union law (especially the freedoms to provide and receive services) is having on the nature of the function of UK courts in this area. Will courts be able to maintain their traditionally restrained approach in such cases, which envisages a clear division between the legal and the political? Or is there an inevitability about their politicisation – a politicisation over the degree to which public health care resources are diverted to commercial health care providers abroad?

Dr. Kenneth Veitch is a lecturer in law at Sussex Law School, University of Sussex, UK. His research interests lie in the fields of health care law, sociology of law, and law and social theory. He is the author of *The Jurisdiction of Medical Law*, published in 2007 by Ashgate.

All are welcome!

Please email Flora Leung at fkleung@hku.hk to reserve a place.