



Quiz

Consent to Medical Treatment in Cases of Legal Incapacity involving Children

1. Which of the following factors have Australian courts made clear do *not* enter into an assessment of the best interests of the child?
 - a. Quality of life
 - b. Wishes of the parents
 - c. Interests of third parties
 - d. Futility of proposed treatment

2. In *Great Ormond Street Hospital v Constance Yates and Ors* [2017] EWHC 972 (Fam) ("Charlie Gard case"), what was Great Ormond Street Hospital seeking in its application to the Family Division of the UK High Court of Justice?
 - a. A declaration that Charlie should not be given Professor Hirano's nucleoside therapy
 - b. A declaration that it was lawful to discontinue assisted ventilation for Charlie
 - c. A declaration that Charlie should only be given palliative care
 - d. All of the above

3. What does the case of *Re Baby A* [2008] FamCA 417 stand as evidence for?
 - a. The fact that the courts will not necessarily reject treatment because it is experimental and untried

- b. The fact that interest of third parties are not relevant to an assessment of the best interests of the child
 - c. The fact that greater weight will always be given to medical opinion than to the wishes of the parents
 - d. None of the above
- 4. Which of the following was *not* part of the two-step test posed by Garling J in reaching his decision in *TS & DS v Sydney Children's Hospital Network* [2012] NSWSC 1609 ("Mohammed's case")?
 - a. Was withdrawal of assisted ventilation in Mohammed's best interests?
 - b. Should assisted ventilation continue to be provided to Mohammed in light of the fact that he had already survived this long?
 - c. If withdrawal of assisted ventilation was not in Mohammed's best interests, how did this impact on the doctors' ability to maintain the integrity of their relationship with his parents?
 - d. Both A and C
- 5. In the Kiszko cases, which of these was a ground for objection to radiotherapy by Oshin Kiszko's parents?
 - a. Side effects of radiotherapy
 - b. Oshin's diminished chances of a cure
 - c. Their favour for natural therapies and palliative care
 - d. All of the above

Answers:

1. C 2. D 3. A 4. B 5. D