

Contents

Introduction 7

Chapter 1 Medical treatment and the law 9

The health system and the law in NSW 9

The rights of clients 10

The law of assault 12

The law of negligence 13

Taking legal action 21

Making a complaint 25

Confidentiality and privacy 32

Chapter 2 Consent to medical treatment 40

Legally competent adults 41

People under 18 49

Adults who lack legal capacity 62

Chapter 3 The law relating to reproduction 72

Contraception 72

Assisted conception 79

Pregnancy 83

Birth 88

Parenting 89

Adoption 93

Chapter 4 Sexual health issues 94

Sexually transmissible infections 94

Screening 104

Specific procedures 109

Chapter 5 Sexuality and sexual offences 112

The age of consent 114

Sexual offences 117

Reporting a young person at risk of harm 122

Sexual harassment 124

Domestic violence 126

People with an intellectual disability 130

Sex work 131

Appendix: The law in NSW 133

Glossary 137

Contact points 140

References 148

Index 151