

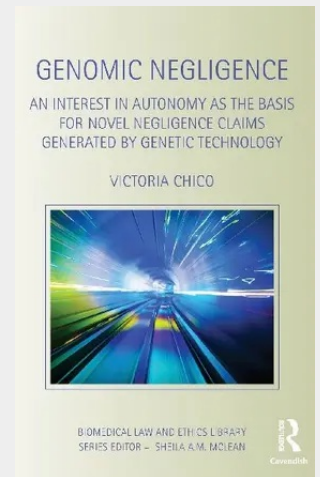
Chico

Genomic Negligence

An Interest in Autonomy as the Basis for Novel Negligence Claims Generated by Genetic Technology

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.

Advances in human genetics are set to revolutionise the way we think about our health. Within the context of such changing social circumstances, this book identifies novel grievances that might be generated by modern human genetic technologies and considers how the English tort regime might respond to these grievances.



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