

Full Title:	Ethical and Legal Practice
Language of Instruction:	English
Module Code:	LAW N8011
Credits:	5
Valid From:	Semester 1 - 2013/14 (September 2013)
Module Delivered in	2 programme(s)
Module Description:	This module helps the student to identify and apply legal and ethical concepts and principles to guide their nursing practice.
Learning Outcomes:	
<i>On successful completion of this module the learner should be able to</i>	
<ol style="list-style-type: none"> 1. Evaluate the legal context for the accountability of the nurse within the framework established by legislation 2. Consider the other areas of legal accountability applicable to psychiatric nursing including professional negligence, consent and capacity 3. Examine the statutory framework for the delivery of mental health services including involuntary admission to a designated centre 4. Apply ethical theories and principles to analyse and discuss ethical issues encountered in psychiatric nursing practice. 	

Module Content & Assessment

Indicative Content
The statutory framework for the regulation and accountability of the nurse The Nurses and Midwives Act 2011, the role of the Nursing and Midwifery Board, registration and fitness to practice, the code of professional conduct
Professional negligence and the nurse The test of medical negligence, the 'Dunne' principles, application of the principles to nurses by the Irish courts, the role and view of the Nurses and Midwives Board
Consent and capacity The test of 'informed consent' and the reasonable patient approach, capacity and consent, specific issues such as children and consent, the principles applicable when determining the capacity question and the 'K' decision. Proposals for reform in this area
The statutory framework for the delivery of Mental Health services The Mental Health Act 2001, as amended, the role and function of the mental health Commission, the Inspector of Mental Health, involuntary admission, proposals for reform of the 2001 Act and a 'Vision for Change'
Ethical Theories Traditional Ethical Theories: Consequentialism, Deontology, Rights Based Ethics, Virtue Ethics. Contemporary Ethical Theories: Principlism, Ethics of Care, Narrative Ethics, Feminist Ethics.
Ethical Topics Euthanasia, Whistle blowing, Allocation of Scarce Resources, Abortion, Promoting Autonomy and Recovery. Ethical Decision Making Frameworks, European Convention on Human Rights.

Assessment Breakdown	%
End of Module Formal Examination	100.00%

Full Time

No Course Work
No Project
No Practical

End of Module Formal Examination							
<i>Assessment Type</i>	<i>Assessment Description</i>	<i>Outcome addressed</i>	<i>% of total</i>	<i>Marks Out Of</i>	<i>Pass Marks</i>	<i>Assessment Date</i>	<i>Duration</i>
Formal Exam	End of Module Formal Examination	1,2,3,4	100.00	0	0	End-of-Semester	0

Reassessment Requirement
A repeat examination <i>Reassessment of this module will consist of a repeat examination. It is possible that there will also be a requirement to be reassessed in a coursework element.</i>

DKIT reserves the right to alter the nature and timings of assessment

Module Workload & Resources

Workload: Full Time

Workload Type	Workload Description	Hours	Frequency	Average Weekly Learner Workload
Lecture	Learning and teaching methods will include a combination of lectures, discussions, case studies, group work, and reflection on practice. This module is normally delivered over 12 weeks	4.00	Every Week	4.00
Directed Reading	No Description	27.00	Once per semester	1.80
Independent Study	No Description	50.00	Once per semester	3.33
Total Weekly Learner Workload				9.13
Total Weekly Contact Hours				4.00

This course has no Part Time workload.

Resources
<i>Recommended Book Resources</i>
<p>Neil Van Dokkum 2012, <i>Nursing Law for Students in Ireland</i>, 2nd Ed., 16, Gill and Macmillan Dublin [ISBN: 9780717149872]</p> <p>Dooley, D. & McCarthy, J 2012, <i>Nursing Ethics: Irish Cases and Concerns</i>, 2nd Ed Ed., Gill & Macmillan Dublin [ISBN: 978071749865]</p> <p>Yeo, M. Moorehouse, A. Kahn, A. & Rodney, P. 2010, <i>Concepts and Cases in Nursing Ethics</i>, 3rd Ed Ed., Broadview Press Pererborough [ISBN: 9781551117355]</p>
<i>Supplementary Book Resources</i>
Dooley, D and McCarthy, J. 2005, <i>Nursing Ethics: Irish Cases and Concerns</i> , Gill & Macmillan Dublin [ISBN: 0717135764]
<i>This module does not have any article/paper resources</i>
<i>Other Resources</i>
<p>website: Oireachtas 2013, <i>Legislation, Bills and Acts</i>, Oireachtas, Dublin http://www.oireachtas.ie</p> <p>website: Attorney General 2013, <i>Irish Statute Book</i>, Attorney General, Dublin http://www.irishstatutebook.ie</p> <p>website: Nursing and Midwifery Board 2013, <i>Publications of the Board</i>, Nursing and Midwifery Board, Dublin http://www.nursingboard.ie</p> <p>website: Law Reform Commission 2013, <i>Reports and Consultations</i>, Law Reform Commission, Dublin http://www.lawreform.ie</p> <p>website: HSE 2013, <i>Health legislation and publications</i>, HSE, Dublin http://www.hse.ie</p> <p>website: Courts Service 2013, <i>Judgements</i>, Courts Service, Dublin http://www.courts.ie</p> <p>website: Department of Justice 2013, <i>Draft Mental Capacity Bill 2008</i>, Department of Justice, Dublin http://www.justice.ie</p> <p>website: Mental Health Commission 2013, <i>MHC and Inspector of mental health</i>, Mental Health Commission, Dublin http://www.mhcirl.ie</p> <p>website: Irish Human Rights Commission 2012, <i>European Convention on Human Rights Guide for Civil & Public Service</i>, Dublin http://www.ihrc.ie/training/echr/</p> <p>DVD: Miramax Films 2007, <i>Gone Baby Gone</i>, USA</p> <p>DVD: New Line Cinema 2009, <i>My Sisters Keeper</i>, USA</p>

Module Delivered in

Programme Code	Programme	Semester	Delivery
DK_NPNUR_8	Bachelor of Science (Honours) in Psychiatric Nursing	6	Mandatory
nocode16	Bachelor of Science in Health Studies (Psychiatric Nursing Exit Award)	6	Mandatory