

Seminar on *Bolitho's* Complicated Impact, 70 Years On from *Bolam*

Tentative Programme

Event Details

Date:	28 April 2026 (Tuesday)
Time:	6:00pm – 7:45pm
Venue:	Pao Yue Kong Auditorium, G/F, Hong Kong Academy of Medicine Jockey Club Building 99 Wong Chuk Hang Road, Aberdeen, Hong Kong
Mode:	Hybrid (Face-to-face and via Zoom)
Objectives:	Mr. Bolam represents a truly landmark figure in medico-legal jurisprudence. It was the accident arising from his electro-convulsive therapy at the Friern Hospital, and McNair J's direction to the jury in Mr. Bolam's subsequent claim against his treating psychiatrist, that has come to govern the test of breach for medical negligence across the common law world. It was 70 years ago that Mr. Bolam filed his claim in negligence (No 507 of 1956). Since then, however, the case brought by Patrick Bolitho, and decided almost four decades later in 1997, has had equally as impactful consequences on medico-legal litigation. In fact, the ramifications of <i>Bolitho v City and Hackney Health Authority</i> for both proof of breach and the establishment of causation continue to be tested and expanded in claims arising from medical diagnosis and treatment. The interaction between the two cases in relation to claims arising from failure-to-warn of inherent risks is also not without complication. <i>Bolitho's</i> impact upon <i>Bolam</i> continues to vex and to develop. This seminar will examine and discuss its complicated and decades-long impact on medico-legal litigation.
Target Participants:	Healthcare professionals, legal professionals, and anyone interested
Co-organisers:	Task Force on Laws for Healthcare Practitioners, Professionalism and Ethics Committee and Jockey Club Institute for Medical Education and Development Hong Kong Academy of Medicine
Supporting Organisations:	Centre for Medical Ethics and Law, The University of Hong Kong Medical Ethics and Humanities Unit, School of Clinical Medicine, The University of Hong Kong

Programme

5:45pm- 6:00pm	Registration
6:00pm – 6:10pm	Opening Remarks & Introduction of Speaker Dr. James Chiu <i>Co-Chairman, Professionalism and Ethics Committee Hong Kong Academy of Medicine Senior Research Fellow, Centre for Medical Ethics and Law The University of Hong Kong</i>
6:10pm – 6:40pm	<i>Bolitho's Complicated Impact, 70 Years On from Bolam</i> Prof. Rachael Mulheron, Honorary King's Counsel and Fellow of the British Academy <i>Professor, Tort Law and Civil Justice, Department of Law Queen Mary University of London</i>
	Discussion Chairman: Prof. Philip Li <i>President and Co-Chairman, Professionalism and Ethics Committee Hong Kong Academy of Medicine</i>
6:40pm – 6:50pm	Difficulties with Proving Breach and the Application of the <i>res ipsa</i> Doctrine in the Medical Setting in Hong Kong Prof. Craig Purshouse <i>Associate Professor, Faculty of Law Deputy Director, Board Member and Research Fellow, Centre for Medical Ethics and Law Deputy Director, Centre for Private Law The University of Hong Kong</i>
6:50pm – 7:00pm	Prof. Emmanuel Cheung <i>Clinical Assistant Professor of Practice, Critical Care Medicine Unit and Medical Ethics and Humanities Unit Research Fellow, Centre for Medical Ethics and Law The University of Hong Kong Honorary Specialist, Adult Intensive Care Unit Queen Mary Hospital</i>
7:00pm – 7:10pm	Dr. Chow Kai-Ming <i>Chief of Service, Department of Medicine and Therapeutics Prince of Wales Hospital</i>
7:10pm – 7:40pm	Q&A Session Moderator: Prof. Philip Li Participants: Prof. Rachael Mulheron, Prof. Craig Purshouse, Prof. Emmanuel Cheung, Dr. Chow Kai-Ming

7:40pm – 7:45pm	Closing Remarks Prof. Philip Li <i>President and Co-Chairman, Professionalism and Ethics Committee Hong Kong Academy of Medicine</i>
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