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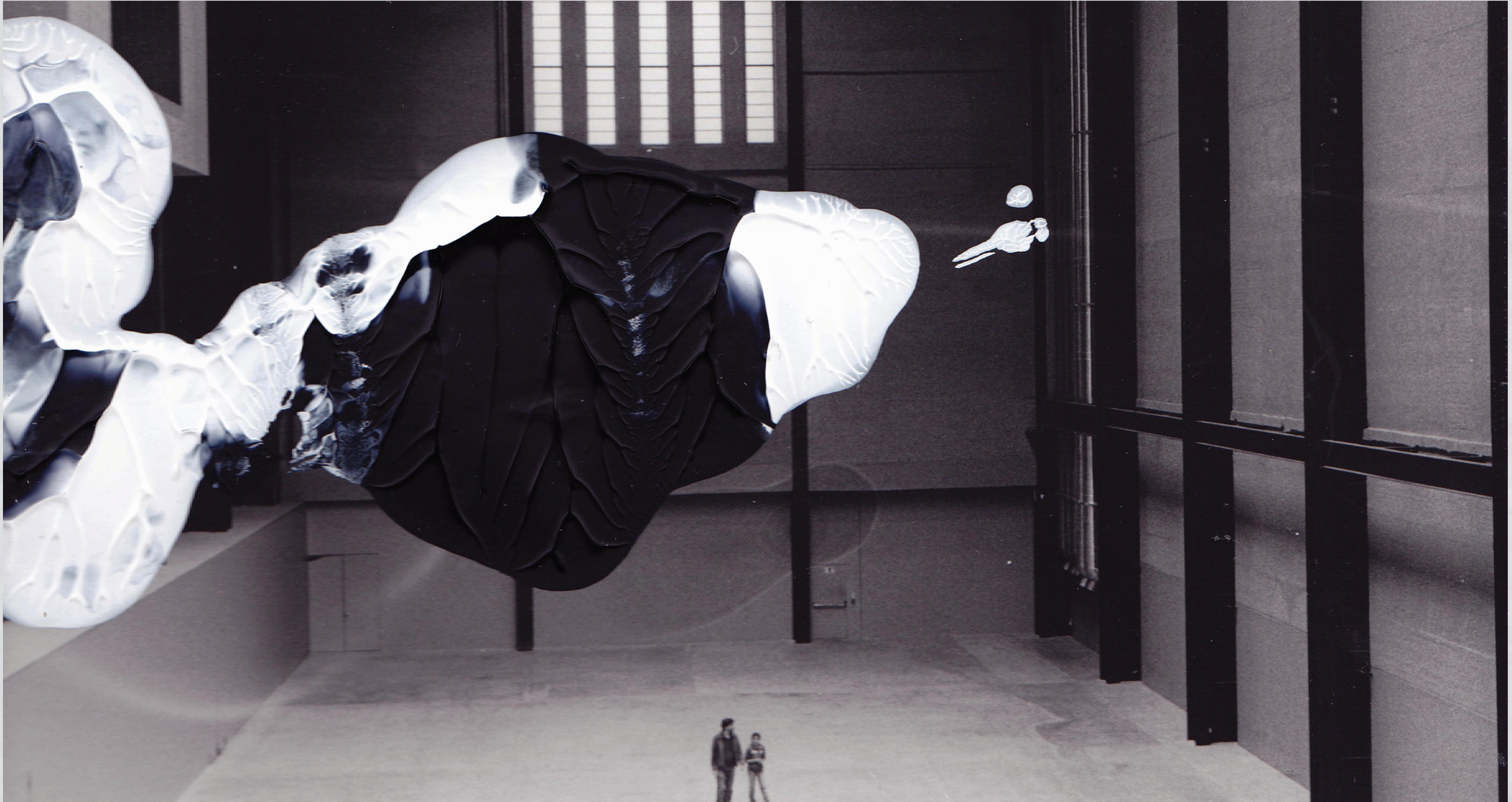
This is an electronic version of a poster presented at *the Graduate School Assembly*, University of Westminster, 16 March 2016 .

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AVOIDING REPRODUCTION: LAW, RIGHTS AND MORALITY



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I have an undergraduate degree in Law from the University of Westminster and an LLM in Legal Aspects of Medical Practice from Cardiff University. I also have a Postgraduate Certificate in Higher Education from the University of Westminster and I am a Fellow of the Higher Education Academy. While at Cardiff University, I was introduced to the legal elements of my research by Dr Nicolette Priaux, who encouraged me to pursue the PhD.

I am also a Lecturer at the Westminster Law School and teach across the LLB in the modules of Law of Tort; Equity and Trusts; Law and Medical Practice; Legal Skills and Process; People, Culture and Property; and Law and Disability. I am the Co-Module Leader for Law and Medical Practice and Deputy Module Leader for Legal Skills and Process. I am also a supervisor on dissertations in Medical and Disability law. I have been nominated for a number of awards by students, including the UWSU Outstanding Teacher of the Year in 2012–13 and 2013–14. My research interests include Jurisprudence, Law of Tort, Medical Law, Mental Health Law and Legal Education.

As medical technology has advanced, so too have our attitudes towards the level of control we can or should expect to have over our procreative capacities. This creates a multidimensional problem for the law and family planning services in terms of access to services – whether to avoid conception or terminate a pregnancy – and the negligent provision of these services.

These developments go to the heart of our perception of autonomy. Unsurprisingly, these matters also raise a moral dilemma for the law. Distinctively, discourse in this area is dominated by assertions of subjective moral value; in relation to life, to personal choice and to notions of the archetypal family. Against this, I stress that a model of objective morality can answer these challenging questions and resolve the inherent problems of legal regulation. Therefore, I argue that notions of autonomy must be based on a rational, action-based understanding of what it means to be a 'moral agent'. I claim that from this we might support a legal standard, based on objective rational morality, which can frame our constitutional norms and our conception of justice in these contentious areas.

This thesis claims that the current regulation of abortion is outdated and requires radical reform. It proposes a scheme that would shift the choice towards the mother (and the father), remove the unnecessarily broad disability ground and involve doctors having a role of counsel (rather than gatekeeper).

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