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Informed consent - in whose interest?

Mini Symposium in connection with VIII Annual Symposium on
Biomedicine, Ethics and Society: "*Rethinking Informed Consent: The limits
of autonomy*"

13.6.2006, Sandham, Sweden

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Informed consent in emergency research

What is the purpose of informed consent in emergency research when patients themselves are not able to give consent?

Under such circumstances its aim cannot be that of enhancing autonomous decision-making. In her book *Autonomy and trust in bioethics*, Onora O'Neill argues that informed consent should not be grounded in autonomy. Instead, she suggests that the essential aim of informed consent is to prevent and limit deception and coercion of patients as well as preserve and promote a basis of trust in the relationship between patients and physicians. In the light of this justification of informed consent, I will compare the merits of two different models of informed consent in emergency research. In the US the requirement of informed consent has been waived in emergency research and substituted by a community consultation process and public disclosure of the research plan prior to the initiation of the study. In Denmark, as a consequence of the directive 2001/20/EC of the European Parliament, the government is passing a new law allowing hospital physicians to act as legal representatives in emergency research.

Such different solutions to the intricacies of informed consent provide an opportunity to reflect on the role of informed consent under these circumstances and rethink what the aims of the informed consent process may be in the first place.



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