

EDITOR'S NOTE

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In seven short years, the *McGill Journal of Law and Health* (MJLH) has matured into one of Canada's leading legal publications, and continues to be an important forum for scholarship and debate in health law. The academic section of this issue is bookended by articles on ethical and legal concerns in genetics, addressing both old fears and unforeseen challenges. Our first article by Mark Piore and colleagues revisits the issue of genetic discrimination. Their systematic review of judicial decisions provides a nuanced look at the creep of genetics in our language and concepts of disease, and its influence law. They explore how our evolving understanding of genetics affects fundamental legal concepts from criminal responsibility to the establishment of causation in workers' compensation and tort cases. Our final academic article, by Joly, Allen, and Granados Moreno from the Centre of Genomics and Policy explores ethical issues and legal tensions at the frontier of genomic science: population biobanking. They investigate a troubling tension between funding agencies' promotion of data access and "broad" consent to future research on one hand, and the legal requirement that research participants be meaningfully informed of research purposes and potential risks on the other. Rounding out the academic articles is a case comment from Lorian Hardcastle discussing the appropriate level of judicial deference to government decisions about health care funding and access. This question becomes increasingly important as access to health care gains growing recognition as a human right, while at the same time health systems in North America come under greater budgetary strain.

The second part of this issue is dedicated to a Special Section on Developments in the Law of Informed Consent. In May 2013, the Canadian Bar Association's annual Health Law Summit was held in Halifax, Nova Scotia. The Summit opened with an engaging panel addressing this important topic. The panellists were asked by our Editorial Board to share a summary of their presentations with our readership. This area of health law continues to fascinate legal scholars and demand creativity from lawyers and judges. Its evolution over the course of 40 years of jurisprudence and scholarship in Canada has had a profound impact not just on the practice of medicine, but also on the very nature of the physician-patient relationship. Two panellists accepted our invitation. Sarah Burningham presented on behalf of her research group at the Health Law Institute of the University of Alberta. Burningham and colleagues explore whether the law of informed consent achieves one of its primary ob-

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jectives: to ensure that patients truly understand the risks of medical procedures. The second article comes from medical malpractice lawyers Paul McGivern and Natalia Ivolgina, lawyers at the Vancouver firm Pacific Medical Law. The authors offer insights from their years of experience in litigation, and carry out a comprehensive review of the modern doctrine of informed consent that stretches from *Reibl v Hughes* to the most recent developments before the Supreme Court of Canada. As conference proceedings, the articles in this Special Section were not peer-reviewed. The views and opinions expressed are those of the authors alone, and do not reflect any positions held by the Canadian Bar Association.

It has been a great pleasure to be involved with the MJLH at this propitious point in the Journal's history. The potential of our Journal is beginning to materialize, and we continue to attract top quality work and recognition from the highest courts in the land. Our email inboxes pile high with quality submissions, and our editorial office hums with constant activity. We continue to open up our Journal to a more diverse set of voices and a broader set of issues. We recently moved to rolling online publication, allowing us to accept submissions on a year-round basis while ensuring that the work of our authors reaches our readers rapidly. In this past year, we have matured not just as a publication, but also as a student organization. Thanks to the tireless efforts of our managerial team, we have taken a central role locally and nationally in promoting debate and legal education, attested to by the full house at our 2013 Colloquium on Physician-Assisted Suicide. This year also witnessed our online team re-vamp the Journal's blog and social media presence, building visibility of the MJLH as a hub for discussion and debate in health law.

I would like to thank the authors, peer reviewers, and editors of Volume 7 for their contributions to this issue of the MJLH. I would also like to recognize McGill University, the Law Students' Association at McGill, and Canada's Research-Based Pharmaceutical Companies for their gracious financial support. Special thanks as well to the Volume 7 Executive – Kaitlin Soye, Daniel Mastine, Marie-Laure Tapp, and Francesca Taddeo – for your friendship, support, and unflinching dedication. I am proud to be part of such a talented and committed team. Students may run the MJLH, but we still manage to put many a professional outfit to shame. I must also recognize our readers, our *raison d'être*, and thank you for your continued interest and support. You are invited to access our content free of charge on our website (<http://mjlh.mcgill.ca/>), to subscribe to our biannual print edition, and to join the discussion on the MJLH Facebook page.

À votre santé!