

**DOCTRINE OF INFORMED CONSENT IN HEALTHCARE: ITS  
CURRENT PRACTICE IN MALAYSIA**

By:

**Norhani Bt Nordin (2005600947)**

**Nornadia Bt Muri (2005479349)**

**Nurul Najwa Bt Zainuddin (2005479530)**

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## **Abstract**

The main objective for this Honours Project Paper is to unearth the application of the doctrine of informed consent in healthcare and its application in Malaysia. Apart from that, we also highlighted several landmark cases and also developments of this doctrine in other countries including United Kingdom, Australia and United States of America. We also enlighten our readers with the significance of this doctrine so that they would know what their rights are when it comes to the negligence of their physician in informing them the nature and inherent risks in the proposed treatment. This doctrine has developed tremendously in the western countries therefore, it is important for us to keep abreast of its development.

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## CHAPTER ONE: PROPOSAL

### 1.1 Introduction

Healthcare is no longer a luxury but has rather become an indispensable necessity in life. Over the years, we can observe how healthcare has undergone rapid advancement in order to cater to the needs of the society at large, and to a certain extent, the whimsical desires of a select few. However, be it now or a century ago, the fact remains that physicians had to go through undeniably rigorous study of the human anatomy among others to enable them to provide service to those in need of them. Physicians or doctors, as is what they are commonly referred to as today, are of the specialized profession as one needs to acquire certain skills to be qualified as a doctor. It is a profession which calls for unwavering devotion and patience and consequently it is a profession that not many are able to tolerate, either because of the demanding and exerting pressure irrevocably linked to it or of gruesome and traumatizing situations that doctors often find themselves in.

It therefore comes as no surprise that doctors are viewed with the utmost respect and deference. These are people in whom trust and faith are placed to treat and cure any ailments with the knowledge and skills acquired during their course of study. Accordingly, many do not feel it appropriate to question the actions of doctors prior to or during the course of treatment. The ingrained belief that doctors know best as they were trained in the particular field, also contributes to the general reluctance to enquire.