Essential Cases: Public Law (3rd edn)
Thomas E. Webb

Publisher: Oxford University Press  Print Publication Date: Sep 2020
Print ISBN-13: 9780191897689  Published online: Sep 2020
DOI: 10.1093/he/9780191897689.001.0001

R (on the application of Nicklinson) v Ministry of Justice [2014] UKSC 38, Supreme Court

Chapter:
R (on the application of Nicklinson) v Ministry of Justice [2014] UKSC 38, Supreme Court

Author(s): Thomas E. Webb

DOI: 10.1093/he/9780191897689.003.0055

Essential Cases: Public Law provides a bridge between course textbooks and key case judgments. This case document summarizes the facts and decision in R (on the application of Nicklinson) v Ministry of Justice [2014] UKSC 38, UK Supreme Court. The case concerned assisted dying, specifically whether s. 2 of the Suicide Act 1961 was incompatible with the Human Rights Act 1998 (Nicklinson and Lambs’ cases), and whether the prosecution guidance on assisting someone to commit suicide issued by the Director of Public Prosecutions was sufficiently clear (Martin’s case). However, the primary focus of this case note is on the justices’ discussion of the respective competences of Parliament and the courts to resolve the legal issues in this area. The document also includes supporting commentary from author Thomas Webb.

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the