

**Professor Charles Foster**  
**Green Templeton College,**  
**University of Oxford**

I am an Fellow of Green Templeton College, University of Oxford, a member of the Oxford Law Faculty (where I am Visiting Professor), a Senior Research Associate at the Uehiro Institute for Practical Ethics (within the Faculty of Philosophy), and a Research Associate at the Ethox Centre and the Helex Centre (both within the Faculty of Medicine).

I read law and veterinary medicine at the University of Cambridge, and have a PhD in medical law and ethics from Cambridge.

My main areas of interest are medical law and ethics. Recently I have focused particularly on questions of identity, personhood, and authenticity, on whether theories of human dignity can do any real work in the law, and on the use of intuitions in moral and legal reasoning. The next substantial projects are (a) an exploration (with Professors Klaus Hoffmann and Susanne Zepp-Zwimer of the Freie Universität, Berlin, and Jonathan Herring, University of Oxford) of the ways in which dignity is understood in German and English law, and (b) the *How Institutions Think* project – a multi-disciplinary venture under the auspices of the Institute for Science, Innovation and Society at the University of Oxford (Professor Steve Rayner), which examines distributed cognition in institutional frameworks. My part is to analyse how such distributed cognition does and should affect the identity of the individuals within institutions, and to suggest what this should mean for legal regulation.

I am a practising barrister, and have been involved in some of the key cases in medical law, including the challenge to the Belgian euthanasia law in the European Court of Human Rights (*Mortier v Belgium*, 2019 - ), the assisted suicide litigation in the Supreme Court (*Nicklinson v Ministry of Justice*, 2014), and the House of Lords (*Purdy v DPP*, 2009); the Supreme Court decision about the need for court endorsement of a decision to withdraw life-sustaining nutrition and hydration from patients in permanent vegetative state and minimally conscious state (*An NHS Trust v Y*, 2018) the first prosecution of a doctor under the Female Genital Mutilation Act (*R v Dharmasena* 2015); *Kadir v Mistry* (2014) (principles governing the recoverability of damages for pain, suffering and loss of amenity in cases of delayed diagnosis); *CP v The Criminal Injuries*

*Compensation Authority* (2014) (can a child in utero be the victim of a crime for the purposes of the CICA jurisdiction?); *NHS Trust A v MB (a child) and Mr and Mrs B.* (2006) (attempt by NHS Trust to withdraw life-sustaining artificial ventilation from a child with Spinal Muscular Atrophy); *Al Hamwi v Johnston and North West London Hospitals NHS Trust* (2005) (extent of clinician's obligation to ensure that patient had understood warning about risks of amniocentesis); *Halsey v Milton Keynes NHS Trust: Steel v Joy* (2004) (effect on costs of a refusal to mediate); *Kataria v Essex Strategic Health Authority* (2004) (meaning of 'review'; *R v Chief Constable of West Mercia ex p Jepson* (2003): Judicial review of police decision not to prosecute for late abortion of a child with cleft lip/palate; *Leeds Teaching Hospitals NHS Trust v As, Bs and others* (2003) (who is the father where the wrong embryo is implanted into a woman as a result of an IVF mix-up? The biological father or the husband of the woman?)

I sit as a judge in the Crown Court and the County Court, and am authorized to try serious sexual offences.

Since 2011 I have been the legal adviser to the Royal College of Physicians Committee for Ethics in Medicine, and was a member of the Royal College of Physicians Working Party on oral feeding difficulties and dilemmas. I am on the Steering Group of the Oxford Fiction and Human Rights Project, and was an adviser to the Oxford-Delft *Enhancing Responsibility* project. For several years I sat on the Information Technology Advisory Committee, convened to advise the Court Service on the introduction of IT to the courtroom, and I was a co-author of the Bar Council's representations about IT in the courtroom.

I do a good deal of non-academic writing. A recent example is *Being a Beast*, which is a New York Times Bestseller and was long-listed for the Baillie Gifford Prize (the 'non-fiction Booker') and the Wainwright Prize, and won the Deux Million d'Amis Prize (France). For the work in that book I won the IgNobel Prize for Biology in 2016. *Being a Beast*, like most of my other non-academic writing, explores themes directly pertinent to my academic research such as: Are human special? How plastic is our identity? Can we know sufficient about the world to be able to make informed decisions? Much of the media interest has been in those themes. I contribute to many publications, including the Guardian, the Times, the Spectator, and the Literary Review.