

Cancer, the Hospital, the Patient and the Law: A Ghanaian Perspective. A Quick Assessment of the Relationship at the Trauma and Specialist Hospital, Ghana

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Cancer is rated one of the fastest growing causes of death in Ghana. Amidst the growing concern and pursuit for the cure, is a relationship between a hospital and the patient. A large part of this relationship is and ought to be governed by various regimes of law, such as: Law of Contract, Law of Tort, Criminal Law, Administrative Law, Human Rights, and Law Mental Health Law.

The purpose of this paper is to look at these various aspects of law and how they apply in the peculiar relationship between a cancer patient and the hospital; the expectations both parties have of each other; the expectations the state has of the doctor/hospital treating the patient; the expectations of the hospital, from the personnel treating the patient and the patient being treated; issues of negligence and vicarious liability. A qualitative study using a purposive sampling approach of 10 cancer patients receiving treatment, 5 clinicians and 2 administrative staff at the Trauma and Specialist Hospital were employed to assess the peculiar relationship. It was overwhelmingly evident that 90% of the patients had no idea of the varying facets of the application of laws in regards to their treatment, 60% of clinicians lacked appropriate insight into the laws that govern the patients and treatments, while 100% of the administrative staff could not relate to the ensuing relationship that was being assessed.

It was recommended that the general public, health institutions and facilities as in the Ghanaian landscape must be well educated and appropriately sensitized on issues of the law as applied to cancer, its treatment and the law with the hope of fostering a more balanced relationship, which looks at the rights and obligations between the hospital through its personnel and the patient.

Biography:

Ogochuku Chidiebere Nweke is an African from Nigeria. He is a lawyer, a social media consultant, a relationship consultant, a public speaker, a professional mediator and an ADR advocate. He is currently the Vice President of Synergies Institute—Ghana.

His contributions to the use of social media in teaching and learning (on and off campus) won an award for the African University College of Communications (AUCC), in New York, USA, through a programme facilitated by AUCC and Simmons College, Boston, USA. He is also an associate director with the International Institute for ICT Journalism.

Ogochuku has received trainings in various areas of social relations (through Coursera and Edex), and has certificates in:

- Philosophy, from the University of Edinburgh
- Entrepreneurship, from the University of Maryland
- Creative Problem Solving, from the University of Minnesota
- Religious Literacy, from Harvard University
- Contract Law, from Harvard University
- Environmental Law, from the University of North Carolina

He also serves as a part-time law lecturer at Regent University College of Science and Technology and Kings University College, both in Accra-Ghana.

He is on LinkedIn as Ogochuku Nweke and features on www.relationshiphealthcenter.org