



UNIVERSITY OF TORONTO  
FACULTY OF LAW

# Health Law, Policy and Ethics Seminar Series

## RESPONSIBILISATION OF NHS PATIENTS AND USERS: REVEALING EPISTEMIC INJUSTICE THROUGH STREET LEGAL ETHNOGRAPHY IN THE NORTH OF ENGLAND AND NORTHERN IRELAND

Thursday, November 3, 2022 | 12:30 to 2:00 p.m.

### Presenter:

- Dr. Mark L. Flear, Queen's University Belfast, Reader, School of Law

### Paper authors:

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### Abstract

This paper seeks draws upon new ethnographic data from our project on health governance after the UK's withdrawal from the European Union (EU) (Brexit). Drawing on this data, we argue patient and user views on the distribution of responsibilities and accountabilities for healthcare may not be fully reflected in the strategies for their responsabilisation found in key reform documents. As such patients and users in these regions may be hermeneutically marginalised, that is in terms of the tools of shared social interpretation, resulting in hermeneutical injustice, a specific kind of epistemic injustice.

### Biography

Dr. Flear researches and publishes widely in socio-legal studies, focusing on particular on medicine and health. To do so, he combines insights from socio-legal studies with others from cognate disciplines, including science and technology studies, and makes extensive use of empirical research methods, particularly ethnography. The primary sites for his research are law and regulation of public health and new health technologies at the global and European levels of governance. A key focus of his work is on biopolitics and citizen participation in legal and regulatory decision making, arguing for the integration of 'lay' and 'expert' knowledges and expertise to improve the quality, accountability and legitimacy of decisions. As a major strand of this work, Dr. Flear is currently leading research on epistemic injustice (i.e. injustice done to someone in their capacity as a knower), with two edited books on this in preparation for Palgrave Sociological Studies. The first book is on epistemic injustice in spaces and places, and the second book is on epistemic injustice and health law and bioethics.



## ABOUT THIS SERIES

The Health Law, Policy and Ethics Seminar Series brings guest speakers to the University of Toronto Faculty of Law to stimulate the discussion of issues related to the intersection of law with health care and further ethical and social issues.

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