

NeuroLaw Network News

11/21/2014

NeuroLaw News Items

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[‘Is another mass market tDCS device imminent’](#) states that clearer policy is needed in the light of increased access to tDCS, as some network members have also urged.

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[‘Futuristic medical implant powered by sound waves’](#), flagged by Sylvie Allouche, notes an interesting new development in neuroscientific hardware.

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Finally, [‘A pill to make you smart?’](#) explores the possibility of returning the brain to a child-like state in order to enable the learning of new skills.

New Publications

- I Goold and H Maslen, ‘Obliging Surgeons to Enhance: Negligence Liability for Uncorrected Fatigue and Problems with Proving Causation’ is available via advance access from the Medical Law Review. The paper considers a potential obligation to enhance resting with professionals, and the difficulties in proving causation in instances of failing to enhance with modafinil.
- Elizabeth Shaw and Nicole Vincent have both published articles on responsibility and brain enhancement. The former: ‘Direct Brain Interventions and Responsibility Enhancement’ (2014) 8(1) Crim Law and Philos 1 looks at responsibility enhancement, considering arguments from free will and the individual’s relationship with the state. The latter: ‘Restoring Responsibility: Promoting Justice, Therapy and Reform Through Direct Brain Interventions’ (2014) 8(1) Crim Law and Philos 21, looks at the relationship between the concept of responsibility and direct brain intervention, to conclude that restoring competence may not be the same thing as restoring responsibility.
- Jan Christoph Bublitz & Reinhard Merkel have published ‘Crimes Against Minds: On Mental Manipulations, Harms and a Human Right to Mental Self-Determination’ (2014) 8(1) Crim Law and Philos 51. The article looks at the legal philosophy implications for neuroscience, arguing for a right to mental liberty, among other recognitions of what they refer to as “the inner sphere of persons”.
- J W Buckholtz and D L Faigman, ‘Promises, Promises for Neuroscience and Law’ (2014) 24(18) Current Biology R861 discusses an issue raised in our Oxford workshop: the problems of definition in neuroscience and relationship between clear categories and legal standards, in this cases as specifically regards neuroscience and evidence in the courtroom. On a similar note, W A Woodruff ‘Evidence of Lies and Rules of Evidence: The Admissibility of fMRI-Based Expert Opinion of Witness Truthfulness’ (2014) 16 NCJL & Tech 105 similarly discusses evidence and neuroscience, in the more specific field of fMRI use

Upcoming Events

- - The [LAW AND NEUROSCIENCE WINTER SCHOOL 2015](#) at the University of Pavia. Deadline to apply: **10 December 2014**.
- - The AHRC Network [‘Technoscience, Law & Society’](#) at the University of Kent has an event coming up in April on [‘Articulating Science, Technology and Law: Regarding, Reflecting, and Remaking Society’](#).
- - There will be a symposium at Harvard on 12th March 2015 on “Juvenile Justice & the Adolescent Brain: Is Healthy Neurodevelopment a Civil Right?” at the MGH Center for Law Brain & Behaviour. More details can be found [here](#).
- - The Center for Neuroscience & Society at the University of Pennsylvania has several talks scheduled in the coming months: the full schedule can be found [here](#).