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MEDICAL SECRECY IN THE CONTEXT OF DOCTOR'S OBLIGATION AND PATIENT'S RIGHT: LEGAL ANALYSIS

Olena Riabchynska, Eduard Stomatov, Mykhailo A.
Anishchenko, Yurii V. Filei

The Article points out the existence of certain problems with the regulation of certain aspects of the consolidation and implementation of medical secrecy in Ukraine. Emphasis is placed on the need for legal analysis and proposals for their solution. It also emphasizes the need to develop a comprehensive approach to building public confidence in the system of medical services, which should be based on the establishment of effective state guarantees for the protection of patients' rights, which includes the institution of medical secrecy. It has been determined to which legal regime information on the state of health of an individual belongs under the current legislation of Ukraine and the official interpretation of the Basic Law by the

Riabchynska, Stomatov, Anischenko, Filei

Constitutional Court of Ukraine. The disadvantages of using the term “doctor’s secrecy” are noted and the advantages of using the term “medical secrecy” in the legislative process are given. The experience of regulating the institute of medical secrecy in international legal acts is presented and a parallel with the relevant norms of national legislation is drawn. It is indicated what information constitutes a medical secrecy, who is the subject of a medical secrecy. The time limits for maintaining medical secrecy have been determined. The existence of problems in the possibility of disclosing medical secrecy after the death of a person is noted. The importance of the patient’s right to maintain secrecy about his health is substantiated, based on the regulations of Ukraine and international law. The right to medical secrecy of people living with HIV and the possibility of compensation for its violation are considered separately. It is noted that an important aspect of the existence of any obligation is the responsibility for its violation. In this context, the types of legal liability for the disclosure of medical

secrecy are considered. The judicial practice in cases of disclosure of medical secrecy, including the decision of the European Court of Human Rights, is analyzed. Emphasis is placed on the existence of significant practical problems with the public law aspect of liability for illegal disclosure of medical secrecy. It is proposed to improve the legal regulation of medical secrecy.

BOOK REVIEW ABOUT AN ACTIVIST'S CLOSING

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Written to match the vigor with which Carmen M. Cusack's *Deer Jhonn* stands for animal welfare, Pamela Anderson doodles and calls in *Love, Pamela*, the sign-off for this icon. She addresses death, including her own, crime, regret, marriage, violence, rewilding, sexual activity, and departure from standards.

Ordered liberty found here however scant. Her lucid tread balls, an exit. She mentions dangerous things claiming no right. Plus, some cannot be remembered. Loftier works encouraging readership, such as Marcel Proust and Sigmund Freud, callout to a hero. No one hears Pamela the same. This book may not be for you, but it may be for someone else.

Love, Pamela dares to go where no one else would. Yet, the book lacks intellectual capacity; therefor, smells like *Playboy*. When considering sale

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or resale value, that fair weight—air freshener, to lave—should be given. It would not *be* robbery of authorship. Therein, deep exploration of boundaries shall receive no commemorative value and therefore stake.

Waxing and poetic, but without rhyme or reason, is like a letter ripped from the pages of a journal, memoir, or confession. Bobbing through the jots, the best part of *Love, Pamela* is the materials, which are standard, soft paper and cover, like velvet. In Canada, the price is \$37.00.

**LOOK USE THE FOURTH:
FOUNDING FATHERS' FOURTH
AMENDMENT RIGHT
COLLECTIVELY OR SOLO TO BE
"SECURE IN THEIR PERSONS,
HOUSES, PAPERS, AND EFFECTS"**

Carmen M. Cusack

The Fourth Amendment of the United States Constitution is a law for “safeguarding” “freedom.” The spirit, history, and letter of the law are discussed in this Article. Section I introduces the material with a tale about a violation of Tom Brady’s right to free from “unreasonable searches.” Section II recites the Fourth Amendment and the law in *Stanford v. Texas*. Section III analyzes violations to conclude in Section IV that the government is not “safeguarding” “freedom,” yet is required to follow the Fourth Amendment guaranteeing “[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.”

RAPE MYTH ACCEPTANCE, SOCIAL DOMINANCE ORIENTATION, AND VICTIM BLAMING IN SEXUAL ASSAULT PERPETRATORS

Iqra Saddique and Dr. Shahnila Tariq

The study was carried out to explore the relationship between rape myth acceptances, social dominance orientation, and victim blaming in sexual assault perpetrators. It was hypothesized that there is likely to be a positive significant relationship between rape myth acceptance, social dominance orientation, and victim blaming in sexual assault perpetrators. It was also hypothesized that rape myth acceptance and social dominance orientation predicted victim blaming in sexual assault perpetrators. Through purposive sampling technique, data was collected from sexual assault perpetrators (N=120) with age range of 18 to 60 years (M=29.46, SD=10.08) from four different jails of Punjab, Pakistan. Belief about rape scale by B.S. Newman

and I. Colon, translated version by Arshad and Tariq from 2021 of dominance-prestige peer-report scale by J.T. Cheng, J.L. Tracy, and J. Henrich, and post assault justification scale by Rhiana Wegner, et al. were used to measure the study variables. After translation of the scales into Urdu, Factor analysis with EFA and CFA used to identify the different factors of the scales. For analysis, Pearson moment correlation, Hierarchal regression analysis and one-way ANOVA was used. The results of the present study found significant positive relationship between rape myth acceptances, social dominance orientation, and victim blaming in sexual assault perpetrators. Rape myth acceptance was a significant predictor of victim blaming while social dominance orientation did not predict victim blaming in sexual assault perpetrator. Significant age difference was also found in victim blaming. Findings of the study will be helpful in decreasing the rape myths and blaming attribution to victim from society and will be helpful in providing

psychological interventions to the convicted rape criminals.