

Book & New Media Reviews



Legal and Ethical Aspects of Anaesthesia Critical Care and Perioperative Medicine, 1st Edition

Stuart M. White, Timothy J. Baldwin. Cambridge University Press, 2004. Cambridge, New York, Melbourne, Madrid, Cape Town. Paperback 216 pages. \$60.00 CDN. ISBN 1 841 10209 1

Stuart White and Timothy Baldwin, experts in anaesthesia, biomedical ethics and law in the United Kingdom, have written this compact guide to the management of clinical cases complicated by ethical or legal problems. The book responded to criticism that failure of physicians to resolve ethical issues in pediatric cardiac surgery, the use of post-mortem tissues and end-of-life decisions, had resulted in litigation.

Introductory chapters describing the legal system and the principles of biomedical ethics, preempt chapters that discuss clinical issues: consent, negligence, confidentiality, abortion, product liability, research and organ procurement. Mostly, advice is based on ethical arguments that are familiar to Canadians, but justification for paternalism to prevail over autonomy when obtaining consent from incompetent or non-compliant patients is confusing. The need to achieve 18 yr of age in England, before being able to consent or refuse treatment, contrasts to the right of competent children to provide their own consent or assent in Canada.

Transatlantic differences in legal systems limit the usefulness of some sections. However, chapters on professional regulation and resource allocation are interesting for Canadian physicians contemplating changes to health care delivery. British experiences draw on the co-existence of private practice and the National Health Service since 1948. Physicians are bound by the International Code of Medical Ethics of the World Medical Association, requiring them to give the same medical care to all patients, uninfluenced by profit motives. Any breach of duty is subject to the jurisdiction of professional bodies and common law. However, in the private sector, contract law is also enforceable, relating to promises, guarantees and agreements within the doctor-patient relationship.

This book condenses a large body of knowledge into a small volume, providing a concise reference source for the resolution of ethico-legal dilemmas

in practice. It is written from the perspective of the United Kingdom, but the same principles can be applied to these aspects of the care of patients globally. It will be useful for medical students, physicians and other health care personnel, who lack formal training in medical ethics and law.

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