

BOOK REVIEWS

Law for Nurses and Allied Health Professionals in Australia, by JOHN O' SULLIVAN, B.A., LL.B., Dip. Ed., Barrister of the Supreme Court of New South Wales, formerly Lecturer in Law Department of Behavioural and General Studies, Cumberland College of Health Science, assisted by PHILIP BATES, B.Comm., LL.B., Member of N.S.W. Bar, Lecturer in Law, School of Health Administration, University of N.S.W. (The Law Book Company Limited, Sydney, 1983 3rd ed.), pp. i-xi, 279 with Table of Contents Select Bibliography and Index. Paperback recommended retail price \$19.50 (ISBN 0 455 204 950).

This is a timely new edition. The author has incorporated recent case law and carefully written explanations of weighty legal problems which exercise the minds of those concerned with the relationship of law and medicine. The reviewer emphasises the sub-title "And Allied Health Professionals in Australia" and stresses that the book should be essential reading for doctors and medical administrators. It also addresses itself to special areas of nursing such as in community and occupational health care.

The author rightly perceived a need, when he published the first edition, for a book that contained the important aspects of medico-legal studies; the new edition continues to meet that need. He writes with economy of style and each word has clarity and meaning. The reviewer and his students have used earlier editions for almost six years and they have consistently provided answers and source material. The fact that the book is used extensively in nursing education is evidence of its usefulness.

Mr. O'Sullivan has selected parts of the law of special interest to nurses and explains them in a way that will not affront lawyers and, more importantly, in a way that is understandable to nurses and which will contribute significantly towards making them feel comfortable in their dealings with the law. It will serve to reassure them that the law is not just punitive — it can be enabling.

The reviewer does not understand why, in writing on the law of torts, the author placed subjects such as assault and consent before negligence. Save for that, the book can be read from beginning to end with the history and basis of law and specific subjects unfolding in a logical and interrelated way.

The author has wisely incorporated into the third edition reference to statutes from all States, thus overcoming a problem with earlier editions which were rather too much orientated towards New South Wales. The book addresses itself to common law and statutes in a way that will command interest throughout Australia.

Negligence, assault and consent are dealt with exhaustively. The contribution of Mr. Bates who so ably assisted in the third edition appears to come through in these chapters. The chapter on assault and consent is a masterly exposition and should be read by everyone charged with the responsibility of obtaining consent to medical procedures, or of informing patients as a condition precedent to obtaining effective consent. New subjects such as organ transplants, battered babies and euthanasia will present to readers some of the exciting medical/ethical dilemmas which now pervade medical practice.

The reviewer laments the absence of the old glossary of terms. Where, in future, will he obtain material for multiple choice tests? In all seriousness, a curious omission. This

is a book for nurses and allied health professionals who want an economically priced, easily read, up-to-date description of the law they are likely to encounter in practice.

The author does not shirk from posing problems to which there are no easy answers. In writing on life-support machines he rightly draws attention to the absence of clear law and as to the responsibility for turning off respirators and the uncertain legal consequences suggests that perhaps the decision makers should turn off the respirators themselves. The reviewer submits, with respect, that that might be the hierarchical answer in hospitals, but it ignores the personal anguish of nurses no matter how peripherally involved.

Practical subjects such as the Coroners Court, the interpretation of statutes, the need for accurate hospital records, the structure of courts, medico-legal aspects of drugs and employers' duties are explained in the book and contribute to its comprehensiveness.

Presumably this review will be read by other than medical disciplines and the reviewer would record that in the broad range of civil matters that arise in a lawyer's office he has found the book to be a useful starting point for research. The book deserves a wide readership.

V. F. KIESSLING*

*Barrister and Solicitor of the Supreme Court of Victoria.