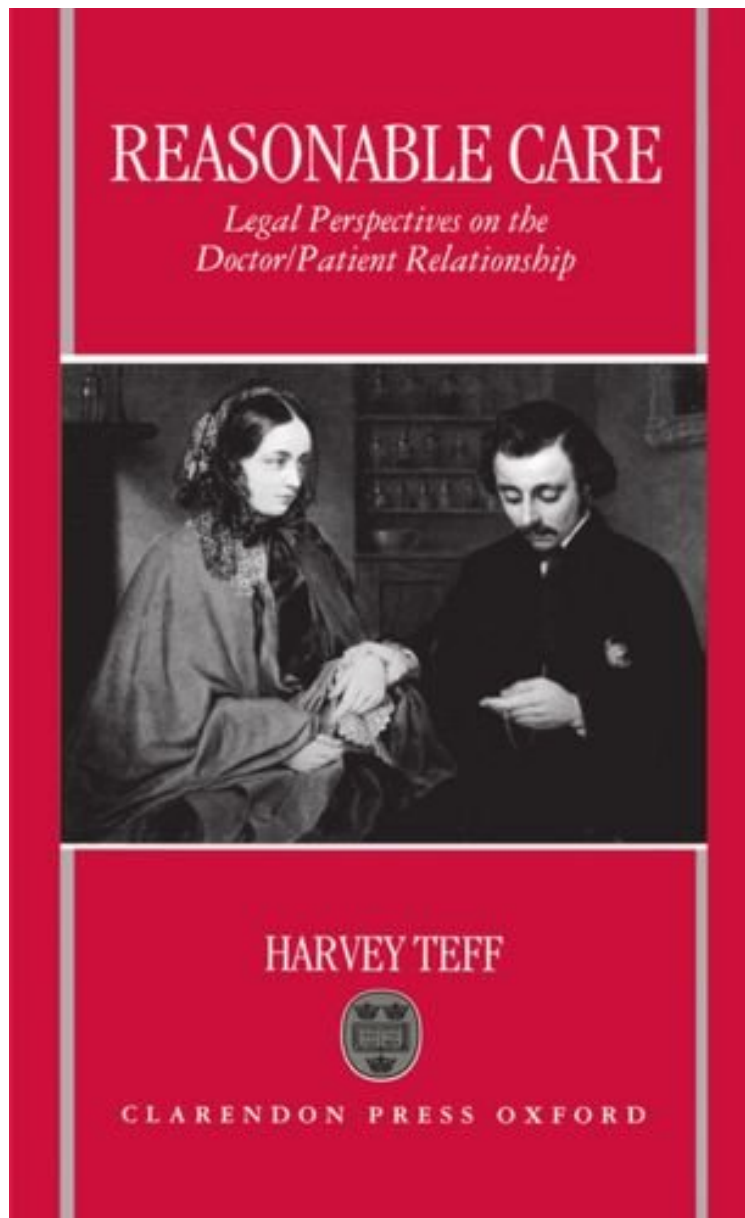


## Reasonable Care: Legal Perspectives on the Doctor-Patient Relationship

Harvey Teff

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Though more and more medical disputes are reaching the courts, English law still essentially allows doctors to set their own standards. Too often, the belief is that "doctor knows best." This book offers a sustained treatment of this issue, primarily as it arises in the hospital setting, but looking too at a range of therapies in different contexts. It argues for patient involvement in medical decision-making about their treatment, and critically examines approaches based on the assertion of patients' legal rights. As such, it provides a valuable analysis of the central areas of medical law written in a fashion that will appeal to anyone with an interest in medicine, health care, and the law.

Medical practitioners concerned or downright worried about medical negligence would do well to consult Harvey Teff's *Reasonable Care* ... it offers important reading for legal scholars and for busy medical practitioners who ought to be aware of such landmark cases as *Bolam*, *Alcock*, *Gold*, *Maynard*, and *Rogers v Whitaker* as well as of the (changing attitude of the courts today ... extra-ordinarily well-written and well-researched ... he has a splendid grasp of this fast-changing uncertain medicolegal epoch - historically, politically, sociologically, and philosophically ... his arguments are persuasive, reasonable, and caring ... thanks to Teff's book, medical practitioners will have a healthy way of thinking about their profession and the law itself - maybe even about lawyers too.' *The Lancet* we can only be grateful to him for a thought-provoking, if expensive, contribution to a debate of potentially wide-ranging impact' *Bulletin of Medical Ethics* Medical practitioners concerned or downright worried about medical negligence would do well to consult Harvey Teff's *Reasonable Care: Legal Perspectives on the Doctor/Patient Relationship*. It offers important reading for legal scholars and for busy medical practitioners who ought to be aware of such landmark cases as *Bolam*, *Alcock*, *Gold*, *Maynard*, and *Rogers v Whitaker* as well as of the (changing) attitude of the courts today ... extraordinarily well-written and well-researched ... he has a splendid grasp of this fast-changing, uncertain medicolegal epoch - historically, politically, sociologically, and philosophically ... His arguments are persuasive, reasonable, and caring ... Thanks to Teff's book, medical practitioners will have a healthy way of thinking about their profession and the law itself - maybe even about lawyers too.' *The Lancet* From the Back Cover Though more and more medical disputes are reaching the courts, English law still reflects the fundamental belief that doctors should be allowed to set their own standards. Criticism of this situation, as of medical paternalism itself, centres on the denial of patients' rights. The interest that patients have in their well-being should not, however, be expressed exclusively through the assertion of rights. Though patients increasingly wish to be involved in decisions about their treatment, unqualified self-determination and moves toward contractualism in the restructured NHS may prove detrimental to patient welfare. A collaborative approach to medical care can offer distinctive therapeutic advantages as well as due respect for patient autonomy. In the key legal area of liability for negligence, it would be consistent with legal principle and with developments in other jurisdictions, to accord less weight to customary practice and more to patients' reasonable expectations. This book offers a sustained treatment of these issues, primarily as they arise in the hospital setting, but also within the context of a wide range of diverse therapies. As such it provides a unique analysis of the central areas of medical law, written in a fashion which will appeal to anyone with an interest in medicine, health care, and the law. About the Author Harvey Teff is a Doctor of the Middle Temple and a barrister.