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## GUIDING THE GODS IN WHITE COATS

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*Medical Law and Ethics*<sup>1</sup> by Richards and Louise offers a welcome introduction for health services students to questions about Australian health law and ethics.

The authors aim to fill the gap between standard medical texts and legal texts. Rather than covering the field, they ‘want to begin conversations’ and to equip future doctors with tools for reasoning about ethical and legal problems. Their rationale is that it would be artificial to draw a sharp line between medical law and medical ethics in a world where the medical profession necessarily enjoys a substantial degree of self-regulation, where the courts and legislatures grapple with the appropriate legal response to questions that have contested ethical and legal dimensions, and where despite the best of intentions things sometimes go seriously wrong.

The book centres on a series of engaging and realistic scenarios that are unpacked through identification and discussion of legal and ethical questions. A particular strength, for which the authors are to be commended, is recognition of the realities of medical practice, for example the difficulties some students and novice practitioners will face in dealing with tiredness, under resourced institutions and imperfect supervisors or gatekeepers. Other strengths are the currency of the legal citation (with material from late 2012) and the clarity of the exposition.

After an introduction (which includes a cogent discussion of biomedical ethics and Australian law) the book examines the rights and duties of the medical student. The third chapter explores the rights and duties of the doctor, in particular professional standards and doctor-patient relationships. The following chapter considers the rights and duties of the patient, including a perceptive examination of law and ethics regarding the treatment of children and dilemmas regarding the non-compliant adult patient. Chapter 5 deals with consent to medical treatment, with scenarios and analysis that will be of value to students of tort and human rights law rather than merely people seeking a medical qualification. That is complemented by chapters 7 and 8 on end of life and start of life decisions. The discussion in those chapters and in the final chapter on organ donation would enliven study by law students in jurisprudence or lawyers & professional responsibility units. Chapter 6 provides a

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<sup>1</sup> Bernadette Richards and Jennie Louise, *Medical Law and Ethics: A Problem Based Approach* (LexisNexis Butterworths, 2014)

crisp introduction to questions about confidentiality and the patchwork of information privacy law in Australia.

Who should read the book? At 342 pages it is worth consideration by law students, by future medical practitioners and by other people working in health services. That is firstly because the authors provide a clear introduction to issues that are wider than those faced by the future general practitioner. Secondly, it offers non-medical readers an insight into how practitioners – and health sector regulators – construe their roles, rights and responsibilities.

The book is an accessible introduction, rather than an in-depth and comprehensive study. For some readers its greatest value will be as a primer for more detailed and authoritative guides such as the 816 page *The Patient and the Practitioner*.<sup>2</sup>



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<sup>2</sup> Sonia Allan and Meredith Blake, *The Patient & the Practitioner: Health Law and Ethics in Australia* (LexisNexis Butterworths, 2014)