

Book Review

Medical Ethics Today: Its Practice and Philosophy

BMA Ethics, Science and Information Division,
British Medical Association, 1993

This publication is the fifth survey of ethical medical practice from the BMA. The 1988 edition has been rewritten almost completely, and the result is an expanded and comprehensive guide to the many ethical problems that beset the practising doctor. Despite what its title might suggest, the emphasis of the report is on ethical practice rather than on philosophy, with only about twenty of the volume's 336 pages being devoted to the philosophical discussion underlying the recommendations. This is consistent with its declared intention to provide "busy doctors" with "prompt and unambiguous advice" regarding the ethical and professional problems they will encounter in everyday practice.

A glance at the table of contents confirms that the writers have largely succeeded in being comprehensive. The opening chapter deals with consent to and refusal of treatment, addressing the fundamentals of the doctor patient relationship, the aims of obtaining consent, and the problems that arise with this in the case of incompetent patients and emergencies. Issues of confidentiality are addressed in the second chapter, with subsections relating to new technology, and circumstances which permit disclosure. An appeal is made for legislation on confidentiality. Chapters on children and young people, reproduction and genetic technology, caring for the dying, cessation of treatment, non resuscitation, aiding suicide and euthanasia largely collate and reaffirm previous BMA statements on these topics. In the latter chapter, the judgement allowing withdrawal of food and fluids in the case of Tony Bland (a young football fan who survived crush injuries in the Hillsborough disaster only to enter a persistent vegetative state) is endorsed, while euthanasia continues to be condemned. The chapter on treatment and prescribing includes a helpful account of the proper relationship between doctors and

pharmaceutical firms. A chapter on research reiterates previous statements on the obligations of the researchers to their subjects, and the rights of vulnerable subjects. The practical section concludes with chapters on doctors with dual obligations, relationships between doctors, inter-professional relations, and problems regarding the allocation of health resources. A brief theoretical chapter outlines the relevant philosophical ethical principles underpinning the conclusions, while appendices contain the Hippocratic Oath, the Helsinki, Geneva, and Tokyo declarations on medical ethics, and a list of useful addresses and telephone numbers for practical advice.

There is an increased emphasis on patient autonomy in the sections on information and consent: Lord Scarman's comments in the Sidaway case are affirmed (p 10), whereby the standard for information to be given a patient is now what the individual patient requires, or what the average "prudent patient" would wish to know, rather than what the medical profession thinks appropriate. It is also affirmed that the best interests of a patient cannot be decided without reference to that patient's own desires and preferences. Hence the current edition has attempted to meet criticisms that the previous edition was too paternalistic in these respects.

While the writing is mainly clear and direct, there are some obscure passages such as the section on minors as organ donors. The report seems to state that such donations may be permissible in situations where the organ regenerates, as in a bone marrow transplantation, but not when an organ does not, because this would clearly be contrary to the interests of the donor. However, these conclusions are buried in a welter of conflicting arguments. There are also some inconsistencies. Minors may, for example, give consent for a procedure, but may not refuse a procedure that

both doctor and parents think is in their interests, not because parents are deemed ethically and in law to be the guardians of their offspring's interests, but because the refusal of consent may be grounds for questioning the minor's competence. This could lead one into a dangerously circular argument regarding competence to refuse treatment a doctor thinks beneficial, and is contradicted by the later statement that "a potentially self damaging decision by a patient should not itself lead to a conclusion of incompetence" (177).

The section on professional relationships and conduct addresses areas that are of topical interest for local doctors. Relationships between doctors, and between doctors and other health professionals, should be governed by a presumption to act in the patients' best interests, and to this end a measure of support is given for "whistle blowers". The right to speak out is explicitly defended, with it being incumbent on each member of the profession "to do everything possible to ensure the maintenance of freedom of speech... [for] there can be no free and informed debate on health matters if those with an expert contribution to make are excluded from the right to contribute (263)". There is no guidance, however, for doctors contemplating industrial action.

Its minor flaws and omissions notwithstanding, this is a book that practising doctors will welcome. It is indispensable for the library of any clinical department in hospitals or medical schools, and for any family medicine practice, as well as for students of practical medical ethics. It is concise, clear, comprehensive, authoritative, and practical. It is certain to stimulate further discussion and refinement of our understanding of the basic principles of medical ethics, and their expression in clinical practice.

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