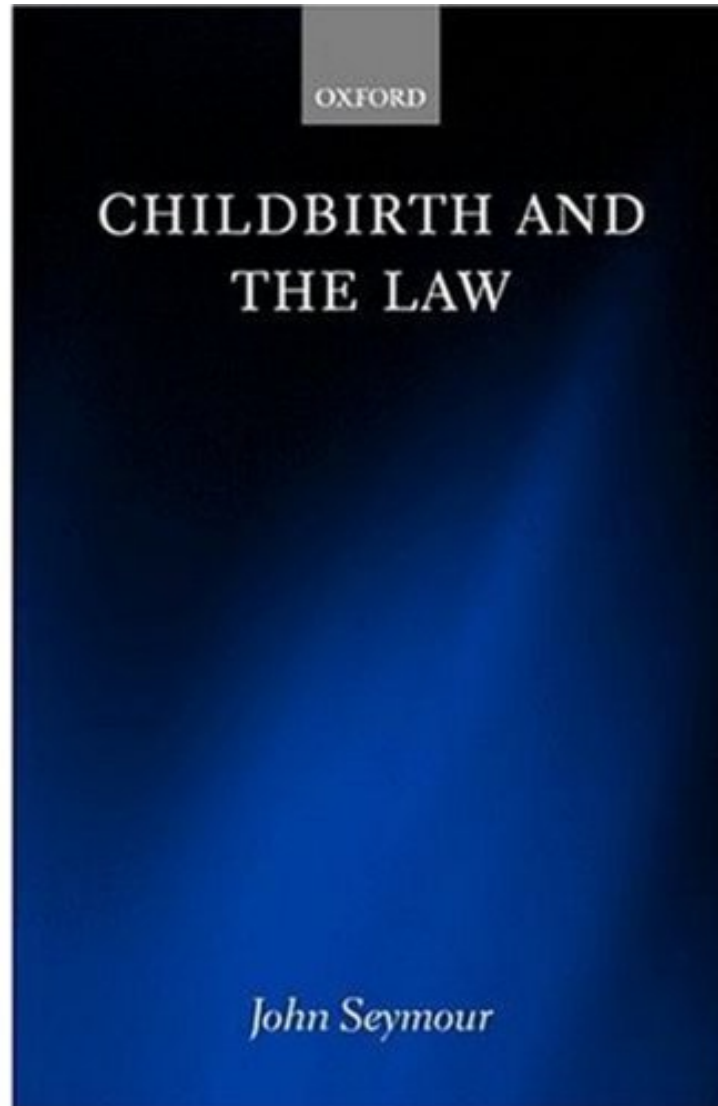


Childbirth and the Law

John Seymour

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Childbirth and the Law examines aspects of English, United States, Canadian, and Australian law as it applies to the fetus, the pregnant woman, and the doctor or midwife who provides antenatal and perinatal care. A major part of the

book consists of a critical examination of the law's attempts to protect the fetus, which is threatened by conduct such as a criminal assault, maternal drug-taking or parental refusal of medical treatment. The remainder of the work deals with the rapidly expanding and increasingly complex body of law on the liability of obstetricians, general practitioners, and midwives when negligent antenatal or perinatal care has been provided.

`This is a unique scholarly review of relevance to healthcare providers, particularly obstetricians and midwives and also lawyers... provides a valuable resource for anyone who wants to know what the law is. It is... by no means simply an academic review, and offers much practical advice... the book is absorbing, easy to read and is fully referenced. I would strongly recommend it as essential reading for those responsible for risk management, but it is a highly relevant subject tackled so well, that anyone could expect to enjoy learning from it whether they are in training or fulfilling continuous professional development.' Richard Johanson, MIDIRS Midwifery Digest, Vol. 11, No. 4, December 2001` ... well researched and comprehensive ... fascinating and intellectually challenging ... This book is an essential reference for lawyers involved in health law and doctors involved in medico-legal and policy areas.' Australian Medicine, 2 July 2001` ... a 'must' for all those interested in risk management and medico-legal matters relating to the obstetrician. ... The book is well referenced and includes an extensive list of cases giving an excellent legal reference database for those interested in writing expert reports and acting as a member of a risk management committee. ... easy to read ... well researched and shows clear thinking throughout. The footnotes are clear, the referencing excellent and, despite the apparent heaviness of the subject, the book has appropriate humour and insight. ... should be used as part of the education portfolio of legal and forensic obstetrics and should form part of the training programme in risk management.' The Obstetrician and Gynaecologist Vol. 3 No. 3, July 2001`Seymour's Childbirth and the Law is an important book from an international point of view ... The author is well-positioned to undertake the task, being a Professor of Law at the Australian National University and highly regarded as a scholar in the family law, children's law and medical law areas.' Journal of Law and Medicine Volume 8`A characteristic of Seymour's Childbirth and the Law is that it is particularly well organised and interestingly written. It is soundly legally and medically researched ... the author discusses relevant cases in an engaging manner, presenting pertinent facts and then drawing out legal principles accurately and lucidly ... unlike a number of recent works the author thoughtfully analyses the differing case law within the various jurisdictions and points out both the consistencies and inconsistencies. The work will constitute a fine resource for those called upon to argue and decide the many difficult cases that arise in the context of childbirth litigation.' Journal of Law and Medicine Volume 8`Seymour presents the often complex material in Childbirth and the Law very accessibly ... Childbirth and the Law is a fine intellectual contribution to cross-disciplinary understanding and debate. It should be of interest to lawyers, doctors, nurses and many members of the general community concerned at the state of our health care system and the values that underpin the compensation system.' Journal of Law and Medicine Volume 8`John Seymour has written an insightful, erudite and academic treatise on pregnancy, parturition and the law ... politicians, lawyers and doctors interested in helping to reform the law in this area would do well to study this thoughtful and well-referenced text carefully.' Alastair MacLennan, Medico-Legal Journal`Childbirth and the Law provides a comparative account of the law at the beginning of life and provides a thought-provoking analysis of the legal relationship with the unborn.' Jo Bridgman, Medical Law , Autumn 2000`This book addresses important issues of health care, law and the responsibility of pregnant women and those who care for her towards the unborn. The first part will be of particular interest to health care and legal practitioners, students and others seeking to find out about legal obligations. As the account starts from basic principles and explains the law clearly and comprehensibly, it is accessible to those without legal knowledge. Drawing upon feminist theory, the second part provides a refreshing and thought-provoking analysis of the intervention of the law at the beginning of life.' Jo Bridgman, Medical Law , Autumn 2000`About the Author`John Seymour is Adjunct Professor of Law at The Australian National University, Canberra