

the Social Security Administration's guidelines. The subsequent inadequately written report was used by the agency to determine, and presumably deny, the claimant's eligibility for benefits, an unjust outcome in Sadoff's view.

Sadoff's advice to evaluators is to avoid harm to the evaluatees by being open, honest, and conducting thorough evaluations. He is concerned about limiting harm to the evaluatees, whether legal, physical, or emotional. In his chapter on evaluating children and adolescents, he is particularly concerned about the "abuse of professional power" (p 132) when an evaluator wrongly determines that a child has been sexually molested and the child is then separated from the allegedly abusive parent.

His writing on the minimization of harm brings to mind the Good Lives Model for the treatment of offenders promulgated by our Australian colleagues. This model departs from the doctrine of therapeutic jurisprudence. It promotes a human rights perspective to correctional clinical practice and emphasizes preserving human dignity, protecting offenders' well-being, and helping offenders to live more fulfilling and satisfying lives.<sup>1-3</sup>

The book is composed of 13 chapters, 9 of which were written by Sadoff. Two chapters provide an international perspective on minimizing harm to forensic patient populations in the United Kingdom and the European Union, but they emphasize the legal aspects of patient care, such as patients' rights, rather than forensic evaluations. In that respect, they largely diverge from Sadoff's main focus on minimizing harm in forensic evaluations. A brief but comprehensive chapter addresses how immigrants in the United States "constitute a vulnerable population in the context of forensic evaluations" (p 156). A final chapter on the risks of harm to the forensic expert, especially negligence liability, is provided by Donna Vanderpool, an attorney and risk manager in the United States.

On the negative side, there is more duplication of content than expected in a mostly single-authored work. The organization and presentation of the material is puzzling at times. I would have liked to hear more of his wisdom on such matters as dealing with dishonest, biased, or unscientific evaluators on the other side of a case.

Appropriate audiences for the book include both forensic and nonforensic clinicians and their trainees. The presence of chapters by international authors

should attract a broader audience than is customary for a text in forensic mental health ethics and practice written by a North American psychiatrist. The book is comprehensible to the general public as well.

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## Psychiatry in Law/Law in Psychiatry

By Ralph Slovenko. Second Edition. New York: Routledge Taylor & Francis Group, 2009. 783 pp. \$215.95 (hard cover), \$161.95 (Kindle).

This is the second edition of the two-volume text by Professor Ralph Slovenko that was published in 2002. In this new edition, the author added 11 new chapters and eliminated 9. The updated book includes discussions of newer regulations including the 2003 Emergency Medical Treatment and Active Labor Act (EMTALA) and the Health Insurance Portability and Accountability Act (HIPAA). The author hopes that this book will serve three principal purposes. First, it is a course textbook for psychiatric residents and law students and a reference guide for practicing psychiatrists and lawyers who only occasionally deal with law and psychiatry. Second, it provides new approaches to preparing and documenting cases for legal and mental health professionals; and finally, it contains a critical exposition of practices and basic premises of law and psychiatry.

Slovenko is Professor of Law and Psychiatry at Wayne State University in Michigan. His understanding of the field is remarkable, considering that he does not possess a medical degree but was allowed to complete a psychiatry residency. He has practiced law, has written and lectured all over the world, and has served on the editorial boards of several journals dealing with law, psychiatry, and medicine.

The introduction of the book traces the history of the intermix of psychiatry and the law. In this section, the author nicely narrates the coming of age of psychiatry and its impact on the legal system in the 20th century. In the first section, "Psychiatry and Law," there are 23 chapters in five categories: "Expert Testimony," "Evidentiary Aspects," "Criminal Cases," "Sexual Deviation," and "Civil Cases." The section on expert testimony describes the adversarial legal system, responsibilities of the legal and mental health professionals, and restrictions to expert testimony. There is a valuable discussion of the traditional legal immunity of the expert witness, which is disappearing, and the resulting lawsuits against experts and suspension of professional licenses. The section on evidentiary issues has five chapters and deals with testimonial privilege, credibility of testimony, propensity and other acts of evidence, syndromes such as battered child syndrome, and the role of psychiatric diagnosis in the court.

The discussions of criminal law and mental health contain up-to-date information. The author skillfully examines competency to stand trial, criminal responsibility, diminished capacity, juvenile justice, and death penalty litigation. His discussion of the measurement of evil addresses the subject matter from its psychological and religious perspectives and stands out as controversial rather than scientific. Sex offender legislation is described adequately but not extensively. The author discusses homosexuality in the next chapter. Even though the historical descriptions of homophobia and homosexual panic may be appropriate, the inclusion of homosexuality under a sexual deviation heading is inappropriate in the 21st century. The section on civil litigation has chapters on tort liability of the mentally ill and their caretakers, posttraumatic stress disorder and workers' compensation, duty to minimize damages, child custody, contractual capacity, and testamentary capacity. These are relevant, with ample case law to support the discussion. Malingering is discussed only as part of posttraumatic stress disorder and workers' compensation, even though there are many other areas where malingering is a concern, including correctional and military settings.

The book's second section, "Law in Psychiatry," which contains 14 chapters is divided into two parts: "Hospitalization of the Mentally Ill" and "Psychiatric Malpractice." The author uses the former part to examine civil commitment, failure to treat, and re-

lated topics. The Emergency Medical Treatment and Active Labor Act (EMTALA) is clearly articulated. Psychiatric malpractice is thoroughly presented in 12 chapters and includes a myriad of important related discussions, including, general and psychiatric malpractice, establishing liability, the role of apology in malpractice litigation, breach of confidentiality, informed consent, contributory negligence of patients, boundary violations, clinical trials, and suicide. The chapter on the regulation of psychotherapy practice clearly and elegantly articulates the effects of regulation on the work of psychoanalysts, psychologists, social workers, pastoral counselors, sex therapists, professional licensed counselors, and lay persons. However, not much is written on the regulation of specific treatment modalities, such as electroconvulsive therapy, transcranial magnetic stimulation and other procedures. Overall, the descriptive data in these chapters are extensive, and the depth and magnitude of the author's knowledge and experience shine through. The endnotes of each chapter provide a reference, case, or detailed information on a case or subject. The comprehensive case, name and subject indices at the end of the book make it easy for the reader to find specific information.

This remarkable scholarly work contains detailed descriptions of cases and insightful and meticulous remarks that can only be offered by someone with a depth of knowledge and understanding of both law and psychiatry. Despite the detailed analysis of the subject matter and vivid description of cases, the text reads like a novel. This is a wonderful book to be read and referenced by forensic psychiatry fellows, psychiatrists in the field, and legal professionals.

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## **Handbook of Forensic Assessment: Psychological and Psychiatric Perspectives**

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The Handbook of Forensic Assessment: Psychological and Psychiatric Perspectives was edited by four