

# The patient–doctor relationship: a synthesis of the qualitative literature on patients' perspectives

Matthew Ridd, Alison Shaw, Glyn Lewis and Chris Salisbury

## ABSTRACT

### Background

The patient–doctor relationship is an important but poorly defined topic. In order to comprehensively assess its significance for patient care, a clearer understanding of the concept is required.

### Aim

To derive a conceptual framework of the factors that define patient–doctor relationships from the perspective of patients.

### Design of study

Systematic review and thematic synthesis of qualitative studies.

### Method

Medline, EMBASE, PsycINFO and Web of Science databases were searched. Studies were screened for relevance and appraised for quality. The findings were synthesised using a thematic approach.

### Results

From 1985 abstracts, 11 studies from four countries were included in the final synthesis. They examined the patient–doctor relationship generally ( $n = 3$ ), or in terms of loyalty ( $n = 3$ ), personal care ( $n = 2$ ), trust ( $n = 2$ ), and continuity ( $n = 1$ ). Longitudinal care (seeing the same doctor) and consultation experiences (patients' encounters with the doctor) were found to be the main processes by which patient–doctor relationships are promoted. The resulting depth of patient–doctor relationship comprises four main elements: knowledge, trust, loyalty, and regard. These elements have doctor and patient aspects to them, which may be reciprocally related.

### Conclusion

A framework is proposed that distinguishes between dynamic factors that develop or maintain the relationship, and characteristics that constitute an ongoing depth of relationship. Having identified the different elements involved, future research should examine for associations between longitudinal care, consultation experiences, and depth of patient–doctor relationship, and, in turn, their significance for patient care.

### Keywords

communication; continuity of patient care; physician–patient relations; qualitative research.

## INTRODUCTION

The patient–doctor relationship is an important concept in health care, especially primary care. However, it is also a complex topic that means different things to different people. As a consequence of this, research in the area has been somewhat fragmented.

Many studies have investigated it in terms of the communication and interpersonal skills of the doctor.<sup>1–4</sup> Another major facet is continuity of patient care, where the relational aspect is referred to as interpersonal continuity.<sup>5–7</sup> More recently there has been interest in examining the characteristics of the ongoing relationship itself, such as trust.<sup>8</sup> The patient–doctor relationship can be seen as a specialised form of human relationship, and work in other disciplines has distinguished between the dynamic interactive aspects of relationships and the mental associations made by people 'in' relationships, which are 'historically derived representations of experience'.<sup>9</sup> All of these elements are thought to be important, but in the absence of a conceptual framework that can be applied to patient–doctor relationships, we are unlikely to establish the significance of the different parts and how they affect patient care.

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**Submitted:** 14 April 2008; **Editor's response:** 1 July 2008;

**Final acceptance:** 1 September 2008.

*British Journal of General Practice.*

This is a full-length article of an abridged version published in print and originally published online first. One this version as *Br J Gen Pract* 2009; 59(6): 268–273. (Abridged text, in print: *Br J Gen Pract* 2009; 59: 268–273).

# Reasonable Care Legal Perspectives On The Doctor Patient Relationship

**Sheila A.M. McLean**



## **Reasonable Care Legal Perspectives On The Doctor Patient Relationship:**

**Reasonable Care** Harvey Teff,1994 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

**Medical Law: Text, Cases, and Materials** Emily Jackson,2013-08-15 Providing a clear and accessible guide to medical law this work contains extracts from a wide variety of academic materials so that students can acquire a good understanding of a range of different perspectives Inspiring a Medico-Legal Revolution Pamela R. Ferguson,Graeme T.

Laurie,2016-03-09 This book marks the retirement of Professor Sheila McLean whose contribution to the discipline of medical law has been truly ground breaking As one of the pioneers of the discipline Sheila McLean inspired a revolution in the ways in which lawyers doctors courts and patients perceive the relationship between medicine and the law The first International Bar Association Professor of Law and Ethics in Medicine she has worked tirelessly to champion the importance of law s role in regulating medicine and protecting patients rights The span in content of this book reflects the range of contributions that Professor McLean has herself made Her work gave direction and shape to a new field of study at a time when few questioned the authority of medicine or thought much about the plight of the patient This collection brings together 21 leading scholars in healthcare law and ethics to honour the depth and significance of her contribution Including authors from the US Australia Canada and New Zealand the contributions cover areas as diverse as start and end of life reproductive rights and termination of pregnancy autonomy of patients the protection of vulnerable patient groups and the challenges posed by new technologies The Impact of European Rights on National Legal Cultures Miriam Aziz,2004-07

This book contributes to the debate about the impact of European Community Law on the national constitutional orders and cultures of the respective Member States The author examines the doctrine of sovereignty as a mechanism within which this impact may be best assessed and in particular how it underwrites the tension between European Union rights and the rights provided by the respective legal orders of the Member States In particular the book focuses on political social and civil rights

drawing from T H Marshall's typology. In endorsing an appropriate analytical framework the book challenges both existing law and secondary literature in order to argue that the terminology, the concepts and the tools which are used to assess the impact of the EC law on the national constitutional orders are to be selected with great care. This is particularly apposite given the complexity of constitutional diversity in terms of national constitutions and their reception of EC law. It is also important because of the variety of approaches involved in the constitutional adjustment of the *acquis* of the Union within the context of the increasing drive to constitutionalisation of the Union on the one hand and enlargement on the other.

**Disputing Doctors** Mulcahy, 2003-08-01 What are patient experiences of making complaints against doctors and what do they seek to achieve? How do doctors and managers respond to complaints and what do their responses reveal about the implicit tensions in the doctor-patient relationship? What is the significance of the increasing incidence of disputes for approaches to the delivery of medical care? This book looks at the dynamics of doctor-patient disputes. Reflecting on fifteen years of empirical research in the NHS, it considers the contexts in which these disputes arise, the different ways in which the parties construct disputing narratives and moral identities in the course of making and defending their claims, and the extent to which existing systems for resolving disputes are sensitive to their needs. This publication is timely. Since the 1970s there has been an increasing amount of concern about the rise in complaints and medical negligence claims made by patients and their relatives. Based on research with patients, relatives, doctors and NHS managers, the book analyses how they perceive these disputes and what they seek to achieve by holding each other to account. *Disputing Doctors* is valuable reading for all students, researchers and academics working in the fields of the sociology of health and illness, socio-legal studies, law and medicine, medical sociology, nursing and health policy.

**Hayes and Williams' Family Law** Mary Hayes, Stephen Gilmore, Lisa Glennon, 2012-08-23 Rev. ed. of *Family law: principles, policy and practice* 2nd ed. c1999

**The Impact of Ideas on Legal Development** Michael Lobban, Julia Moses, 2014-07-31 How have social and philosophical ideas influenced the development of tort law in Europe?

Medicine, patients and the law Emma Cave, Margaret Brazier, Rob

Heywood, 2023-06-06 Embryo research, cloning, assisted conception, neonatal care, pandemic vaccine development, savour, siblings, organ transplants, drug trials, modern developments have transformed the field of medicine almost beyond recognition in recent decades and the law struggles to keep up. In this highly acclaimed and very accessible book, Margaret Brazier, Emma Cave and Rob Heywood provide an incisive survey of the legal situation in areas as diverse as fertility, treatment, patient consent, assisted dying, malpractice and medical privacy. The seventh edition of this book has been fully revised and updated to cover the latest cases, Brexit-related regulatory reform and COVID-19 pandemic measures. Essential reading for healthcare professionals, lecturers, medical and law students, this book is of relevance to all whose perusal of the daily news causes wonder, hope and consternation at the advances and limitations of medicine, patients and the law.

**Simester and Sullivan's Criminal Law** J J Child, A P Simester, J R Spencer, F Stark, G J Virgo, 2022-09-15 undoubtedly a

first rate companion for any undergraduate or post graduate law course John Taggart Criminal Law Review This outstanding account of modern English criminal law combines detailed exposition and analysis of the law with a careful exploration of its theoretical underpinnings Primarily it is written for undergraduate students of criminal law covering all subjects taught at undergraduate level The book s philosophical approach ensures students have a deeper understanding of the law that goes beyond a purely doctrinal knowledge As a result over its numerous editions it has become required reading for many criminal law courses The 8th edition covers all statutory law including the Assaults on Emergency Workers Act 2018 and Domestic Abuse Act s 71 Case law discussions now cover Grant complicity Barton dishonesty Broughton Field Kuddus and Rebelo homicide and AG s Ref No 1 of 2020 sexual offences

**Medical Negligence in Victorian Britain** Kim Price,2015-02-26 Medical Negligence in Victorian Britain is the first detailed exploration of the hundreds of charges of neglect against doctors who were contracted to the new poor law after the Poor Law Amendment Act of 1834 The author moves beyond the hyperbole of Victorian public scandal to use medical negligence as a prism through which to view hidden aspects of poor law doctors and their patients This provides a uniquely grounded perspective from the day to day experience of medical practice for both doctor and patient to the context of the medico political socio legal and cultural processes that underpinned the social construction of negligence at this time The result is a clearly enunciated description of what negligence meant to the Victorians and how they sought to define and deal with negligent care moving the topic from the sidelines of English welfare history to the centre stage role it played in Victorian society Thematically and chronologically arranged in two parts the book uses extensive new archival material with a particular focus on the official inquiries into neglect conducted by poor law inspectors It offers a fresh perspective on the poor laws that has repercussions for wider histories of welfare medicine and legal medicine

Law and Ethics in Nursing and Health Care Judith Hendrick,2000 Provides an overview of the British legal and ethical issues that nurses and other health professionals come across Hendrick Oxford Brookes U discusses the relationship between law and ethics and how at times they overlap or diverge Chapters include case studies theoretical discussion possible outcomes and a summary of how the legal and ethical approaches compare They also examine the patient client relationship confidentiality consent responsibility and accountability as well as the relationship between the law codes of practice and health care circulars The book includes guidelines from professional bodies Distributed in the US by ISBS c Book News Inc

**Autonomy, Consent and the Law** Sheila A.M. McLean,2009-09-10 The notion that consent based on the concept of autonomy underpins a good or beneficent medical intervention is deeply rooted in the jurisprudence of most countries throughout the world Autonomy Consent and the Law examines these notions in the UK Australia and the US and critiques the way in which autonomy and consent are treated in bioethics and law

**Medicine, Ethics and the Law in Ireland** Deirdre Madden,2011-01-01 Written by one of Ireland s leading medical law academics this practical book comprehensively covers Irish case law and regulations regarding the healthcare system the law relating to human

reproduction and the key issues of consent and treatment Designed to be used by lawyers and healthcare professionals the book provides an invaluable reference tool for anybody who requires accurate information and guidance on this area of Irish law This second edition covers medical research and clinical trials organ donation and transportation patient safety and biobanking

**Complaints, Controversies and Grievances in Medicine** Jonathan Reinartz, Rebecca Wynter, 2014-12-17 Recent studies into the experiences and failures of health care services along with the rapid development of patient advocacy consumerism and pressure groups have led historians and social scientists to engage with the issue of the medical complaint As expressions of dissatisfaction disquiet and failings in service provision past complaining is a vital antidote to progressive histories of health care This book explores what has happened historically when medicine generated complaints This multidisciplinary collection comprises contributions from leading international scholars and uses new research to develop a sophisticated understanding of the development of medicine and the role of complaints and complaining in this story It addresses how each aspect of the medical complaint between sciences professions practitioners and sectors within politics ethics and regulatory bodies from interested parties and patients has manifested in modern medicine and how it has been defined dealt with and resolved A critical and interdisciplinary humanities and social science perspective grounded in historical case studies of medicine and bioethics this volume provides the first major and comprehensive historical comparative and policy based examination of the area It will be of interest to historians sociologists legal specialists and ethicists interested in medicine as well as those involved in healthcare policy practice and management

**Revisiting Landmark Cases in Medical Law** Shaun D. Pattinson, 2018-09-27 Is it lawful for a doctor to give a patient life shortening pain relief Can treatment be lawfully provided to a child under 16 on the basis of her consent alone Is it lawful to remove food and water provided by tube to a patient in a vegetative state Is a woman's refusal of a caesarean section recommended for the benefit of the fetus legally decisive These questions were central to the four focal cases revisited in this book This book revisits nine landmark cases For each a new leading judgment is attributed to an imagined judge Athena who operates within the constraints of the legal system of England and Wales Her judgments accord with an innovative legal theory referred to as modified law as integrity and are linked as a line of precedent The result is a re spinning of extant judicial threads into a web of legal principles with a greater claim to coherence and defensibility than those in the original cases The book will be of great interest to scholars and students of medical law criminal law bioethics legal theory and moral philosophy

Law and healing Margaret Brazier, 2023-03-14 This book delves into medico legal history travelling back in time to explore English law's fascinating and often acrimonious relationship with healing and healers Challenging assumptions that medical law is a recent development Law and healing traces the regulation of healers from the Church's dominance to legal battles fought among medical practitioners As well as considering the history of the regulation of healers this book addresses moral issues such as abortion bodily sovereignty and the use of cadavers in research It highlights how

fundamental legal and ethical questions continue to resurface for example from controversy in the Renaissance over human dissection to modern day debates about organ donation Law and healing provides a colourful but critical account of the longstanding and often fraught relationship between two fundamental pillars of human society **Delict** Francis McManus,2012-01-06 e Recognising the multi faceted nature of this Scots law Francis McManus and Eleanor Russell have produced this all encompassing guide to delict With numerous case studies and questions for discussion after each chapter this is essential reading for all students encountering delict for the first time as well as practitioners who require a ready reference for their practice The Scots law of delict encompasses a vast array of legal sources and contradictions Many elements are modern and highly developed while others remain ancient and obscure The majority of delictual principles are case law driven yet increasingly legislation plays a part Further although the concept of delict is limited to the Scottish jurisdiction private international law cannot be ignored e **Issues in Human Rights Protection of Intellectually**

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neonatal clinicians concerns about the problem of obtaining informed consent in neonatal research It addressed the difficulties of obtaining consent from subjects involved in such research and investigated the relevance and appropriateness of obtaining consent from parents The project also examined the work of Research Ethics Committees in Europe It explored their responses to EURICON s analysis of the views of clinicians and parents and their attitudes towards the relevant laws and legal requirements The wide geographical scope of the project enabled international comparisons of the opinions of clinicians and parents the legal frameworks governing neonatal research and the effectiveness of Research Ethics Committees This is the first such investigation on a European scale and it offers a unique interdisciplinary approach to these issues Incorporating clinical ethical legal and sociological perspectives the results and recommendations presented in this book will be of widespread significance to practitioners researchers and policy makers throughout Europe and beyond



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