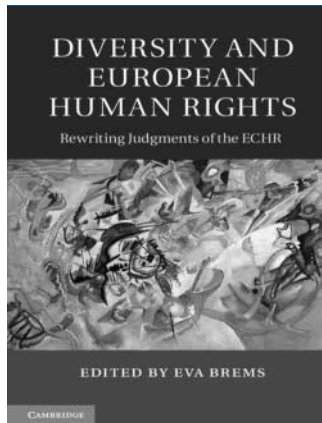


## Book reviews

Edited by Allan Beveridge, Femi Oyeboode  
and Rosalind Ramsay



### Diversity and European Human Rights: Rewriting Judgments of the ECHR

Edited by Eva Brems.  
Cambridge University Press. 2013.  
£80.00 (hb). 495 pp.  
ISBN: 9781107026605

This is an original, innovative academic tome. Under the leadership of an eminent human rights professor, a group of international researchers tackled the ‘magic mountain’ of case law from the European Court of Human Rights. The book concentrates on the often neglected situation of diverse non-dominant groups: children, gender, religious, sexual and cultural minorities, and people with disability. The collective aim of the authors was described as ‘the emancipation of non-dominant groups through a change in culture’. The book’s innovative character lies with the invention of a new method for reviewing previous epoch-making case law. The authors, experts in their given areas, were to ‘put themselves in the Court’s shoes’ in their critical analysis of key judgments (rather than the ‘traditional method of external scientific analysis’). It is this method of analysis which makes the book very readable, and although it is, of course, legally technical in places (but not overwhelmingly so for legal novices), it has a surprisingly conversational reading style, which is impressive given the diversity of contributing authors.

Each chapter provides detailed research into the topic under analysis, often advancing the cases being analysed by using more recent jurisprudence and international human rights law and, in effect, bringing the cases up to date. Following such analysis, the salient part of the original judgment is revisited and revised accordingly. Overall, I found the analysis more interesting than the actual judgment revisions.

One of the main aims of the book was to transform academic views into judicial language. In all, 18 judgments were reviewed. Interestingly, only eight of these cases found that the original human rights non-violation became a violation. However, while the other ten cases were unaltered in terms of the violation or non-violation of Convention rights, the judgments were invariably amended and enhanced by the authors following their critiques.

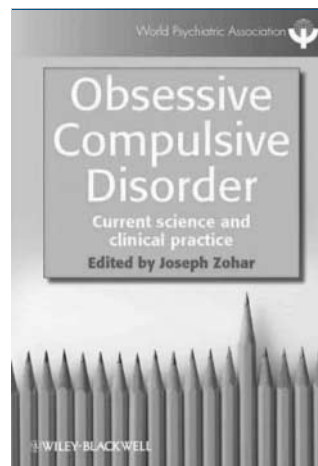
Of the cases analysed several stood out. For example, *V v. UK* concerned the trial of an 11-year-old boy, one of two killers in the notorious murder of the 2-year-old boy James Bulger in 1993. While a shocking case, the judgment was seminal in that it set important standards for the fair trial of children in adult courts. Another case, that of *A, B and C v. Ireland*, analysed the emotive, highly restrictive abortion laws in Ireland. *Deschomets v. France* looked at a decade-long custody battle underscored by a religious disagreement leading to a family crisis. *Leyla Sahin v. Turkey* considered the case of a medical student having been denied access

to enrolment in university due to wearing a hijab and hence being discriminated against on grounds of her religion.

The disability section is the most readable for psychiatrists. The three chapters consider the right to treatment (and specifically, of expensive assistive devices to enhance personal autonomy) of people with a physical disability; the impact of unnecessary institutionalisation on the personal life of an individual who has been granted a conditional discharge under the Mental Health Act 1983 (*Kolanis v. UK*); and probably the most important chapter revisiting the case of *Herczegfalvy v. Austria*, which for more than two decades has been considered the benchmark case for psychiatric treatment in terms of Article 3 rights (freedom from inhuman and degrading treatment). I found this chapter riveting in its detail and elucidation of how such a case should be considered nowadays and I very much suspect this chapter is prophetic of what is to come in this clinical area.

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doi: 10.1192/bjp.bp.112.125419



### Obsessive Compulsive Disorder: Current Science and Clinical Practice

Edited by Joseph Zohar.  
Wiley-Blackwell. 2012.  
£59.99 (hb). 358pp  
ISBN: 9780470711255

Forming part of the World Psychiatric Association’s Current Science and Clinical Practice series, this book has brought together a number of experts who discuss assessment and treatment, with clinical and research spotlights and a brief resume examining possible future directions of treatment and research in obsessive-compulsive disorder (OCD).

It is mooted that the current work on genetics, brain imaging and a sophisticated understanding of neurotransmitters will result in a second major revolution in the understanding and treatment of OCD. The first revolution occurred in the 1970s when the condition was discovered to be common and when successful drug and graded exposure treatments were described.

The book is timely. Although OCD is a very common disorder which causes much suffering worldwide, services for this condition are patchy and often overlooked. Despite the chance of making radical changes to the quality of life of those who are affected, they are often dismissed by mental healthcare planners as ‘the worried well’. This is far from the truth and OCD has been ranked among the top ten causes of health disability worldwide. Most individuals with OCD suffer in silence and do not cause a public outcry.

The book has brought together an impressive list of experts in the field. They come from the USA, Europe, Israel and South Africa. As may be expected in a book written in English, there is a predominance of US and British authors. Nevertheless, covering both adult and childhood OCD, this is an extremely useful book