Children having cerebral palsy will incur life-long disabilities which require high costs of medical and nursing care. This imposes tremendous burden on the family of the affected children, whether financially or emotionally. It is understandable for the affected families to initiate court litigation in order to alleviate the financial burden and at the same time to overcome the emotional pain associated with the permanent and lifetime implications which cerebral palsy entails. However, suing for such injuries in court and identification of medical malpractice is not an easy task for the families. Further, court litigation tends to be tedious, lengthy and unpleasant. The hazards of litigation have prompted several countries to find the available alternative from court litigation, such as the implementation of a no-fault compensation system, to settle these types of claims. While court litigation encourages the practice of defensive medicine and fosters confrontational attitudes between doctors and patients, no-fault compensation systems, on the other hand, seek to offer improved relationship and strengthened collaborative doctor-patient relations. Rehabilitation can proceed in a more timely fashion, and not hindered by the long wait until legal action in the courts is resolved. This would certainly ease the pressure and stress on medical practitioners with regard to escalating insurance premiums, the availability of liability and the threat of litigation. Thus, it is very much applauded that the Japan Obstetric Compensation System for Cerebral Palsy was established in January 2009, with the aim of helping children with such disability to improve their quality of life and to provide monetary compensation in order to lessen the economic burden on the family. The system also aims at improving the quality of maternity care and analyzing the causes of accidents in order to prevent similar cases to happen in the future. Therefore, the system has been featured as the one with two vital pillars such as compensation and causal analysis/prevention. This system clearly depicts social solidarity in encouraging collective responsibilities for the mishaps suffered by the community. Such responsibility is seen as asserting some sense of accountability amongst members of the public including medical profession to collectively be responsible for the mishaps suffered by the community. In addition, unlike other no-fault compensation system, the Japanese system focuses not only on monetary compensation but causal analysis/preventive action as well. The affected babies and families are provided with causal analysis report which is crafted by taking families’ comments and questions into consideration so that the report would meet their satisfaction. Those reports are collectively studied and the annual report for prevention of cerebral palsy is compiled through the study. The report for prevention serves as a material in the meeting of academic associations of obstetricians and midwives. This uniqueness deserves further observation in terms of its effect not only on easing conflicts but on the quality and safety improvement in obstetric
Thus, implementing a no-fault scheme such as the Japan Obstetric Compensation System for Cerebral Palsy depicts principled social or community solidarity and mutual aids to personal injury which includes a recognition of “community responsibility; comprehensive entitlement; full rehabilitation; fair and adequate compensation; and administrative efficiency.”

### Publication of the Results of Research Project:

#### Verbal Presentation
- **Name of Presenters:** Puteri Nemie Jahn Kassim & Khadijah Mohd Najid
- **Title of Presented Paper:** “Resolving Obstetric Malpractice Cases through Collective Responsibilities: The Preferred Alternative”
- **Name of Conference:** International Conference on Law and Society 2014 (ICLAS 3)
- **Theme of Conference:** Law in Remedying the Ailments in the Society and the State.
- **Organiser:** Faculty of Law, Istanbul University & Harun Hashim Law Centre, International Islamic University Malaysia.
- **Date and Venue:** 9 to 11th June 2014 at Istanbul University Congress Center, Beyazit, Istanbul.

#### Thesis
- **Name of Authors:** Puteri Nemie Jahn Kassim & Khadijah Najid
- **Title of Paper:** “No-Fault Compensation for Medical Injuries: Trends and Challenges – Medicine and Law Journal”
- **Name of Journal:** Medicine and Law Journal (Scopus)
- **Status:** Accepted for publication – last editing stage by editorial board of the journal

- **Name of Authors:** Puteri Nemie Jahn Kassim & Shin Ushiro (Surgeon, Executive Board Member, Japan Council for Quality of Health Director, Division of Adverse Event Prevention Technical Supervisor, Division of the Japan Obstetric Compensation System for Cerebral Palsy)
- **Title of Paper:** “Compensating Cerebral Palsy Cases: Problems in Court Litigation and the No-Fault Alternative”
- **Status:** In press…to be submitted for publication in selected journal, Dr Shin has just edited the article.

### Book
- None