

***For More Information please visit the following websites***

- [www.direct.gov.uk/death/preparation](http://www.direct.gov.uk/death/preparation)
- [www.ageconcern.org.uk](http://www.ageconcern.org.uk)
- [www.publicguardian.gov.uk](http://www.publicguardian.gov.uk)
- [www.mencap.org.uk](http://www.mencap.org.uk)
- [www.adrtnhs.co.uk](http://www.adrtnhs.co.uk)



For a better quality of life



## Planning for the Future



## What is an Advance Statement?

This general statement of your wishes and views (such as religion, food preferences or any other belief or aspect of your life you value). It must be considered by people providing your treatment when they determine what is in your best interests, but they are not legally bound to follow your wishes. Advance statements can also be used to let the people treating you know who you would like to be consulted when a decision has to be made, if you are unable to make that decision yourself.

## What is a Living Will, an Advance Decision or Advance Directive?

A Living Will is a set of instructions that you make regarding your future medical care. It is also known as an *Advance Decision* (MCA 2005) or an *Advance Directive*.

The Living Will goes into effect when you are very sick and are not able to communicate your wishes yourself. To use the legal term – you would “lack mental capacity” to make an informed decision and/or to communicate your wishes.

## What is an Advance Decision to Refuse Treatment?

An **Advance Decision** is a **specific Living Will** to refuse treatment is the only type of Living Will that is legally binding. An Advance decision to refuse treatment must indicate exactly what type of treatment you wish to refuse and you should give as much detail as necessary about the circumstances under which this refusal would apply.

An Advance Decision can only be made by someone over the age of 18 who has the mental capacity to make the decision.

## An Advance Decision cannot be used to...

- Ask for anything that is illegal such as euthanasia or help to commit suicide.
- Demand care that the healthcare team considers inappropriate in your case.
- Refuse food or drink by mouth.
- Refuse the use of measures to maintain your comfort such as providing pain relief, warmth or shelter.
- Refuse basic nursing care that is essential to keep you comfortable such as washing, bathing and mouth care.
- Be aware that an Advance Decision can be overridden by Donees, Deputies under the MCA2005 under specific conditions.

## How can I make a Living Will?

The team of doctors/nurses or social care professionals dealing with you will be happy to meet and discuss it with you. They will also have a form you can use.

We recommend that you should review your Living Will at least every 5 years.

When making a Living Will you must have capacity and be aware of the implications of the decision, and that the circumstances match those stated in the Living Will. You are also responsible for letting your treating team know that you have made a Living Will.

## What are the limitations of a Living Will?

A Living Will can only reflect a person's wishes at the time it is written. Many circumstances, including improvements in medical science and available treatments can change as time passes.

That is why we encourage people to ensure that they review their wishes at regular intervals. Please remember to destroy any previous version of the document after making changes.