

What is an Advance Decision?



Many clients have strong wishes about end-of-life care and when they would and would not want medical treatment.

If you have specific wishes in relation to life-sustaining treatment, an Advance Decision can be put in place at a time when you still have mental capacity to make those decisions. An Advance Decision is a “belt and braces” approach and can work together with a Lasting Power of Attorney for Health and Care (LPA).

In a LPA you have to say whether or not your attorneys have power to make decisions about life-sustaining treatment for you. An Advance Decision allows you to be more specific about what you want to happen in particular circumstances.

There are two types of Advance Decision, one which refuses treatment which aims to prolong or artificially sustain your life and one asking to be kept alive for as long as reasonably possible.

The Advance Decision which refuses medical treatment records your wishes, in certain circumstances, in relation to the refusal of artificial feeding, respiration and resuscitation.

If you then lose capacity and are suffering from any of the illnesses mentioned in the Advance Decision document, it will act as a record of your wish not to be subjected to any of the treatments listed. Two medical practitioners would need to agree that you had little chance of recovery but once that is accepted, the document will bind your attorneys (if a LPA is in place), doctors and the courts.

In the Advance Decision which states that you would like to be kept alive for as long as reasonably possible, you consent to the use of any form of treatment available regardless of any condition, prognosis or cost.



If you are concerned about what might happen at a time when you cannot make your own decisions, and want to make your wishes clear to anyone who will have to make them for you, an Advance Decision, coupled with a LPA, can give you comfort. It will also help your loved ones, having to make decisions for you at a difficult time, to know that they are doing what you would have wanted.

How we can help

If you would like to discuss this further or put Advance Decisions or LPAs in place, please contact Nicola Hillyer on 01892 506014 or at nicola.hillyer@cripps.co.uk.

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