



How can we help?

Creating an Advance Decision can give you peace of mind that you have taken decisions about the end of life care you receive.

We will discuss with you what you would like to do and how this may be put into an Advance Decision. We will then create the relevant document for you.



Advance Decisions

What is an Advance Decision?

An Advance Decision, previously called a Living Will or Advance Directive, is a legal document setting out your wishes regarding medical treatment in the event that you are incapacitated and unable to make decisions for yourself.

Many people feel strongly that they would not wish to receive life prolonging or life sustaining treatment past the point at which they can no longer achieve a reasonable quality of life. An Advance Decision enables them to record this and make their wishes legally binding.

An Advance Decision can only be used to refuse treatment. It cannot be used to insist on a particular treatment being given. It must indicate exactly what type of treatment is being refused and give as much detail as possible about the circumstances in which it is envisaged that the refusal will take place.

An Advance Decision is usually put in place following the diagnosis of a life limiting illness and should be regularly reviewed.

Complementary Services

When making an Advance Decision it is a good opportunity to review your Will. Please refer to our Why Make a Will information sheet for further details.

This information sheet is intended as guidelines for clients and other readers. It is not a substitute for considered advice on specific issues. Any action taken depends upon your individual circumstances. Consequently, we cannot accept any responsibility for action which may be taken as a result of reading this information sheet or for errors or omissions contained in this information sheet.

What involvement do healthcare professionals have?

We recommend that people considering making an Advance Decision discuss their thoughts with their GP and other healthcare professionals involved in their care before creating the document. The medical team can explain the treatment that is likely to be given for the particular illness diagnosed.

We also recommend that a copy of the Advance Decision be lodged with your GP and other healthcare professionals responsible for your care.

Can I include wishes in my Advance Decision?

An Advance Decision can include Advance Statements which can be non-medical wishes such as food preferences or whether you prefer a bath or shower. It can also reflect religious or other strongly held beliefs so those caring for you know more about the things that are important to you. Advance Statements are not legally binding but are helpful in giving guidance of your wishes.

Is an Advance Decision legal binding?

Where there is a valid Advance Decision made and it is applicable to the proposed treatment of a patient who lacks capacity to give or refuse consent, a healthcare professional must withhold the treatment refused in that Advance Decision.

Advance Decisions and Health & Welfare Lasting Powers of Attorney

Care should be taken if a Health & Welfare Lasting Power of Attorney (HW LPA) is already in place or is to be put in place after an Advance Decision is made. This is because there can be conflict between what both documents try to achieve.

If you would like to discuss this further then please call us on 01273 610 611 or email us at info@renaissancelegal.co.uk