

## Living Wills – Lastingpost.com

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### Introduction

Living Wills (also referred to as Advance Statements or Advance Decisions) provide an opportunity for people to set out their wishes regarding medical treatment and intervention in the final stages of their life.

### Current law

The law currently allows people with capacity to define, in advance, which medical procedures they will and will not consent to at a time when that individual has become incapable of making or communicating a decision.

The British Medical Association says that “competent, informed adults have an established right to refuse medical procedures in advance”.

Depending on your particular situation, it may be worthwhile discussing Living Wills with your Doctor and you should ensure that a copy of the Living Will is left with your Doctor.

### The Living Will

Like a normal Will, you may want to include some personal wishes and details.

Preparing a Living Will also provides a good opportunity to state how you might want to spend your final weeks in the event that you are suffering from an incapacitating or an acutely debilitating illness. For example, you might decide you want to spend those final weeks at home and not in hospital.

The use of Living Wills is becoming increasingly widespread. Please note, however, that they are prepared in addition to an ordinary Will.

### Regulations for Living Wills

To make a Living Will you should bear in mind the following:-

1. You must be over 18.
2. You must have mental capacity.
3. You must specify what treatment is to be refused and in what circumstances.
4. You must make the decisions yourself and not because you are being told or harassed to make a Living Will by someone else.

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5. If you want to refuse life-sustaining treatment then it must be in writing and it must be signed by you and witnesses.
6. Your statements in the Living Will must be very clear.

As a Living Will is an important document, it should be prepared by a Solicitor.

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