

COMPASSION

IN DYING

SUPPORTING YOUR CHOICES
AT THE END OF LIFE

FACTSHEETS - Living wills

This is a quick guide to living wills. Contact Compassion in Dying for more information.

INFORMATION LINE: **0800 999 2434**

What is a living will?

A living will is the old name for an **Advance Decision**.

An Advance Decision is a document that contains your wishes for future treatment. You can use it to let doctors know what treatment you would or wouldn't want if you couldn't tell them yourself - for example, if you had severe dementia or were in a coma.

See **FACTSHEET – Setting your wishes out in writing (Advance Decisions)** for more information.

IMPORTANT

If you made your living will before October 2007, you need to update it to an Advance Decision for it to be legally binding.

Living wills have never had the same legal force as Advance Decisions.

Advance Decisions are legally binding under the Mental Capacity Act, which came into force in October 2007.

Under the Mental Capacity Act you can also give someone else the legal power to make healthcare decisions for you.

See **FACTSHEET – Giving someone the power to make decisions for you (Lasting Powers of Attorney)** for more information.

How do I update my living will?

You can make a new Advance Decision. Compassion in Dying provides a free Advance Decision form which is legally binding.

If you don't want to make a new form, you can turn your living will into an Advance Decision.

How do I turn my living will into an Advance Decision?

1. Check you don't need to make any other changes. If you want to make a lot of changes to your living, it might be better to make a new form.
2. Add this sentence to the section where you talk about the treatment you want to refuse:

“The decisions set out in my living will apply, even if my life is at risk as a result.”

3. Sign and put the date next to this sentence. Ask someone independent to witness your signature.
4. Give copies of your updated living will to everyone who has a copy of your old one. Keep one copy yourself and make sure that someone else knows where it is.

How can we help?

- We can send you a free **Advance Decision** form and help you to fill it in
- We can give you more information about **Lasting Powers of Attorney**
- We can send you a **Guide to Your Rights at the End of Life**
- Our free **Information Line** can answer any questions you may have

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