

**You need to do a little more than just sign a Living Will.....**

Some of you may have read recently in the press about the sad story of Brenda Grant from Nuneaton. Brenda had thought ahead carefully and prepared a living will – an advance directive in Scotland. Apparently it clearly stated that should she suffer certain extreme medical conditions she should not be given medical treatment, and even food, although pain relief should be given even although it might shorten her life.

By preparing this document and making her wishes quite clear, Brenda was ensuring that her right to refuse medical treatment – which all adults possess – was stated in writing so that medical staff would know her wishes even if through illness she could no longer express these wishes verbally.

Then sadly Brenda suffered a catastrophic stroke that left her in a condition whereby according to her wishes as stated in the living will, treatment and feeding should have been discontinued. However Brenda was kept alive, being artificially fed for 22 months. Why were the terms of her living will not followed? Well incredibly – the reason was the living will had been hidden in medical notes and was not seen by the relevant medical staff. Its existence only came to light when her GP who had known of the living will alerted the medical staff treating Brenda.

Brenda had children and what a traumatic period these months must have been for them. However, although Brenda had thought carefully about the future – she had not told her children of the existence of the Living Will. And the consequences of that were 22 months of suffering for everybody.

The truth is it really is helpful to make your wishes known in advance directive. But that is only half the job. The people closest to you – especially your welfare attorney – must be told of the advance directive's existence – otherwise obviously they will not be able to take steps to ensure its terms are followed.

In Scotland we would recommend appointing a welfare attorney with powers to make medical decisions on your behalf should you become unable to communicate. But you should also do an advance directive stating your wishes and tell your welfare attorney of its existence. Both of these steps are necessary to ensure a sad situation like Brenda's will be avoided.

Some clients are reluctant to initiate these important discussions within the family. The truth is that such discussions are much less difficult than most folk imagine – and so we would urge people to tell the relevant people of your plans and wishes. Our advice would always be – think ahead - appoint a welfare attorney – prepare a living will – tell your welfare attorney and others in the family – and then it is “job done”. You can then get on and enjoy the rest of your life knowing you have put things in place which will make things much better for everybody at the end of your life.

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