

# Fact Sheet on:



# Advance Statements

## How to get in touch:

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### Social media:



## Please note:

If you require legal representation, we will be happy to help you find a Solicitor.



**(pronounced Kier-tis) is a Gaelic word for equality, fairness and justice.**

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## What is an Advance Statement?

An Advance Statement is a written document that states your preferences regarding your care and treatment should you be unable to express your views in the future. Doctors and other people who are treating you have a duty to take into account your wishes about how you would like to be treated. The Mental Health (Care & Treatment) Scotland Act 2003 states if you have a mental health condition, you can write down in an Advance Statement how you would like to be treated if, in the future, you become too unwell to make decisions yourself.

## What does an Advance Statement cover?

An Advance Statement can cover any aspect of your future health care and treatment. This could include:

- What medication or treatment works well for you
- What treatment you do not want, e.g. medication that has caused unwanted side effects in the past, ECT
- Where you would wish to receive treatment, e.g. in the community, in hospital or a care home

Some examples of what people include in their Advance Statement:

***'I prefer individual therapy to group therapy because I am uncomfortable with strangers when I am unwell'***

***'I don't want medications which make me put on lots of weight'.***

## Who completes an Advance Statement?

You can write an Advance Statement yourself, as long as you have the mental capacity to do so. You can write it with support from relatives, carers, or health and social care professionals. An independent advocacy worker can also assist you in completing your advance statement.

## Is an Advance Statement legally binding?

No, an Advance Statement is not legally binding, but anyone who is making decisions about your care and treatment must take it into account.

## Continued

### **How does an Advance Statement help?**

An Advance Statement lets everyone involved in your care know about your wishes, feelings and preferences if you are not able to communicate these.

### **Does it need to be signed and witnessed?**

Yes, you need to sign your Advance Statement to state that these are your wishes. The person who witnesses your Advance Statement is confirming that in their opinion you are able to understand what you have written in your statement and the effect it might have on your future treatment. You can ask your GP, CPN, Social Worker or other social care professional to witness your statement.

### **What about other aspects of my life?**

You can create a Personal Wishes Form to state your preferences and wishes about other aspects of your life. You may wish those involved in your care to know about any religious or spiritual beliefs you hold to be reflected in your care; or how you like to do things, for example if you prefer a shower instead of a bath, or like to sleep with the light on. You can state your wishes about practical issues, for example who will look after your children or pet if you become ill, and information about your dietary preferences. The Personal Wishes Form should be kept safely with your Advance Statement, and although it is not legally binding, it helps those who care for you to know what your preferences and wishes are.

### **Who should keep a copy of my Advance Statement and Personal Wishes Form?**

You should make sure that you keep a copy safe at home. Anyone involved in your care should have a copy too, e.g. your carer, family, GP, CPN, consultant and anyone else you wish to have a copy.

### **How can Ceartas help?**

A Ceartas Advocacy Worker can arrange to see you and assist you in preparing your Advance Statement. They can also help you to identify the key points that you want to include in your Advance Statement.

### **Further Information**

Please contact Ceartas Advocacy on 0141 775 0433 or email us at [info@ceartas.org.uk](mailto:info@ceartas.org.uk). The Scottish government has a guide specifically on Advance Statements on their website:

[www.scotland.gov.uk/Publications](http://www.scotland.gov.uk/Publications)