Advance Statements

This factsheet explains what an Advance Statement is and how it differs from an Advance Decision. It is applicable to people living in England and Wales. If you live in Scotland or Northern Ireland, or if you would like further information about your end-of-life rights and choices call our free Information Line on 0800 999 2434

What is an Advance Statement?

An Advance Statement (sometimes called a Statement of Wishes) is a general statement about anything that is important to you in relation to your future treatment and wellbeing. You can use it to express your preferences for care or to detail any values or beliefs that inform the decisions you make.

An Advance Statement helps to ensure that, if you lose capacity in the future, your wishes are known and followed. It supports people involved in your care to understand your wishes if you cannot speak or make decisions for yourself.

‘Capacity’ is the ability to make a decision. For more information on capacity see our factsheet How are decisions made for me if I don’t have capacity?

Who can complete one?

Advance Statements are an important part of planning for your future care and anyone can make one. An Advance Statement will often form part of Advance Care Planning (ACP), which is a process of documenting care preferences for people with a terminal illness or life-limiting condition. However, you do not have to be nearing the end of life or have a diagnosed condition to complete one.

Completing an Advance Statement is entirely voluntary so you do not have to write one unless you wish to do so.

Why would I want to complete one?

If you cannot make a decision about your medical treatment, care or welfare then a health or social care professional, such as a doctor or social worker, will make a
decision on your behalf. An Advance Statement will help to ensure that your wishes, feelings and beliefs are taken into account when these decisions are made. It is a record of what is important to you, and will assist a person making decisions to take action that you would want.

Writing an Advance Statement can also help to open up a dialogue between you and your loved ones about your wishes for the future, helping to initiate what can sometimes be a difficult conversation.

Is an Advance Statement legally binding?

An Advance Statement is not legally binding. However, it does have legal standing because it must be taken into account when someone is deciding what is in your ‘best interests’.

The law says that anyone who makes a decision on your behalf must act in your best interests, and when deciding what is in your best interests the decision-maker must, amongst other things:

- Consider your wishes and feelings (this includes anything you have said to other people and things you have written down)
- Consider any values and beliefs that would be likely to influence the decision

So because an Advance Statement is evidence of your wishes, feelings, values and beliefs it must be considered when any action is taken on your behalf.

For more information on best interests decisions see our factsheet How are decisions made for me if I don’t have capacity?

Is an Advance Statement the same as an Advance Decision?

No. An Advance Decision (short for Advance Decision to Refuse Treatment) is a document that allows you to make a legally binding refusal of medical treatment in advance of a time that you lose capacity.

An Advance Decision only concerns refusals of medical treatment, whereas an Advance Statement can include any information that you feel is important in relation to your health or care.

Could I have both an Advance Statement and an Advance Decision?

Yes. If you feel that there are situations in which you would not want a medical treatment then you should make an Advance Decision.
If you have made an Advance Decision then it is a good idea to also make an Advance Statement as it helps your healthcare team to gain a better understanding of your wishes. This means that if you are in a situation that isn’t specified in your Advance Decision, the doctors treating you are more likely to be able to make a decision that reflects what you want.

If you wish to complete both an Advance Decision and an Advance Statement then Compassion in Dying’s free Advance Decision form contains a section that allows you to express your wishes in this way.

**What can I include in my Advance Statement?**

An Advance Statement gives you the chance to say anything that is important to you. You can talk about any aspect of your life, health or care, such as:

- Any food preferences
- Your religious or spiritual views
- Information about your daily routine
- Any fears you have around treatment or care
- Whether you prefer a bath or a shower
- If you like to sleep with the light on
- Your preference over where you would like to be cared for, for example at home, in hospital, in a residential home

You can also use it to specify any person(s) who you would like to be consulted when decisions are being made on your behalf. However, doing this does not mean that a health or care professional has to follow what that person says. The only way to give another person the legal power to make health or care decisions on your behalf is by making a Lasting Power of Attorney for Health and Welfare. For more information on this see our factsheet - *Understanding Lasting Powers of Attorney for Health and Welfare – England and Wales.*

**How do I make an Advance Statement?**

You should talk to your family or friends about what is important to you, so that they understand what you want. It is also important to discuss your wishes for future care with any health or care professionals involved, for example your social worker, doctor or nurse. The better that people understand what you want the easier it will be for your wishes to be followed.

In principle you can make an Advance Statement verbally but it is better to write it down. If it is written it is a permanent record of your wishes and is less likely to be called into question by someone else at a later date.
There are no formal guidelines for making an Advance Statement but it is a good idea to write your name, date of birth and address on the document and also sign and date it. Including your personal information and signature helps to confirm that it is your wishes that are written down.

You should keep a copy for yourself and also give a copy to anyone involved in your care, as well as your loved ones.

**How can we help?**

- Compassion in Dying can send you a free Advance Decision form
- We provide information and support to make an Advance Decision or Lasting Power of Attorney for Health and Welfare
- We provide a free and comprehensive guide to *Your Rights at the End of Life*
- The following Compassion in Dying factsheets may be helpful:
  - *Understanding Advance Decisions – England and Wales*
  - *Understanding Lasting Powers of Attorney for Health and Welfare – England and Wales*
  - *How are Decisions made for me if I don’t have capacity?*
  - *Advance Care Planning*

If you would like any of the factsheets mentioned here or want information about end-of-life rights more generally please call our free **Information Line on** 0800 999 2434 or visit our website [www.compassionindying.org.uk](http://www.compassionindying.org.uk).