

Second Edition

# Assessment of Mental Capacity

Guidance for Doctors and Lawyers

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## Assessment of Mental Capacity 2nd Ed

### Guidance for Doctors and Lawyers

The law assumes that adults have the mental capacity to make their own decisions. When individuals lose their decision-making ability, steps must be taken to ensure that their rights are safeguarded, and their wishes are given proper weight. This book deals with the key roles doctors and lawyers play in this process.

Dilemmas arise when there is doubt about the extent of an individual's capacity, and frequently people have the mental ability to make some decisions but not others. Assessing an individual's capacity to make specified decisions can be difficult, particularly if the professionals involved use different terminology or standards for assessment. Effective communication between doctors, lawyers and the person being assessed is vital.

This book has been drawn up jointly by the British Medical Association and the Law Society, and will prove an invaluable guide for health and legal professionals, carers and all those involved in looking after people with suspected mental impairment. The second edition of this popular book has been updated to take account of changes in the law and professional guidance, including:

- Legal changes since 1995 • Changes in civil litigation and other court procedures • New chapter of key professional and ethical issues in both medical and legal practice • Recent government and professional guidance on related matters • Proposals for law reform.

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