5. Incapacity I: Adults

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All books in this flagship series contain carefully selected substantial extracts from key cases, legislation, and academic debate, providing students with a stand-alone resource. This chapter examines cases when a patient is unable to give consent to medical treatment, and considers: the consent requirement under criminal law and civil law; the form that consent should take; and the principle of autonomy. It discusses how the law treats patients who lack capacity or whose capacity is in doubt. It offers detailed analysis of the Mental Capacity Act 2005 and recent Court of Protection decisions. It also covers cases involving the withdrawal of life-prolonging treatment from patients who lack capacity.

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