

T105

Mental Capacity Bill

[Mr Kramer says (letter 3 September 2004) that the Mental Capacity Bill protects our right to personal autonomy and choice and gives assurance that our wishes will be respected when we are no longer able to make decisions for ourselves. This is a delusion.]

Clause 24 of the Bill enables a person to stipulate that if at any time in the future he lacks capacity to consent to specified treatment the treatment is not to be carried out. This is a hopeless attempt to empower people to rule the future at a time when they are not capable of doing so.

No one can tell what their circumstances will be years ahead. No one can know what decision they would take about medical treatment at some future date because they cannot know what all the circumstances will be.

It would be far better to do what humans have always done, and trust the doctors to take care of them when they can no longer take care of themselves.

This is a dangerous Bill, because it is one more blow at the ethics and autonomy of the medical profession. The people who suffer when that is undermined are the patients.¹

2004.024

The Times, 8 Sep 2004

© F A R Bennion 2004

www.francisbennion.com

¹ *The Times*, 8 September 2004. (Passage in square brackets omitted from published letter.)