

Medical treatment masterclass

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Vikram Sachdeva QC

Dr Chris Danbury

Tor Butler-Cole

Topics

- Do you have to go to court?
 - What is happening with PD9E?
 - Preparing cases
 - Evidence
 - Procedural issues
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- Can you avoid going to court using mediation?
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- Questions/issues from audience

Do you have to go to court?

- Current PD9E and MCA Code of Practice
 - PVS
 - MCS
 - Other serious medical treatment decisions
 - ADRTs
 - LPAs
- *Burke v GMC*; Journal of Medical Ethics articles
- Proposed changes to PD9E – consultation and public meeting 17 July

Preparing cases

- Timing and delay – *Re S*
- Diagnosis
- Prognosis and best case scenario – *Re Briggs*
- Alternative therapy cases
- Deprivation of liberty
- Avoiding out-of-hours applications
- Approach if out-of-hours applications are unavoidable

Evidence

- Family and friends
- Treating doctors
- Second opinions
- Video evidence
- Visits to P by judge

- Dealing with uncertainty
- Decisions by people with capacity in similar circumstances

- Palliative care plans

Procedural issues

- s21A applications
- family members as litigation friends
- application of RCP guidelines in PDOC cases
 - do they apply to degenerative conditions?
 - do they apply prior to 6 months/1 year?
 - do ‘old’ cases require admission to specialist units?
- new transparency rules and orders