



## Increase in mental capacity inquiries, but Jersey law reforms will make a difference

News - 12/09/2016

Islanders will be able to plan for their physical care and well-being in the future under a new law slated for 2018.

The new Capacity and Self-Determination Law will do a better job of protecting vulnerable people from financial abuse, and will also let them make legally-binding choices about what should happen if they start to lose their capacity to make informed decisions.

Although mental capacity issues tend to be thought of as being linked only to age, a variety of factors - some temporary and some permanent - can have an impact on a person's ability to make decisions. They include addiction, mental illness, mental health and physical conditions such as brain tumours.

Jonathan Hughes, a partner at Ogier, says that there have been an increasing number of enquiries to the firm regarding mental capacity. He said: "We're getting more and more enquiries about this. People have seen situations where others have lost capacity and issues have arisen as a result. The new law should make a lot of difference, allowing people to plan ahead for their physical care and wellbeing as well as their assets."

First published in the [latest edition of Business Life Global](#) magazine.

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