

Consent to Medical Treatment



- Medical Treatment cannot be provided without consent.
- Parents and guardians can give consent for children (under 16 years old).
- If you are over 16 years old and can make your own decisions, then you can consent to your own medical treatment.

If you cannot give your own consent:

- A doctor can get consent from someone you have a close relationship with, known as a Person Responsible.
- This could be a guardian, substitute decision-maker, relative, friend, or day-to-day care provider, **who knows you well**.

A Person Responsible can:

- Make decisions about care, services, procedures, and treatment, given by health practitioners.
- Make decisions about end-of-life treatment.
- Refuse to give consent for medical treatment.

A Person Responsible should:

- Ask for information about the benefits and risks of any treatment.
- Understand the benefits and risks of refusing treatment.
- Try to make the decision that you would have made for yourself.

A Person Responsible can NOT:

- Consent to sterilisation, termination of pregnancy, Electroconvulsive Therapy (ECT), and psychosurgery. These are called Prescribed Treatment and consent can only be given by the South Australian Civil and Administrative Tribunal (SACAT).
- Insist that a doctor continue treatment where there is no real possibility of recovery.

If there is no Person Responsible who can give consent:

- SACAT can give consent for once-off treatment.
- SACAT can appoint a guardian to make health decisions.
- Two doctors can give consent together for emergency, life-saving treatment.

For more information about making an application to SACAT, please see our “Applying to SACAT” Fact Sheet.