



What is valid consent?

This outlines what constitutes valid consent in the light of the 2015 Supreme Court judgement on the Montgomery case¹, which, effectively, changed the law on consent.

There is a wide variety of information available which helps to explain the significance of this case.

The following are both good overviews:

This looks at the Montgomery case from an osteopathic perspective:

<https://www.goodclinicalpractice.co.uk/2016/06/the-law-on-consent-changed-whats-changed/>

This is the General Medical Council overview on the topic, which contains links to further resources: <http://www.gmc-uk.org/guidance/27164.asp>

As a CPD activity, it would be useful in group sessions to consider the impact of the Montgomery case, and contextualise this in terms of osteopathic practice.

Consent guidance

For consent to be validated, it must be given voluntarily, and by an appropriately informed person with the capacity to do so. This guidance, which is supplemental to the *Osteopathic Practice Standards*, explains the law in the different UK countries as it relates to:

- examining and treating adults who may not have the capacity to consent;
- receiving consent for the examination or treatment of young people and children.

Other resources

A range of Elsevier journals can be accessed by the o zone at www.osteopathy.org.uk (*News and Resources > Research > Research journals*.) These can be a useful basis for discussions and group sessions with colleagues, enabling participants to evaluate and consider the research in the light of their own experience. As a starting point, use 'communication' and/or 'consent' in the search tool to identify relevant articles.

¹ https://www.supremecourt.uk/decided-cases/docs/UKSC_2013_0136_Judgment.pdf