Reviewer’s report

Title: Depression and Decision-making Capacity for Treatment and Research: A Systematic Review

Version: 2 Date: 26 June 2013

Reviewer: SY Kim

Reviewer’s report:

Major compulsory revision: This MS is much improved. The authors have either made changes or have thoughtfully responded to the comments.

Minor essential revisions:

1. The title and the abstract do not give an indication of the fact that the concept of appreciation is a major focus of this paper. Would mention it in title, or perhaps better, in the abstract, or both.

2. In the first section in their exposition of four abilities model, the assertion that loss of any of the four abilities is sufficient to make someone unable to make autonomous decisions is not exactly true. Grisso/Appelbaum note that reasoning is not used as sole basis for incapacity by courts (see Berg et al 1996); also, they note that loss of appreciation in some states do not constitute incapacity (see their 1998 book).

Discretionary:

1. In regard to their Discussion section, I wonder if both Halpern’s and Sullivan/Younger views can also be interpreted to address lack of appreciation of future possibilities, not just Meynen’s views.

Level of interest: An article of importance in its field

Quality of written English: Acceptable

Declaration of competing interests:

: I receive royalty income from Oxford U Press for my book on decision-making capacity (Evaluation of Capacity to Consent to Treatment and Research, OUP, 2010).