Reviewer’s report

Title: DYING TOO SOON OR LIVING TOO LONG? WITHDRAWING TREATMENT FROM PATIENTS WITH PROLONGED DISORDERS OF CONSCIOUSNESS AFTER RE Y

Version: 0 Date: 04 Sep 2019

Reviewer: Jo Samanta

Reviewer's report:

Thank you for asking me to review this interesting and very timely piece on Re Y. The article flags important, possibly unintended, potential consequences of the Supreme Court ruling. It is well written, persuasively argued and underpinned by relevant authorities. As such it represents a welcome addition to the literature. While it draws heavily on the Kitzingers' excellent and relevant work, this point is addressed and justified appropriately. The author uses this empirical evidence to advance and support the position being made very effectively. The concluding comments that call for patient specific decision making is a useful one.

A few minor points to consider:
Page 3 Line 26: "Where neither exists decisions must be made in the 'best interests' of the incapacitated… Perhaps this could be clarified? For example, if an attorney has been appointed, the standard for decision making will still be that of best interests (in line with s.4 and see s.4(7)(c)).
Page 5 Line 9: VS is used presumably as an abbreviation to 'vegetative state'?

Page 11 Line 20: "… including an inhibiting effect on research that might benefit these patients." This is an interesting point and I wondered (subject to word count etc.) whether it could be developed (briefly?). I was left wondered whether this was for research that would benefit that particular patient, or perhaps the cohort.

Are the methods appropriate and well described?
If not, please specify what is required in your comments to the authors.

Yes

Does the work include the necessary controls?
If not, please specify which controls are required in your comments to the authors.

Unable to assess

Are the conclusions drawn adequately supported by the data shown?
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Yes
Are you able to assess any statistics in the manuscript or would you recommend an additional statistical review?
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Not relevant to this manuscript

Quality of written English
Please indicate the quality of language in the manuscript:

Acceptable

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