

# Wider implication of SC's judgment

24 November 2021

Parishil Patel QC

# Established/non-controversial observations

- Cardinal principles s.1 MCA
- MCA - Functional approach to capacity
- Section 2(1) test, two questions

# More controversial

- Formulation of the "matter"
- Identification of information relevant to decision/reasonably foreseeable consequences for P (and others?)

# Most controversial

- Rejection of the submission that the purpose of the MCA is solely confined to the protection of P

# Questions