



Welcome to the April 2022 Mental Capacity Report. Highlights this month include:

(1) In the Health, Welfare and Deprivation of Liberty Report: Draft MCA and LPS Code published; capacity to terminate a pregnancy; the (limited) role of the Inherent Jurisdiction; and is an application needed in all vaccine disputes?

(2) In the Property and Affairs Report: the Court of Appeal weighs in on testamentary capacity, and the evidence used to prove it; and an invitation to the pilot for digital submission of property and affairs cases

(3) In the Practice and Procedure Report: reporting restrictions; the role of COP in MHA discharge planning; costs; and notable conferences on capacity;

(4) In the Wider Context Report: the impact of s.49 reports on mental health professionals; Article 2 and 3 damages claim; the *M'Naghten* test considered; and is having a deputy an Article 14 'status'?

(5) In the Scotland Report: Guardians' remuneration; open justice or anonymisation; and still time to contribute to the Scott Review or sign up to the World Congress on Adult Capacity in Edinburgh;

You can find our past issues, our case summaries, and more on our dedicated sub-site [here](#), where you can also find updated versions of both our capacity and best interests guides.

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The picture at the top, "Colourful," is by Geoffrey Files, a young man with autism. We are very grateful to him and his family for permission to use his artwork.

Contents

Reporting Restrictions.....	2
The MCA/MHA interface: what role should the COP have in discharge planning for those detained under s.3 MHA 1983?.....	2
Costly decisions	4
Litigation capacity in non-P parties	5
Conferences: The Judging Values and Participation in Mental Capacity Law Conference (20 June 2022)	6
Conferences: 7th World Congress on Adult Capacity 7-9 June 2022	6

Reporting Restrictions

LF v A NHS Trust, G and M CCG [2022] EWCOP 8 (Hayden J)

Media – Anonymity

Summary

In December 2021, Hayden J delivered a judgment about the best interests of a 27-year-old woman who had spent the bulk of her life in hospital. The court decided it was in her best interests to be discharged to a residential placement, in the hope that she might in due course be able to live at home with her parents. G’s parents did not accept the court’s judgment, but permission to appeal was refused.

G’s parents then attempted to launch a media campaign to raise funds to care for G at home (even though the court’s decision was not based on financial considerations). They sought the lifting of reporting restrictions which had been in place since August 2017 to facilitate this campaign.

Hayden J refused their application, finding that removing the order requiring G to anonymised in connection with the Court of Protection

proceedings would jeopardise the success of the residential placement. G’s father was attempting to “pursue, in the public domain, an outcome which has been assessed as contrary to his daughter’s interests”.^[25] While it was possible that in the future “a crowd funding initiative, based on wider awareness of the facts, might become an entirely justifiable objective in circumstances where there was a genuine funding issue”^[27] that was not the case at present.

Comment

This case is a useful illustration of the court’s approach to attempts to remove reporting restrictions in order to further a campaign or crowd-funding exercise which is not based on an accurate report of legal proceedings or available options.

The MCA/MHA interface: what role should the COP have in discharge planning for those detained under s.3 MHA 1983?

PH v A Clinical Commissioning Group & Anor (Dismissal of proceedings) [2022] EWCOP 12 (14 March 2022): (HHJ Burrows)

Practice and Procedure (Court of Protection) – MCA Tools

*Mental Health Act 1983 – Interface with the MCA***Summary**

HHJ Burrows refused to allow proceedings to continue where P was detained under the MHA and his discharge was “not imminent, even on his own case” [23].

The application in this case was made by PH’s mother. It is one of a growing number of cases brought regarding patients with ASD and learning disabilities detained under s.3 Mental Health Act 1983 concerning an individual who all parties agree is not placed in “the right place” to meet their needs – see for example *PH & RH v Brighton and Hove City Council* [2021] EWCOP 63.

HHJ Burrows acknowledged the role played by Court of Protection proceedings and that the use of the MCA and the COP becomes more relevant as a detained patient moves towards a discharge where there will be a need for orders from that Court to enable discharge to take effect. [20] He noted:

18. The interaction between the Mental Capacity Act (MCA)/ Court of Protection and the MHA is a difficult area of law. The MHA is mainly concerned with the detention and treatment of mentally disordered patients in hospital. In respect of those patients, the MCA largely defers to the MHA. This is explicitly so in s.28 of the MCA and Schedule 1A. Indeed, once a patient is detained under the MHA, decisions about medical treatment for mental disorder including the manifestations of the mental disorder are, for all intents and purposes outside the reach of the MCA/COP.

19. The position is different once a MHA patient who lacks the relevant capacity is discharged into the community and made subject to one of the community orders under that Act: a community treatment order (CTO)(s. 17A MHA), guardianship (s. 7 MHA) or (in the case of a restricted

patient) by way of a conditional discharge. Then the two regimes may have to work together. This is particularly so where the patient is subject to restrictions that amount to a deprivation of his liberty—something the MHA cannot authorise, save in the Court of Protection approved Judgment: No permission is granted to copy or use in court PH v A CCG & A City Council Page 7 very limited circumstances of a condition attached to leave of absence (s. 17(3) MHA).

In PH’s case, however, plans were in progress to construct an appropriate placement within the hospital where he was detained and s.117 Mental Health Act 1983. Aftercare planning was progressing with a view to moving PH into the community at some point in the future. This future remained distant at the time of the application, however:

*20. The use of the MCA and COP becomes relevant where the detained patient is moving towards a discharge where there will be a need for orders from that Court to enable discharge to take effect. There is a rich and complex jurisprudence in this area. There are COP decisions dealing with conditionally discharged patients living in the community under MCA Orders: see for instance *Birmingham City Council v SR, Lancashire County Council v JTA* [2019] EWCOP 28 (Lieven, J.). Then there is the relationship between standard authorisations and guardianship: see *C (by his litigation friend, the OS) v A Borough Council* [2012] COPLR 350 (Peter Jackson, J.). Finally, the Birmingham case confirms the decision of the Upper Tribunal in *DN v Northumberland, Tyne and Wear NHS Foundation Trust* [2011] UKUT 327 (UTJ Jacobs) and in *AM v South London & Maudsley NHS Foundation Trust* [2013] COPLR 510 (Charles, J.) namely that there is nothing wrong in principle for the COP to make best interests declarations, and to authorise deprivation of liberty where P is*

detained under the MHA, but where the COP order will take effect only at the point of his discharge- that order indeed enabling the discharge to take effect.

21. Consequently, and as agreed by all counsel, in this case: a) There is no jurisdictional bar to this Court making orders of the type sought for Peter. b) It is, however, a matter of case management.

22. There is no doubt that in many cases the involvement of the COP is essential where a patient under the MHA is approaching discharge, as I have suggested above. The previous Vice President, who was also the President of the Upper Tribunal dealing with appeals from the First-tier Tribunal, Mr Justice Charles grappled with these procedural issues in a number of cases, most notably in *Secretary of State for Justice v KC & C Partnership NHS Foundation Trust* [2015] UKUT 376 (AAC).

23. However, Peter is still detained in a hospital under the MHA. His discharge from that regime is not imminent, even on his own case. The role of the Court in this case would be as some form of observer, with a view to becoming actively involved in the future. But that future is not as close as was envisaged by Charles, J in the KC case. The COP's involvement is somewhat down the line, and it will depend on the speed with which the CCG and the LA are able to discharge their s.117 duties.

In such circumstances, the ongoing involvement of the Court of Protection was not in keeping with the overriding objective:

24. I am unable to see how this Court has any useful and proper function in this process at this stage. Overseeing the statutory bodies in the discharge of their duties by the periodic ordering of statements, assessments and reports is a very costly and inefficient way of

proceeding. That is from the viewpoint of those statutory bodies. However, it is equally so from the Court's point of view. I must look at this from the perspective of the overriding objective in COPR 2017 r.1.1. The proceedings at this stage will be expensive and lengthy. They will not be considering decisions that Peter would be making if he had the capacity to do so until there is a discharge plan readily available to be chosen and approved. In those circumstances, allotting any of the Court's time to the application at the moment is inappropriate.

Comment

While it is unquestionably correct that the COP's role in discharge-planning must be limited where patients remain under the auspices of the MHA, the glacial pace with which discharge planning often proceeds is a well-known source of frustration for patients and practitioners alike. This case serves to illustrate that the scope of the Court of Protection's power must be carefully considered in applications where the person remains detained under the MHA – and specifically, what practical purpose a COP application actually serves to a person with no foreseeable prospect of leaving hospital.

Costly decisions

A Local Authority v ST (Costs application) [2022] EWCOP 11 (14 March 2022): (HHJ Burrows)

Costs

Summary

A Local Authority v ST [2022] EWCOP 11 acts as a helpful reminder to local authorities and public bodies of the importance of complying with directions and making appropriate concessions in good time.

The case concerned 'Sarah', an 18 year old with autism/ADHD who reached a crisis point just before Christmas 2021, precipitating an urgent

application to court from the local authority. The Official Solicitor accepted the invitation to act as her litigation friend.

As matters progressed, the local authority raised concerns about Sarah's use of social media, fearing that she might make contact with people who wished her harm. The local authority proposed significant restrictions. The OS raised two concerns: there was no evidence in relation to Sarah's capacity to use social media, and the restrictions proposed were in any event unnecessary and disproportionate.

Directions were made for the filing of capacity evidence, and evidence in relation to ST's current use of the internet. The capacity assessment found that ST was able to understand and retain relevant information, and could *'weigh some of the pro's and con's [sic] but she cannot weigh the risks to the extent that would keep her safe'*. [16] Her social worker's statement (filed slightly late) recorded that she was currently using the internet but there were no inappropriate posts.

The court found that by the time this evidence was filed, it should therefore have been clear that neither the capacity nor best interests evidence was compelling.

The evidence was filed on a Friday, with the local authority's position statement due by close of business on the Monday and the Official Solicitor's on the Tuesday, for a hearing on the Thursday. The local authority not having filed a position statement (or bundle) in accordance with the timetable, the Official Solicitor filed one raising the issue of costs. The local authority then instructed counsel and filed a position statement conceding the issue the day before the hearing. The hearing was therefore not effective.

The court was at pains to emphasise that the original application was properly brought, and there was no question of bad faith on the part of the local authority. However, given that the hearing was specifically to deal with the social media issue, and the Official Solicitor had made

her position clear from the start, it was incumbent on the local authority to ensure it complied with the court's directions and kept the strength of its case under proper review.

It should have been clear from the time the evidence was filed that it was highly unlikely the court would find Sarah lacked capacity to make decisions regarding the use social media, or even if it had, to have approved the proposed restrictions. Had the local authority complied with the timetable, this would have been identified and raised in good enough time to avoid the hearing.

The local authority was therefore ordered to pay 85% of the Official Solicitor's costs of the ineffective hearing.

Litigation capacity in non-P parties

Re GA [2021] EWCOP 67 (01 July 2021): (Sir Jonathan Cohen)

Mental capacity – litigation

Summary

An interesting illustration of a situation which many practitioners will be familiar with – what is the correct approach for the court to take when a party who is not P appears themselves to lack capacity to conduct the litigation?

In *A Local Authority v GA & others* [2021] EWCOP 67, the situation arose in an unusual fashion. P's son, TA, had previously represented himself. He went on to instruct solicitors, and those solicitors wrote to the court outlining their concerns about whether their client lacked capacity to litigate. This was strongly disputed by TA and due to legal privilege the exact basis for the solicitors concerns could not be put before the court.

Sir Jonathan Cohen noted, however, that some concerns had been identified by the independent social worker previously instructed, and that TA had expressed strongly held and somewhat

unusual views. Recognising that it was quite possible the outcome would be that TA held such views but had and always had had capacity to conduct the litigation, the judge nonetheless ordered a capacity assessment to be conducted by a psychiatrist. This included directions for TA's medical records to be made available (which TA had resisted) and apportioned the cost of such a report to TA's legal aid certificate.

Conferences: The Judging Values and Participation in Mental Capacity Law Conference (20 June 2022)

The Judging Values in Participation and Mental Capacity Law Project conference will be held at the British Academy (10-11 Carlton House Terrace, London SW1Y 5AH), on Monday 20th June 2022 between 9.00am-5.30pm.

Is there something unique about being a lawyer or judge in the Court of Protection (CoP)? Could this uniqueness have something to do with the values that CoP professionals have? This conference will look at these questions, as well as key practical challenges for lawyers, participants, and decision-makers who are charged with applying the Mental Capacity Act 2005 in England and Wales. Drawing on the academic research conducted through the Judging Values and Participation in Mental Capacity Law project (including close to 60 in-depth interviews with CoP practitioners and retired judges), issues to be explored include:

- How values orient legal professionals in practising and judging in the CoP;
- The law and reality of considering P's values in best interests decision-making;
- The challenges of effective participation in the CoP and why "P-centricity" is so hard to achieve in practice;

- How academic research and legal practice in the CoP can mutually and productively inform one another;
- Potential areas for training for CoP legal professionals;
- What might be learned from other international mental capacity regimes.

The conference fee is £25 and a buffet lunch and refreshments will be provided. The conference will be followed by a drinks reception.

As well as presentations by the Judging Values project team, distinguished panel speakers include: Former President of the Supreme Court Baroness Brenda Hale of Richmond, Former High Court Judge Sir Mark Hedley, Former Senior Judge of the Court of Protection Denzil Lush, Former District Judge of the Court of Protection Margaret Glentworth, Victoria Butler-Cole QC (39 Essex Chambers), and Alex Ruck Keene (39 Essex Chambers, King's College London).

The day will feature plenary sessions as well as break-out thematic discussions that will both inform and facilitate the reflections of conference participants. The event is well suited to contribute to ongoing CPD requirements for both solicitors and barristers, and will be of interest to academics of mental capacity law.

If you would like to attend, please register on the events page [here](#) by 1 June 2022. If you have any queries please contact the Project Lead, Dr Camillia Kong: camillia.kong@bbk.ac.uk

Conferences: 7th World Congress on Adult Capacity 7-9 June 2022

Against the odds, preparations and involvements from across the world are moving strongly forward to assure the success of the 7th World Congress on Adult Capacity in Edinburgh International Conference Centre on 7th–9th June

2022. Speakers from 29 countries across five continents (at latest count) have committed to attend personally (subject to any remaining controls affecting their individual journeys) to contribute to plenary and parallel sessions of the Congress. For Scotland and the UK, it will combine major involvement of Scotland's law reform process, led by the Scott Review Team, and eminent contributions from across the UK, with a once-in-a-lifetime worldwide perspective, with both contributions and interactions from far and wide. The event has by now been allocated to every inhabited continent except Africa, but this will be only the second time in Europe. The event is a must for everyone with an interest in mental capacity/incapacity and related topics, from a wide range of angles and backgrounds, including people with mental and intellectual disabilities themselves, and their families and carers; professionals, legislators, administrators, providers of care, support and advocacy services, and others. The event will provide:

- a focus for developments of human rights-driven provision for people with mental and intellectual disabilities,
- a powerful springboard for future research, reform and practical delivery,
- an opportunity to share and discuss worldwide practical experience and initiatives across the huge range and variety of relevant disabilities, in many cultural settings,
- as the first Congress since the start of the pandemic (the 2020 event having been postponed until 2024), a unique opportunity to consider the impact of the pandemic on human rights across the world,
- for professionals and workers in all relevant disciplines and services, an essential understanding of the rapidly evolving practicalities, possibilities and expectations that now set the standards of best practice, and
- in particular for practising lawyers and other professionals, an enhanced understanding of

current law, its proper interpretation, and forthcoming developments.

Certificates for CPD purposes will be provided to all who request them.

Amid the difficulties and threats of the pandemic and now war, but with excellent support and best advice, the organising committee opted for a live, in-person event, to a huge welcome from intending participants weary of life by online communications and platforms – helpful though they have all been in the absence of alternatives. Despite the difficulties, the organising committee has also been able to ensure financial viability through any uncertainties that may remain, with hugely valued support from both Scottish and UK Governments, and others, led by the Law Society of Scotland, and including supporters such as the National Guardianship Association of the United States, and with more promised in the pipeline, all to be duly acknowledged in the near future. Further such support continues to be welcome, from any who still wish to commit to contributing to the success of the event.

In terms of the programme, well over 100 abstract submissions (several of them multiple submissions by teams) from across the globe, each to be presented personally at the Congress, and all of a high standard, have been rigorously reviewed and accepted. The line-ups for the plenary sessions now appear to be largely settled, though with some potential contributors still to be confirmed. At time of going to press, the confirmed elements in the plenary sessions are as follows:

PLENARY 1: CONGRESS OPENING, ADULT CAPACITY – THE PRESENT AND FUTURE

CONGRESS OPENING AND WELCOME – Adrian Ward, President, WCAC 2022

SESSION CHAIR – Lord Jim Wallace of Tankerness, Member of House of Lords (attending in A Private Capacity)

SPEAKERS

Kevin Stewart MSP
Her Honour Judge Carolyn Hilder, Senior Judge of the Court of Protection
Prof Dr Makoto Arai, Chuo University, and founder of the World Congress series, President of WCAG 2010
Prof Jonas Ruskus, Vice Chair of the CRPD Committee

PLENARY 2: LAW REFORM – BALANCING PROTECTIONS AND FREEDOMS

SESSION CHAIR – Adrian Ward, President, WCAC 2022

SPEAKERS

John Scott QC, Chair, Scottish Mental Health Law Review
Prof Volker Lipp, Full Professor of Law, University of Göttingen, and President of WCAG 2016
Prof Gerard Quinn, UN Special Rapporteur on the Rights of Persons with Disabilities
Ray Fallan, Network Growth and Development Officer, tide

PLENARY 3: SUPPORTED DECISION-MAKING

SESSION CHAIR – Prof Jill Stavert, Chair, WCAC 2022 Academic Programme Committee

SPEAKERS

Aine Flynn, Director of the Decision Support Service
Prof Israel Doron, Dean – Faculty of Social Welfare and Health Sciences, University of Haifa
Dr Michael Bach, Director, Canadian Centre for Diversity and Inclusion

PLENARY 4: WCAC 2022 AND BEYOND

SESSION CHAIR – John Scott QC, Chair, Scottish Mental Health Law Review

SPEAKERS

Prof Wayne Martin, Director, The Autonomy Project, University of Essex
Mary-Frances Morris, Alzheimer
Adrian Ward, President of WCAC 2022
Prof Dr Isolina Dabove, Main Researcher and Professor, National Scientific and Technical Research Council – Argentina and President of WCAC 2024

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Victoria regularly appears in the Court of Protection, instructed by the Official Solicitor, family members, and statutory bodies, in welfare, financial and medical cases. Together with Alex, she co-edits the Court of Protection Law Reports for Jordans. She is a contributor to 'Assessment of Mental Capacity' (Law Society/BMA), and a contributor to Heywood and Massey Court of Protection Practice (Sweet and Maxwell). To view full CV click [here](#).

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Neil has particular interests in ECHR/CRPD human rights, mental health and incapacity law and mainly practises in the Court of Protection and Upper Tribunal. Also a Senior Lecturer at Manchester University and Clinical Lead of its Legal Advice Centre, he teaches students in these fields, and trains health, social care and legal professionals. When time permits, Neil publishes in academic books and journals and created the website www.lpslaw.co.uk. To view full CV click [here](#).

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Nicola appears regularly in the Court of Protection in health and welfare matters. She is frequently instructed by the Official Solicitor as well as by local authorities, CCGs and care homes. She is a contributor to the 5th edition of the *Assessment of Mental Capacity: A Practical Guide for Doctors and Lawyers* (BMA/Law Society 2019). To view full CV click [here](#).

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Katie advises and represents clients in all things health related, from personal injury and clinical negligence, to community care, mental health and healthcare regulation. The main focus of her practice however is in the Court of Protection where she has a particular interest in the health and welfare of incapacitated adults. She is also a qualified mediator, mediating legal and community disputes. To view full CV click [here](#).

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Steph regularly appears in the Court of Protection in health and welfare matters. She has acted for individual family members, the Official Solicitor, Clinical Commissioning Groups and local authorities. She has a broad practice in public and private law, with a particular interest in health and human rights issues. She appeared in the Supreme Court in *PJ v Welsh Ministers* [2019] 2 WLR 82 as to whether the power to impose conditions on a CTO can include a deprivation of liberty. To view full CV click [here](#).

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Arianna has a specialist practice in mental capacity, community care, mental health law and inquests. Arianna acts in a range of Court of Protection matters including welfare, property and affairs, serious medical treatment and in matters relating to the inherent jurisdiction of the High Court. Arianna works extensively in the field of community care. To view a full CV, click [here](#).



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Nyasha has a practice across public and private law, has appeared in the Court of Protection and has a particular interest in health and human rights issues. To view a full CV, click [here](#).

**Simon Edwards: simon.edwards@39essex.com**

Simon has wide experience of private client work raising capacity issues, including *Day v Harris & Ors* [2013] 3 WLR 1560, centred on the question whether Sir Malcolm Arnold had given manuscripts of his compositions to his children when in a desperate state or later when he was a patient of the Court of Protection. He has also acted in many cases where deputies or attorneys have misused P's assets. To view full CV click [here](#).



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Adrian is a recognised national and international expert in adult incapacity law. He has been continuously involved in law reform processes. His books include the current standard Scottish texts on the subject. His awards include an MBE for services to the mentally handicapped in Scotland; honorary membership of the Law Society of Scotland; national awards for legal journalism, legal charitable work and legal scholarship; and the lifetime achievement award at the 2014 Scottish Legal Awards.

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Jill Stavert is Professor of Law, Director of the Centre for Mental Health and Capacity Law and Director of Research, The Business School, Edinburgh Napier University. Jill is also a member of the Law Society for Scotland's Mental Health and Disability Sub-Committee. She has undertaken work for the Mental Welfare Commission for Scotland (including its 2015 updated guidance on Deprivation of Liberty). To view full CV click [here](#).



Conferences

Members of the Court of Protection team are regularly presenting at webinars arranged both by Chambers and by others.

Centre for Health, Law, and Society Symposium: Redrawing the Boundaries of Mental Health and Capacity Law The University of Bristol Law School is holding an online conference on **Wednesday, 9 March from 2:00-5:00PM**.

The online event will be split into three sessions, and include Dr Camillia Kong as keynote speaker, and a response from Dr Lucy Series. The link to the event is [here](https://www.bristol.ac.uk/law/events/2022/chls-symposium-2022.html) and registration is via eventbrite:

<https://www.bristol.ac.uk/law/events/2022/chls-symposium-2022.html>

UK Mental Health Act reform: Can it deliver racial justice and ensure the rights and wellbeing of people with mental health problems? A free conference is being held online on 9 March, co-hosted by Race on the Agenda and Mind, the title being: For more details, and to register, see [here](#).

7th World Congress on Adult Capacity, Edinburgh International Conference Centre [EICC], 7-9 June 2022 The world is coming to Edinburgh – for this live, in-person, event. A must for everyone throughout the British Isles with an interest in mental capacity/incapacity and related topics, from a wide range of angles; with live contributions from leading experts from 29 countries across five continents, including many UK leaders in the field. For details as they develop, go to www.wcac2022.org. Of particular interest is likely to be the section on “Programme”: including scrolling down from “Programme” to click on “Plenary Sessions” to see all of those who so far have committed to speak at those sessions. To avoid disappointment, register now at “Registration”. An early bird price is available until 11th April 2022.

The Judging Values and Participation in Mental Capacity Law Conference

The *Judging Values in Participation and Mental Capacity Law* Project conference will be held at the [British Academy](#) (10-11 Carlton House Terrace, London SW1Y 5AH), on **Monday 20th June 2022 between 9.00am-5.30pm**. It will feature panel speakers including Former President of the Supreme Court Baroness Brenda Hale of Richmond, Former High Court Judge Sir Mark Hedley, Former Senior Judge of the Court of Protection Denzil Lush, Former District Judge of the Court of Protection Margaret Glentworth, Victoria Butler-Cole QC (39 Essex Chambers), and Alex Ruck Keene (39 Essex Chambers, King’s College London). The conference fee is £25 (including lunch and a reception). If you would like to attend please register on our events page [here](#) by 1 June 2022. If you have any queries please contact the Project Lead, Dr Camillia Kong: camillia.kong@bbk.ac.uk.

Conferences (continued)

Pregnancy, Childbirth and the Mental Capacity Act: 4 May 2022

Ian Brownhill will be offering a course through Edge Training to assist delegates to navigate the challenging landscape of mental capacity law in the field of obstetrics. Delegates will cover the basics of the Mental Capacity Act and how the law should be applied in relation to specific decisions such as caesarean sections and birth plans. Related areas will also be covered such as contraception and termination of pregnancies. There will be particular consideration of those detained under the Mental Health Act and guidance on when to apply to the Court of Protection. To register, click [here](#).

Essex Autonomy Project Summer School 2022

Early Registration for the 2022 Autonomy Summer School (*Social Care and Human Rights*), to be held between 27 and 29 July 2022, closes on 20 April. To register, visit the [Summer School page](#) on the Autonomy Project website and follow the registration link.

Programme Update:

The programme for the Summer School is now beginning to come together. As well as three distinguished keynote speakers (Michael BACH, Peter BERESFORD and Victoria JOFFE), Wayne Martin and his team will be joined by a number of friends of the Autonomy Project who are directly involved in developing and delivering policy to advance human rights in care settings. These include (affiliations for identification purposes only):

- > Arun CHOPRA, Medical Director, Mental Welfare Commission for Scotland
- > Karen CHUMBLEY, Clinical Lead for End-of-Life Care, Suffolk and North-East Essex NHS Integrated Care System
- > Caoimhe GLEESON, Programme Manager, National Office for Human Rights and Equality Policy, Health Service Executive, Republic of Ireland

> Patricia RICKARD-CLARKE, Chair of Safeguarding Ireland, Deputy Chair of Sage Advocacy

Planned Summer School Sessions Include:

- > Speech and Language Therapy as a Human Rights Mechanism
- > Complex Communication: Barriers, Facilitators and Ethical Considerations in Autism, Stroke and TBI
- > Respect for Human Rights in End-of-Life Care Planning
- > Enabling the Dignity of Risk in Everyday Practice
- > Care, Consent and the Limits of Co-Production in Involuntary Settings

The 2022 Summer School will be held once again in person only, on the grounds of the Wivenhoe House Hotel and Conference Centre. The programme is designed to allow ample time for discussion and debate, and for the kind of interdisciplinary collaboration that has been the hallmark of past Autonomy Summer Schools. Questions should be addressed to: autonomy@essex.ac.uk.

Our next edition will be out in May. Please email us with any judgments or other news items which you think should be included. If you do not wish to receive this Report in the future please contact: marketing@39essex.com.

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