

Mental Capacity Act Update

Edition 14 - July 2007



Welcome to Edition 14 of the Mental Capacity Act Newsletter.

What's new?



Information given to Parliament



Information about what the **Court of Protection** and **Office of the Public Guardian (OPG)** will charge for their services was given to Parliament on 19th July 2007.



The rules about the **Court of Protection**, how people can apply to it and how it works were given to Parliament on 4th July 2007.

This update is from the Mental Capacity Implementation Programme whose members are:

Ministry of
JUSTICE

DH Department
of Health



Llywodraeth Cynulliad Cymru
Welsh Assembly Government



public
guardianship
office



Information about how things should be done between now and the time the Act starts were given to Parliament on 4th July 2007. This includes information about **advance decisions**.



The rules about the **Public Guardian Board** were given to Parliament on 21st June 2007.



7 people were chosen to be on the Board, which will check the work of the **Office of the Public Guardian (OPG)**.

Communications and Events

Forms, advice and information



Lasting Power of Attorney and Court of Protection information and forms will be on the Public Guardianship Office website in August 2007. We will have paper copies ready in September 2007.



This will help people to get ready and train for when the Act starts.

The Mental Capacity Act will start fully on 1st October 2007, including:



- setting up the **Office of the Public Guardian**



- the new **Court of Protection**



- **Lasting Power of Attorneys**



- the **Independent Mental Capacity Advocacy (IMCA) Service** in Wales.



These parts of the law started in April 2007:

- the **IMCA** Service in England



- it became against the law to treat someone badly or knowingly not give a person the care they need



- the Code of Practice.

Information



There are some booklets and a leaflet about the law.

You can see these at:



www.guardianship.gov.uk/formsdocuments/publications.htm

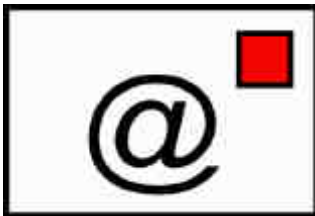


You can get a paper copy of the booklets and leaflet by telephoning:



0238 087 8038

or you can email

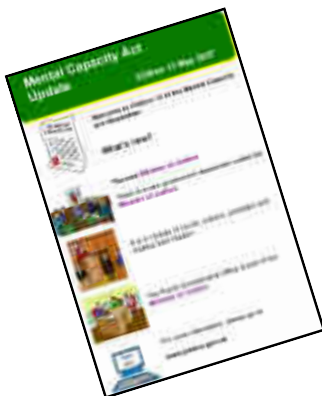


reorder@inprintlitho.com

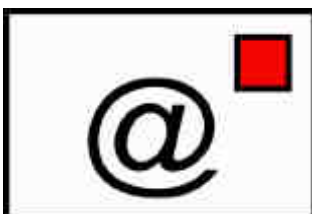
Please send this newsletter onto anyone:



- who is interested in the Mental Capacity Act
- who may be affected by the new law.



If you would like to be sent newsletters in the future by e-mail please e-mail:



mcaupdate@guardianship.gsi.gov.uk

Getting in touch with us for more information

You can write to:



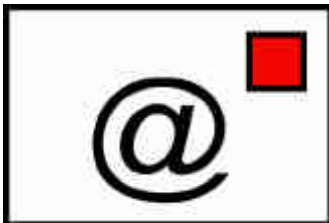
Or telephone at local rate:

0845 330 2900



Or fax:

0870 739 5780



Or e-mail:

MCAUPDATE@guardianship.gsi.gov.uk



Website:

www.guardianship.gov.uk/partnership/mca_about



Website:

www.justice.gov.uk/whatwedo/mentalcapacity.htm

What the words mean

Advance decision

A decision about medical treatment that a person does not want to be given in the future if they cannot make their own decision about the treatment. There are rules for making an **advance decision** so it is a good idea to talk to someone like a doctor, nurse or support worker if you want to make one.

Court of Protection

The new court which deals with everything to do with the Mental Capacity Act. The court decides what is best for people who cannot decide for themselves.

Independent Mental Capacity Advocate (IMCA)

Is a special kind of advocate who will speak up for someone who lacks capacity and who has no one else who can speak for them. An IMCA will only have to be involved when there are decisions about serious medical treatment or about a change in where a person lives.

Lasting Power of Attorney

A power a person can give to another person to make decisions for them about certain things in the future. A person can only do this if they understand what it means. They can also put limits on the power they give to their attorney.

Public Guardian Board

The Board is a group of people who will check the work of the **Office of the Public Guardian**.

Office of the Public Guardian (OPG)

This is a new office set up under the Mental Capacity Act. It will:

- help the Public Guardian and the Court by looking after the paperwork and applications for Lasting Powers of Attorney and deputies
- keep an eye on deputies to make sure they are doing their job properly
- work with groups like the police and social services when they think that somebody may have been abused.

Credits



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