

# Who decides now?

Working together to implement the new Mental Capacity Act

<b>Date:</b>	Monday 12 November 2007
<b>Venue:</b>	Salomons, David Salomons Estate, Tunbridge Wells
<b>Meet:</b>	Richard Brook, The New Public Guardian

## Key themes

Speakers with key responsibilities nationally and regionally will cover:

- the background to the Act
- how to assess capacity
- what is meant by 'best interests'
- what legal mechanisms are set up within the Act
- the interface between the Act and the Safeguarding Adults (Adult Protection) Framework
- ethical issues including matters of life and death
- problems facing carers
- legal remedies
- striking a balance between empowerment and protection.

Organised by:



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Working together to implement the new Mental Capacity Act

## About the conference

**The long awaited Mental Capacity Act comes fully into force in October 2007.**

The Act is to protect people who do not have the capacity to make their own decisions. This may be because of learning disabilities, mental health conditions or problems that come with old age such as Alzheimer's disease. The Act says that everyone should be treated as able to make their own decisions unless they show that they can't. It also states that people should be able to make 'eccentric' or contraventional decisions if they want to. Capacity to make each decision must now be assessed separately and in relation to that particular decision. When a decision is made on behalf of someone else, it must have been considered against a checklist of factors set out by the Act and be in that person's 'best interests'.

This will mean many changes in the day-to-day practice of many people who work with and care for others. Agencies, companies and multi-disciplinary networks, as well as individual professionals, will need to incorporate these changes into their work. This conference has been designed to support and inform everyone who is going to be affected

by the Act. It will look at the new and different responsibilities that people must be aware of; consider the new powers and demands it presents; discuss any problems it may create; and look for gaps in how it is being implemented.

The Act was drawn up after extensive consultation and is a landmark piece of legislation designed both to empower and protect vulnerable people, which aims to improve many people's quality of life. This conference will help you to ensure that you smoothly integrate its principles into your work.

This conference, which is being chaired by Professor Hilary Brown *Professor of Social Care, Canterbury Christ Church University* and Alan Foster *Partner, Rix & Kay Solicitors*, is being hosted by Rix & Kay Solicitors and it will take place at Salomons (Canterbury Christ Church University), a beautiful country mansion between Tonbridge and Tunbridge Wells.

## Who should attend?

**The Act will have far-reaching implications for:**

- carers and relatives
- doctors and nurses in hospital and community settings (including mental health services)
- solicitors, financial advisers and advice workers
- police and professionals involved in the criminal justice system
- social workers, care managers, residential homes managers and people working in day services
- advocates and representatives.

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## About Rix & Kay Solicitors

Rix & Kay Solicitors is one of the South East region's law firms, with 16 partners and more than 100 associates, paralegals and other staff. Committed to providing timely solution to specific needs, Rix & Kay Solicitors provides a complete range of legal services to private and corporate clients through its dedicated specialist departments, including the Catastrophic Injury & Clinical Negligence team, created in 2007. The firm has a national reputation for its work relating to capacity issues, with several of the team acting as professional Receivers. They can advise on the appropriate steps to be taken when a person's capacity fails, and make applications to the Court of Protection for elderly, vulnerable and severely injured clients who require assistance with managing their affairs.

For more details about our teams, and their full range of services, please visit our website at [www.rixandkay.co.uk](http://www.rixandkay.co.uk)

## Programme

9.30am Registration and coffee

9.45am **Welcome and introduction**

Chair: Professor Hilary Brown *Professor of Social Care, Canterbury Christ Church University*

10.00am **An introduction to the Act**

Martin Terrell *Partner, Rix & Kay Solicitors*

10.30am **An overview of the Act's implementation**

Keith Nieland *CSIP lead on the Mental Capacity Act for the South East (invited)*

11.00am Refreshments

11.20am **Assessing capacity under the Act**

Professor Glynis Murphy *Joint Chair of Clinical Psychology and Learning Disability, Tizard Centre, University of Kent and Oxleas NHS Trust*

11.50am **'Best interests' and the ethical issues it gives rise to, including case studies for group discussion**

Sheila Riches *Senior Solicitor, Rix & Kay Solicitors*

12.30pm **Lasting powers of attorney and advance decisions**

Martin Terrell *Partner, Rix & Kay Solicitors*

1.00pm Lunch

1.45pm **Ethical dilemmas and matters of life and death**

James Bogle *Barrister, 10 King's Bench Walk*

2.15pm **Problems facing carers**

Family carer representative

2.45 pm **The roles and responsibilities of local Authorities**

Marion Johnson *Head of Service, Safeguarding Adults, East Sussex County Council*

3.15pm Refreshments

3.30pm **Striking the balance: empowerment and protection, including case studies for group discussion**

Professor Hilary Brown *Professor of Social Care, Canterbury Christ Church University*

4.00pm **The Public Guardian speaks about his new role**

Richard Brook *The Public Guardian, Office of the Public Guardian*

4.30pm **Closing remarks**

Alan Foster *Partner, Rix & Kay Solicitors*

4.40pm Close followed by drinks reception in the conservatory hosted by Rix & Kay

6.00pm Close

## Promotional opportunities

For more information about promotional opportunities at this conference, such as exhibiting and including your promotional materials in the conference delegate packs, please contact:

Graham Hoare Customer Relationships Manager, Pavilion



Tel: 01273 666703



Email: [grahamh@pavpub.com](mailto:grahamh@pavpub.com)

# Who decides now?

**Date:** Monday 12 November 2007

**Venue:** Salomons, David Salomons Estate, Tunbridge Wells

**Brochure code:**

1 2 3 4 5 6 7

Please provide this code when making your booking over the phone

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|   | <input type="checkbox"/> Clinician                    | <input type="checkbox"/> Carer      | <input type="checkbox"/> Other                    |

## Venue

Salomons, David Salomons Estate, Broomhill Road, Southborough, Tunbridge Wells, Kent TN3 0TG  
(a map of the venue will be sent with confirmation of your booking)

## Date

Monday 12 November 2007

## Terms and conditions

### Conference fees

The fee includes lunch, refreshments and conference materials. Please note accommodation is not included.

### Conference papers

Conference papers will be sent out a week after the conference, please fill in the 'Your details' section.

### Group discount

Group discounts are available, please call 0870 890 1080 for more information.

**Free bursaries** for people who use services and unwaged carers are available on application to the address above.

### Confirmation of booking

When booking, please wait for written confirmation before arranging travel.

### Accommodation required?

Contact: [andthekitchensink](mailto:andthekitchensink). Tel: 0845 2255807 or email: [enquiries@andthekitchensink.com](mailto:enquiries@andthekitchensink.com) and quote 'Pavilion'.

### Cancellation and refund policy

All cancellations will be subject to a £50 administration fee, if received in writing by 29/10/07. We regret that any cancellations after this date cannot be refunded, but substitute delegates are welcome at any time.

### Payment

30 days either from date of invoice or before the conference (whichever sooner). Payment must be received prior to the conference.

## Delegate rates

(For group rates and bursary places please see terms and conditions.)

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