



# COURT OF PROTECTION AND MENTAL CAPACITY

## THE NEW LAW

**Friday 4th December 2009, 9:15am to 5pm  
Botanical Gardens, Birmingham**

### Aims and Objectives

- This conference is designed for solicitors, managers in adult Social Services, social landlords and voluntary organisations who wish to develop and enhance their knowledge and understanding of Mental Capacity, Court of Protection Practice, and Deprivation of Liberty Safeguards.
- The conference will cover the statutory framework, commencement of proceedings, the role of experts, current case law and current issues in this fast developing area of practice.
- Delegates will be equipped to face the challenges of this new area of law and practice.
- Speakers include well known experts in the field & barristers from the St Ive's Mental Capacity Team.

### What is included?

- **5.5 CPD points.**
- **Comprehensive notes that can be referenced at any point after the event.**
- **Lunch & refreshments.**
- **Attendees receive 15% off next years one day Child Care conference - 2010**

### Who should attend?

- **Solicitors**
- **Guardians**
- **Local Authority Professionals**
- **Social Landlords**
- **Legal Executives**

**AN EARLY BIRD BOOKING FEE OF £85 APPLIES UNTIL  
1st NOVEMBER 2009 £95 THEREAFTER.**

COURT OF PROTECTION CONFERENCE

# Seminar Programme

**Chair Ann Chavasse**

9.15 - 9.30 **REGISTRATION TEA AND COFFEE**

9.30 - 10.00 **Keynote Speech**  
HHJ Cardinal – Court of Protection Birmingham

10.00 - 11.00 **Context to the Current Law**

- Changing views about mental capacity
- Common law position
- Development of inherent jurisdiction
- Development of a consolidated statutory framework

*Elizabeth Isaacs, Michael Singleton, Stefano Nuvoloni  
St Ives Court of Protection & Mental Capacity Team*

11.00 - 11.15 **TEA COFFEE**

11.15 – 12.15 **Risk and Liability Issues in the Current Statutory Framework**

- Public Law duties, relating mental capacity to care assessment and provision
- Negligence and Civil liability for safeguarding related outcomes
- Criminal and Regulatory offences for overlooking capacity related risk
- Complaints and the new Local Government Ombudsman jurisdiction between private purchasers and providers

*Belinda Schwehr - Solicitor-Advocate, Trainer and Consultant on Health and Social Care Law*

12.15 – 1.00 **Capacity Issues from the Psychiatrist's Viewpoint**

- How different disorders affect capacity
- Assessment of Capacity – How it is actually done
- Enhancing capacity
- Deprivation of Liberty Safeguards
- Current Issues
  - \* Capacity, sex and marriage
  - \* DoLS – making sense of the litigation

*Dr Ahmad Khouja – Consultant Psychiatrist in Learning Disabilities for Tees, Esk & Wear Valleys NHS Foundation Trust*

1.00 - 2.00 **LUNCH**

2.00 – 2.45 **Court of Protection – Current Issues**

- Development of case law
- Inherent jurisdiction, DoL safeguards and the Court of Protection – where to start
- Positive obligations and the European jurisprudence
- Duties and Powers on LAs and safeguarding – damned if you do – damned if you don't

*Martin Barry Head of Adult Services and Community Care at Sunderland City Council*

2.45 – 3.30 **Case Law Update, Future Directions**

- A review of recent decisions
- How to bring an application
- Procedural Update

*Tracy Lakin, Timothy Bowe  
St Ives Court of Protection & Mental Capacity Team*

3.30 – 3.45 **TEA**

3.45 – 4.30 **The Role and Powers of the Public Guardian**

- Registration, objections and disputes relating to LPAs
- Supervision of LPAs and Deputies
- Court of Protection visitors
- Wider role of OPG
- How does the OPG and COP work together

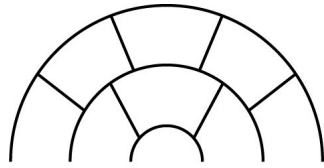
*Susan Inker- Solicitor, Inker Consulting, Mental Capacity Consultant*

4.30 – 4.45 **Plenary session**

- Questions to the panel

4.45 **MULLED WINE AND MINCE PIES**

**EARLY BIRD BOOKING FEE OF £85 APPLIES UNTIL  
1st NOVEMBER 2009, £95 THEREAFTER.**



**St Ive's**  
C H A M B E R S

## **ST IVE'S CHAMBERS COURT OF PROTECTION**

### REGISTRATION FORM

NAME.....

FIRM.....

E-MAIL ADDRESS.....

TELEPHONE.....

I enclose a cheque for £95.00 made payable to St. Ive's Chambers.

I enclose a cheque for £85.00 made payable to St. Ive's Chambers,  
to take advantage of the early bird booking fee.

I would like to register my interest for next years one day Child Care Conference  
email address..... , which will qualify me a 15% discount.

Please return booking form to:-

LYNDSEY JEAVONS

ST. IVE'S CHAMBERS  
WHITTAL ST  
BIRMINGHAM  
B4 6DH  
MDX 16072 FOUNTAIN COURT / BIRMINGHAM

EARLY BIRD BOOKING FEE OF £85 APPLIES UNTIL  
1st NOVEMBER 2009, £95 THEREAFTER.

COURT OF PROTECTION CONFERENCE

## *Court of Protection*

LAW GROUP



<b>Counsel</b>	<b>Year of Call</b>
Mr Michael Keehan Q.C.	1982
Miss Ann Chavasse	1971
Miss Margaret Hodgson	1975
Mr Paul Lopez	1982
Mr Michael Singleton	1987
Miss Catherine Preen	1988
Mr Jeremy Weston	1991
Miss Justine Latimer	1991
Mr Matthew Haynes	1992
Miss Tracy Lakin	1993
Mr Stefano Nuvoloni	1994
Miss Sarah Pritchard	1997
Miss Elizabeth Isaacs	1998
Mr Nicholas Howell-Jones	2000
Mr Karamjit Singh	2000
Miss Nina Bache	2001
Mr Timothy Bowe	2003
Mr James Picken	2004
Mr Michael Lohmus	2005
Miss Romilly Edge	2005
Miss C Kinloch-Jones	2006
Miss Dympna Howells	2009
<i>Pupils</i>	
Mr Adem Muzaffer	2007
Miss Charmian Gammon	2007

EARLY BIRD BOOKING FEE OF £85 APPLIES UNTIL  
1st NOVEMBER 2009, £95 THEREAFTER.

COURT OF PROTECTION GROUP MEMBERS