2023 - 2024: a year in 10 cases

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The appellate courts

- No Supreme Court decisions
- Court of Appeal:
 - Hemachandran & Anor v Thirumalesh & Anor [2024] EWCA Civ 896
 - Belief and the MCA
 - Re A (Covert Medication: Residence) [2024] EWCA Civ 572
 - Covert medication, truth telling, and the role of the Court of Protection



Capacity

- Re ZZ (Capacity)[2024] EWCOP 21
 - Decision-specificity and coherence
 - Sexual relations
- Re DY (Capacity) [2024] EWCOP 4
 - Cross-checking
 - The potential for the situation to change



Best interests

- Rotherham and Doncaster and South Humber NHS Foundation Trust v NR [2024] EWCOP 17
 - Wishes and feelings as determinative?
- AA (Withdrawal of Life-Sustaining Treatment: No Best Interests Decision)
 [2024] EWCOP 39
 - Clinical appropriateness, best interests and the role of the court



Deprivation of liberty

- Re PQ (Court Authorised DOL: Representation During Review Period)
 [2024] EWCOP 41 (T3)
 - The consequences of non-implementation of LPS
- Re HC [2024] EWCOP 24
 - Consent to 'willing' confinement?



Property and affairs

- TA v The Public Guardian [2023] EWCOP 63
 - The need for certificate providers to engage their brain
- Irwin Mitchell Trust Corporation v PW [2024] EWCOP 16
 - Guarding against conflicts of interest



And a bonus case

- Pindo Mulla v Spain [2024] ECHR 753
 - Strasbourg balances Articles 2 and 8, and the role of capacity



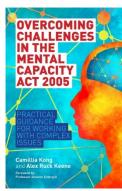
More resources

- 39 Essex Chambers | Mental Capacity Law | 39 Essex Chambers | Barristers' Chambers
- Mental Health & Justice | (mhj.org.uk)
- Mental Capacity Law and Policy
- MCA Directory | SCIE
- Mental Health Law Online

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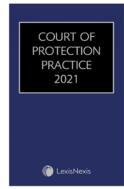


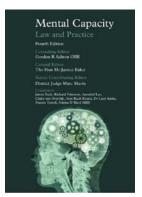














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