



Welcome to the March 2026 Mental Capacity Report. Highlights this month include:

(1) In the Health, Welfare and Deprivation of Liberty Report: Senior Judge Hilder lays down her baton; attorneys and failures to consult, and a research corner on anorexia and last resort options;

(2) In the Property and Affairs Report: new OPG guidance, 'third sector' deputyship and a reverse indemnity tangle;

(3) In the Practice and Procedure Report: notes from a fireside chat with DDJ Flanagan, and litigation capacity in the absence of subject-matter capacity;

(4) In the Mental Health Matters Report: conditional discharge and deprivation of liberty – the new regime, and conditional discharge into hospital;

(5) In the Children's Capacity Report: parental responsibility and confinement – the need for an appellate judgment;

(6) The Wider Context: assisted dying / assisted suicide update, Strasbourg's latest word on withdrawing life-sustaining treatment and mental capacity reform in New Zealand.

Circumstances beyond our control mean that we do not have a Scottish report this time.

A reminder that we have updated our unofficial update to the MCA / DoLS Codes of Practice, available [here](#), and that, whilst Chambers have launched a new and zippy version of our [website](#), all the content that you might need – our Reports, our case-law summaries, and our guidance notes – can still be found via [here](#).

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

## Contents

OPG guidance .....	2
Property and Affairs Court User Group Minutes .....	2
“Third sector” deputyship – a further iteration of the requirements for appointment .....	2
Personal injury payments, reverse indemnities and charging for care costs.....	7
OPG webinar series.....	11

### OPG guidance

The Office of the Public Guardian has published two guidance notes:

1. A [guidance note](#) on gift giving by deputies and attorneys, outlining the very restrictive circumstances under which such gift-giving be carried out without the authority of the Court of Protection;
2. A [practice note](#) on solicitor client accounts, setting out the OPG’s approach to the use by solicitor deputies of the use of client accounts to manage deputyship funds, including by reference to the obligations on solicitors under the Solicitors Regulation Authority Accounts Rules 2011.

*as urgent, and refer them to the Urgent Business Judge. There are now two UBJs each day – one for paper applications and one for digital applications. The UBJ will need to prioritise (not ‘downgrade’) the applications as they are referred, which is why it is important that the reason for urgency is clearly explained. Please do not abuse the UBJ system – if everything is considered ‘urgent’, then in reality nothing can be prioritised. In respect of ongoing PI litigation, there is direct communication between FAH and the KB Masters if/when the Master considers that necessary.*

### Property and Affairs Court User Group Minutes

The minutes of the meeting held on 21 January 2026 have now been published, and can be found [here](#). Of particular wider relevance is what Senior Judge Hilder had to say in relation to urgent matters:

*HHJH explained that the urgency needs to be clearly flagged, with reasons given. There is a box on the application form for doing this, and covering letter-e-mails should do it too. [...] The process is that staff identify applications marked*

### “Third sector” deputyship – a further iteration of the requirements for appointment

*Re AB (Enable & Thrive Ltd) [2026] EWCOP 11 (T3) (Senior Judge Hilder)*

*Deputies – property and affairs*

#### Summary

*In Re AB (Enable & Thrive Ltd) [2026] EWCOP 11 (T3), Senior Judge Hilder, not without a certain degree of reluctance, confirmed that a trust corporation which has (corporately) no independent regulatory oversight can, in some situations, be appointed as a property and affairs deputy. That category of trust corporation had been envisaged in an earlier judgment of Senior*

Judge Hilder, *Various Incapacitated Persons and the Appointment of Trust Corporations as Deputies* [2018] EWCOP 3, identified *Re AB* as “the First Judgment.”

Senior Judge Hilder revisited the conclusions of the First Judgment as regards the undertakings that must be provided before any appointment of such a trust corporation can be made, thus:

25. *The conclusion reached at paragraph 31 of The First Judgment still holds good: the information necessary to satisfy the court must be 'built into' the application process. However, in consideration of a Category 3 trust corporation, it is necessary to revisit the undertakings which were there identified as sufficient.*

a. *The first undertaking required is that the entity seeking to be appointed as deputy is indeed a trust corporation within the meaning of section 64(1) of the Mental Capacity Act 2005, can lawfully act as such, and will inform the Public Guardian immediately if that ceases to be the case.*

*The Applicant has already confirmed the trust corporation status of Enable & Thrive Ltd. There is no suggestion that there would be any difficulty in further undertaking to inform the Public Guardian if that ceased to be the case.*

b. *The second undertaking required is that the trust corporation will comply with the Public Guardian's published standards for professional deputies.*

*As already proposed at paragraph 44 of The First Judgment, a Category 3 trust corporation should be held to the same standards as any other trust corporation. The Applicant has not yet expressly given this second*

*undertaking, but neither has it or the Public Guardian identified any reason why it could not.*

c. *The third undertaking required is the crux of the current application, relating to regulation by the SRA. Obviously Enable & Thrive Ltd cannot give either version of this third undertaking.*

25. *It is helpful to set out in full what is said in The First Judgment as to why the question of external regulation is relevant:*

"45. ... The Court's concern is to protect the interests of the incapacitated person. The most likely risk to an incapacitated party from the actions of a property and affairs deputy is misappropriation/loss of that person's assets. Any person or body appointed as deputy is subject to the Court's power to terminate the appointment and to supervision by the Public Guardian, and the Court routinely appoints as deputy lay people who will be subject to no other regulation. If misappropriation/loss occurs, the prospects of recovering the misused funds are independent of regulation. Regulation is reactive – if a problem arises, a regulated person or body may be subject to sanctions but they are likely to come after the event. What assurance then does external regulation provide?

46. *Where a lay, and therefore unregulated, deputy is appointed, the deputy is most commonly a family member or acquaintance of the protected person. Such a deputy is not usually authorised to charge for providing the functions*

*of deputyship: he or she performs their duties for free, entitled only to claim reasonable expenses. In contrast, a trust corporation deputy is unlikely to have been previously involved with the protected person and generally anticipates authorisation for the charging of fees. Whereas a lay deputy is likely to be appointed only for a small number of protected persons, a trust corporation is likely to seek appointment for many protected persons, thereby aggregating a large risk.*

*47. Adherence to a regulatory framework provides a marker of standards; and the possibility (threat?) of sanctions for failure to meet prescribed standards will commonly operate proactively as an incentive to compliance. Regulation is not a guarantee of anything but it is, as Mr Rees describes, "a further check on what the deputy does...[because there is] someone else sitting on their shoulder." The court must of course consider every case on its facts but where there is a requirement to comply with appropriate external regulation, the Court can derive assurance of the likelihood that a potential deputy will behave in an appropriate fashion to meet the best interests of P; and if he does not, that other agencies are likely to step in."*

*27. Neither the Applicant nor the Public Guardian has suggested otherwise, so I infer that Ms. Allchurch's personal involvement in Enable & Thrive Ltd is, for the purposes of SRA regulation, the same as if Enable & Thrive Ltd were a Category 2 trust corporation. [...]*

*28. [The regulatory obligations imposed by the SRA] are not insignificant regulatory demands on Ms. Allport. She is clearly aware of her professional obligations. As she says in her latest statement "As a practising solicitor, I take my obligations to clients very seriously, ensuring that they receive a high standard of professional service that is also affordable. ... Any impropriety within Enable & Thrive would jeopardise not only my practising certificate but also my reputation and livelihood..." It may be expected that this type of leadership would have a positive effect on the conduct of the organisation as a whole.*

*29. However, any SRA intervention as a result of these regulatory obligations would be solely in respect of Ms. Allchurch herself - not the Enable & Thrive Ltd trust corporation, not the non-solicitor co-director, and not the non-solicitor employees. Chapter 10 of the SRA Code (written notices to provide information, explanation and documents) would not apply, funds held by Enable & Thrive Ltd would not be protected by the Solicitors Fund Act 1974, and its clients would neither have right to claim on the Solicitors Compensation Fund nor be able to make a complaint to the SRA or the Legal Ombudsman about the trust corporation itself. All of that is the same as for Category 2 trust corporations, and the reason why The First Judgment (paragraph 62) required the third undertaking.*

*30. So, the current application requires the Court to evaluate how far this more limited SRA oversight impacts on the suitability of the applicant trust corporation for appointment as deputy:*

a. funds protection via the Solicitors Act 1974 was already noted to be of 'marginal' benefit (paragraph 63(e) of The First Judgment);

b. being unable to claim from the Solicitors' Compensation Fund is a relative disadvantage, but it is to be noted that awards from that fund are discretionary and the possibility of recourse to recovery via the security requirement of deputyship remains;

c. avenues of complaint can provide a significant service in addressing senses of grievance, but they come into play after the event rather than operating in a directly protective fashion.

31. On the other side of the balancing scale, the Court must bear in mind that:

a. deputyship appointment may be, and often is, held by persons outside any regulatory framework. The issue of aggravated risk arises here (because Enable & Thrive Ltd has already made applications for deputyship appointment for other individuals, and clearly plans to provide a commercial service rather than meeting a single individual need) but it arises too in respect of a number of other 'third sector' deputyship providers, and has been considered manageable;

b. there is a general need to ensure a reasonable diversity of deputyship providers to meet the needs of vulnerable people with estates of varying types (from modest to sizeable assets, simple to complex administrative

requirements) to be managed at proportionate cost;

c. Enable & Thrive Ltd has satisfied the Public Guardian in respect of all those matters which were considered important at paragraph 67 of The First Judgment;

d. so long as Ms. Allchurch is a director, there is "someone else sitting the shoulder" of Enable & Thrive Ltd such as to provide some assurance to the Court that the organisation will behave in an appropriate fashion. The limitations of the regulatory oversight would be a factor to be considered, alongside the availability of professional indemnity insurance, when the security requirement of deputyship is determined in accordance with *Re H (A Minor and Incapacitated Person)*; *Baker v. H and the Official Solicitor* [2009] COPLR Con Vol 606.

32. Taking all these factors into account, and notwithstanding the deficiencies in the early stages of this particular application as identified at paragraph 9(a), (b) and (d) above, after cautious consideration I am satisfied that the inability of Enable & Thrive to give the third undertaking of The First Judgement is not such as to render it unsuitable for appointment as property and affairs deputy for as long as there is some degree of regulated involvement at director level. Ms. Allport's professional obligations even whilst acting for the trust corporation, rather than directly as a solicitor, have value in themselves and in the impact they are likely to have on the organisation as a whole.

33. *In lieu of the third undertaking of The First Judgment, the following wording should be adopted:*

*'(i) Enable & Thrive Ltd is a Category 3 trust corporation within the meaning of Various Incapacitated Persons and the Appointment of Trust Corporations as Deputies [2018] EWCOP 3 but the following of its directors is/are a solicitor regulated by the SRA: [name(s)].*

*(ii) only the [named solicitor directors] will be listed on any client account where Enable & Thrive Ltd acts as deputy.'*

34. *The COP4 declaration with this version of the third undertaking in each application for the appointment of Enable & Thrive Ltd as deputy should be signed by (one of) the person(s) named in the first part of this revised third undertaking.*

35. *The fourth undertaking of The First Judgment is that the trust corporation will inform the Public Guardian if there is any change to the matters set out in the third undertaking. This should also be required of a Category 3 trust corporation in respect of the amended third undertaking.*

36. *The fifth and sixth undertakings of The First Judgment relate to the insurance cover in respect of the trust corporations discharge of the functions of deputyship. Ms Allport's account of the insurance in place for Enable & Thrive Ltd does not suggest that these undertakings could not or should not be required.*

In a slightly unconventional, but pragmatic, approach:

1. *The original version of this judgment was issued on 24<sup>th</sup> October 2025 to Enable & Thrive Ltd and the Public Guardian as a "Preliminary View, Subject to Parties' Further Written Submissions". There have been no attended hearings. At all times the proceedings have proceeded 'on the papers' and therefore in private.*
2. *The Court has received from both Enable & Thrive and the Public Guardian written submissions confirming that they do not seek to challenge the conclusions set out in the Preliminary View document. It is therefore now issued as a judgment pursuant to Rule 4.2(2) of the Court of Protection Rules 2017 and an order which prohibits publication of any information which may lead to the identification of AB.*

This meant that the parties must be taken to have agreed with Senior Judge Hilder's preliminary view at paragraph 38 in relation to charging fees that:

38. *[...] the authorisation should appropriately be for fixed costs at the solicitor's rate (but limited to that rate.) In respect of any individual appointment it would remain open to the Applicant to seek authorisation for SCCO assessment of costs but, if Enable & Thrive Ltd is indeed to provide the affordability of service for which Ms. Allchurch advocates (paragraph 18 of her statement dated 13<sup>th</sup> June 2025), such application should be clearly reasoned.*

## Personal injury payments, reverse indemnities and charging for care costs

*R(CGT) v West Sussex County Council* [2026] EWHC 293 (Admin) (HHJ Auerbach, sitting as a s.9 Judge)

### Summary

CGT (acting through his father, SGT) as litigation friend, brought a judicial review of a decision taken by West Sussex County Council in June 2024 to:

1. Refuse to provide care and support to CGT on the basis that he did not financially qualify; and
2. Refuse to reimburse CGT for discretionary funding he had been provided since June 2020.

CGT was born in 1994. He suffered a brain injury as an infant which led to his having a severe cognitive impairment, visual impairment, epilepsy and other life-long difficulties. He has lived in supported accommodation since 2013, and has been found to lack capacity to make decisions regarding his property and affairs and to conduct litigation. His mother was appointed as his property and affairs deputy in 2011; following her death in 2013, SGT was appointed as CGT's property and affairs deputy. It was entirely undisputed that his needs were such that he met the eligibility criteria for care and support under the Care Act 2014.

In 2012, CGT received an award of more than £3.5m from the Criminal Injuries Compensation Authority (CICA), which was paid into a discretionary personal injury trust of which CGT was the sole beneficiary and the Official Solicitor was sole trustee. £2.6m of the award were made in respect of future care costs. The then-deputy (CGT's mother) and the Official Solicitor gave undertakings to CICA in accepting the award in

terms the relevant parts of which are set out at paragraph 5 thus:

*"... dependent on my giving the following undertaking and so is in the best interests of [CGT] as defined by section 1 (5) of the Mental Capacity Act 2005*

*The undertaking sought by the Criminal Injuries Compensation Authority is that:-*

*...(2) I, Official Solicitor shall seek from the Court of Protection a limit to the authority of the Deputy whereby no application for public funding of [CGT's] care under section 21 of the National Assistance Act 1948 can be made unless it is in his best interests either because the funds provided by the Criminal Injuries Compensation Authority for his future care no longer provide for his reasonable care needs or because the restriction is contrary to his best interests for some other reason.*

*(3) Before making any application for public funding of [CGT's] care under section 21 of the National Assistance Act 1948 I, [RGT] (Deputy) shall seek a declaration from the Court of Protection that such an application is in his best interests either because the funds provided by the Criminal Injuries Compensation Authority for his future care no longer provides for his reasonable care needs or because the restriction is contrary to his best interests for some other reason and shall not make the application unless the Court of Protection provides such a declaration.*

*(4) I, [RGT] (Deputy) shall notify the Criminal Injuries Compensation Authority of any application to seek such a declaration from the Court of Protection or to otherwise vary this undertaking and/or any order consequent upon it. I will not object to the Criminal Injuries Compensation*

*Authority making submissions to the Court of Protection in respect of any such application."*

The Form of Acceptance was signed in November 2012. SGT was appointed as CGT's deputy by the Court of Protection in 2014, and no application was made to the Court of Protection to restrict SGT's ability to seek public funds; SGT has not made any undertakings that he would not do so.

SGT requested that the local authority undertake a needs assessment (now under the Care Act 2014) in December 2017; the process was protracted, and it appears that the local authority took the view that CGT's care needs should be met by the PI trust. However, in June 2020, the local authority began to make without prejudice payments to CGT's care provider.

In October 2023, the local authority "*applied to the COP seeking to have the terms of SGT's Deputyship varied, to introduce a condition in respect of any application for public funding of the claimant's care needs, along the lines envisaged in the 2012 CICA undertakings. On 27 October 2023 the COP dismissed that application and awarded costs against the defendant*" (paragraph 11).

In June 2024, the local authority stated that he would cease to make payments towards CGT's care, and would seek to recoup the amounts spent from 2020-2024, and that the cost of CGT's care needs should be met from the PI Trust. This was primarily on the basis that CGT's having publicly-funded care constituted double recovery.

Reviewing the statutory framework, the court identified that Schedule 2 of the Care and Support (Charging and Assessment of Resources) Regulations (by reference to the Income Support Regulations) made provision to disregard capital held in a personal injury trust

from the calculation of capital. This is explicitly echoed in the Care and Support Statutory Guidance, which specifically references personal injury trusts which arise out of CICA payments. The position was the same prior to the introduction of the Care Act 2014 under the National Assistance Act charging framework.

The local authority contended that the relevant regulation '*should be interpreted as requiring funds in a PI trust to be disregarded, when assessing capital resources, save in respect of the element of a payment provided for the purpose of funding care needs.*' [56]

After surveying *Peters v East Midland Strategic Health Authority* [2008] EWHC 778 (QB), *Tinsley, WNA and BJB*, HHJ Auerbach readily found that capital in a PI trust is disregarded for the purposes of determining a person's financial resources under the Care Act 2014, whether or not it is designated for the purposes of meeting care needs. HHJ Auerbach set out at paragraph 57 that:

*The short answer to this argument is that the language of reg.12 of the 1987 Income Support Regulations, setting out the test which is adopted by para.15 of the 2024 Regulations is, to borrow the words of Dyson LJ in Peters at [30], "clear, unambiguous and unqualified." In this case the funds in the PI trust are derived from a payment made in consequence of a personal injury to the claimant. Para.33(h) of the Annex to the Guidance specifically confirms that that applies to such funds provided by the CICA. The reference in reg.12 to "the value of the trust fund and the value of the right to receive any payment under that trust" plainly and unambiguously applies to the whole of the fund and is unqualified in any way.*

The court gave short shrift to the local authority's argument that a 'purposive' reading

'through the prism of public policy' should be given which would serve to reverse the plain meaning of the Regulations. The court similarly found that it was not 'unconscionable' for CGT to seek double recovery, reiterating the extremely clear language of the Court of Appeal in *Tinsley* on this point.

The court also rejected an argument by the local authority that CGT should be barred from claiming state funding because his mother as predecessor deputy had made this undertaking. The local authority argued that it would be wrong for CGT to benefit from his subsequent deputy resiling from the predecessor deputy's position. HHJ Auerbach that such an argument had been "roundly rejected" in *Tinsley*, and did not consider that the CICA context made any relevant difference. There was no deception by the predecessor deputy, and no evidence that the undertakings had not been given in good faith. There was no deception by SGT, who acted on advice. HHJ Auerbach further considered that the basis on which the undertakings have been made "has since been recognised in authority as inappropriate and ineffective" (paragraph 67), apparently relying on *BJB*.

The court similarly declined an invitation to use its discretion to decline relief on the basis that the court should actively intervene to prevent double recovery. It was stated in the judgment that *Peters* undertakings are 'no longer generally sought or given' (though the judgment did not address the issue of reverse indemnities). HHJ Auerbach found that:

*75. My starting point is that the double-recovery principle discussed in the relevant authorities is a principle that pertains to the assessment of damages in tort for personal injury. It therefore bears upon a court which is engaged in determining such an award, or considering whether to approve such a*

*proposed award negotiated by the parties. It derives, ultimately, from the principle that damages in tort are (ordinarily) compensatory and not punitive....*

[...]

*93. Mr Paget described the Decision Letter as a public law decision taken to protect the public purse. He relied on the fact that the CICA funding and local authority funding both draw upon public money. But it cannot be right that the court should proceed on the basis that different public bodies, with different sources of public funding, governed by different funding regimes, should be treated as if they were one. Further, to take such an approach would be to ride roughshod over the principled distinction between the position of the tortfeasor (be they a public or private body – the authorities draw no distinction) and that of a local authority which is subject to statutory duties. It is simply not the function of the local authority when carrying out those duties to concern itself with such questions. The statute and the Regulations tell it how to perform the relevant calculations.*

Drawing on *Tinsley* and *Reeves*, HHJ Auerbach noted that concerns about double recovery are to protect a tortfeasor, not a public body. HHJ Auerbach made some notable comments about the effects of undertakings made by COP-appointed deputies in PI proceedings:

*84. Should the court nevertheless exercise its discretion to refuse relief in the particular circumstances of this case, in particular having regard to the fact of the 2012 CICA undertakings? Ms Elliot submitted that the undertaking given by RGT was personal to her and not binding on SGT (or, indeed CGT)*

*relying in particular on the observations of the High Court in Peters at [77] (echoed by the Court of Appeal at [57]) about Mrs Miles recognising that any undertaking by her would be personal and could not bind her Deputy.*

*85. I interpose that at first blush it might be thought surprising that something done by a Deputy would not be treated as done in that capacity on behalf of the beneficiary, and so binding on a successor in that capacity. But I apprehend that the rationale in Peters was that what was being proposed in that case, was an undertaking to the court; and such undertakings are, in their nature, inherently commitments which are personal to the giver (and it was not suggested to me that an undertaking to the CICA fell into a different category).*

HHJ Auerbach quashed the local authority's decisions of June 2024, refused an application for indemnity costs, and ordered that costs be paid on a standard basis. The parties had agreed a sum due to be remitted to the CGT in respect of past payments, and CGT had since been found to be eligible for CHC, making the issue of future payments for his care by the local authority otiose.

### Comment

The primary finding that the Charging Regulations mean what they say and should not be read to mean the opposite is unsurprising in light of the Court of Appeal decision in *Tinsley*. The Charging Regulations (incorporating the Income Support Regulations) are clear in reference to capital disregards that the following are disregarded:

*'Where the funds of a trust are derived from a payment made in consequence of any personal injury to the claimant or the claimant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.'*

There is no ambiguity in this provision for capital disregard of personal injury payments held in a trust fund, which applies on an indefinite basis.

The local authority placed significant weight on the fact that the Charging Regulations contain a separate provision for a capital disregard of 'any payment made to the claimant or the claimant's partner in consequence of any personal injury to the claimant or, as the case may be, the claimant's partner,' which excluded 'any payment or any part of any payment that has been specifically identified by a court to deal with the cost of providing care.' This disregard does not require that the funds be held in a personal injury trust to apply; however, this applies only for a period of 52 weeks, a fact which does not appear to have been brought to the court's attention. The two provisions serve different purposes: one is an indefinite disregard of funds paid as a consequence of personal injury which are held in trust, and the other is a short-term disregard of any personal injury payment (which may not be held in trust), save as it provides specifically for paying for the cost of care.

I would also note that, in any event, if CGT was living in a supported living accommodation or in the community, the local authority would have been obligated to arrange CGT's care even if it found he was a self-funder if it had been asked to do so under s.18(3) Care Act 2014 (though the judgment is somewhat unclear as to whether CGT was in a care home or supported living accommodation). Where CGT did not receive periodical payments, the court did not have occasion to grasp the nettle of the far more ambiguous provisions regarding income disregards for periodical payments, which are not so clear-cut as the capital disregards for personal injury awards.

For mental capacity practitioners, it is perhaps a shame that the court was not asked to consider the extent to which the undertaking given bound

CGT himself. This issue was considered to some extent at paragraphs 84 to 86 of the judgment:

*84. Should the court nevertheless exercise its discretion to refuse relief in the particular circumstances of this case, in particular having regard to the fact of the 2012 CICA undertakings? Ms Elliot submitted that the undertaking given by RGT was personal to her and not binding on SGT (or, indeed CGT) relying in particular on the observations of the High Court in Peters at [77] (echoed by the Court of Appeal at [57]) about Mrs Miles recognising that any undertaking by her would be personal and could not bind her Deputy.*

*85. I interpose that at first blush it might be thought surprising that something done by a Deputy would not be treated as done in that capacity on behalf of the beneficiary, and so binding on a successor in that capacity. But I apprehend that the rationale in Peters was that what was being proposed in that case, was an undertaking to the court; and such undertakings are, in their nature, inherently commitments which are personal to the giver (and it was not suggested to me that an undertaking to the CICA fell into a different category).*

*86. Mr Paget said he accepted that the 2012 CICA undertakings were not binding in contract or in any way in private law [...]*

This is an issue which arises relatively commonly in cases where a person has an indemnity or reverse indemnity which was the subject of undertakings at the time of the settlement, but the identity of the deputy has now changed. It is perhaps a matter which is deserving of greater attention by the courts.

### OPG webinar series

The Office of the Public Guardian is putting on a webinar series designed to support professionals in the health and social care sector to better understand:

- OPG's role and responsibilities
- Attorneys, deputies and decision-making under the Mental Capacity Act (MCA) 2005
- Managing concerns about attorneys and deputies.

The webinars will take place from **12.30 to 13:30** on **5 March, 15 April** and **20 May**.

Further details about the webinars and how to register can be found at [OPG webinar series | Eventbrite](#).

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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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## Conferences

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

Alex also does a regular series of 'shedinars,' including capacity fundamentals and 'in conversation with' those who can bring light to bear upon capacity in practice. They can be found on his [website](#).

### **Advertising conferences and training events**

If you would like your conference or training event to be included in this section in a subsequent issue, please contact one of the editors. Save for those conferences or training events that are run by non-profit bodies, we would invite a donation of £200 to be made to the dementia charity [My Life Films](#) in return for postings for English and Welsh events. For Scottish events, we are inviting donations to Alzheimer Scotland Action on Dementia.

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Our next edition will be out in April. 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](mailto:marketing@39essex.com).

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