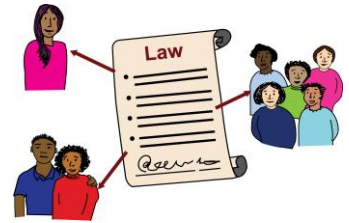


Protecting and giving power to adults at risk: mental capacity law and how it is used in real life



Mental Capacity: having mental capacity means a person can make decisions about their life and their care and support. Not having mental capacity means that someone may need to make decisions for that person.

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This report is written using information from research which looked at how the Mental Capacity Act works in real life.



For the study, the researcher:

- Watched cases at the Court of Protection
- Read about cases in the case files
- Spoke to social workers



The project aimed to look at how the Court of Protection and social workers use mental capacity law.



It looked at how it was used in cases about:

- Sex
- Marriage
- Contact with friends and family



Mental capacity law is about whether a person can make decisions about their own lives.



The project found that:

1. Mental capacity law is often used in cases where disabled people are being abused.



2. Mental capacity law sees people as vulnerable because of their disability.



3. Disabled people do not take part enough in court cases.



4. What **psychiatrists** say is seen as more important by the court than what others, like social workers, say.



Psychiatrists: this means doctors who work with mental illness.

Project recommendations: this means what should happen next

1. **Safeguarding laws** should be made stronger. This is so that professionals can use them to help disabled people who are being abused.



Safeguarding: these are laws that are put into place to make sure that people who could be at risk, can live safely.

2. Anything that is done or any decisions that are made should be to deal with the abuse and not the adult being abused.



3. Disabled people should speak more in court or give written information to the court.



4. Assessments about a person's mental capacity should be done by a person who knows the person. For example, their social worker.

