

Best Interest Assessor

View Online



1.

Dimond, B. Legal Aspects of Mental Capacity: A Practical Guide for Health and Social Care Professionals. (Wiley Blackwell, Chichester, West Sussex, 2016).

2.

Richards, S. & Mughal, A. F. Deprivation of Liberty Safeguards (DoLS) Handbook. (BookWise, [United Kingdom]).

3.

Shakespeare, T. Disability Rights and Wrongs Revisited. (Routledge, London, 2014).

4.

Langan, J., Lindow, V., Langan, J., & Joseph Rowntree Foundation. Living with Risk: Mental Health Service User Involvement in Risk Assessment and Management. (Policy, Bristol, 2004).

5.

Johns, R. Capacity and Autonomy. vol. Focus on social work law (Palgrave Macmillan, Basingstoke, Hampshire, 2014).

6.

Graham, M., Cowley, J. & Keene, A. R. A Practical Guide to the Mental Capacity Act 2005: Putting the Principles of the Act into Practice. (Jessica Kingsley Publishers, London, 2015).

7.

Golightley, M. & Goemans, R. Social Work and Mental Health. (SAGE, Learning Matters, London, 2017).

8.

Godefroy, S. Mental Health & Mental Capacity Law for Social Workers: An Introduction. vol. Transforming social work practice (SAGE, Los Angeles, 2015).

9.

Great Britain. Ministry of Justice. Mental Capacity Act 2005: Deprivation of Liberty Safeguards : Code of Practice to Supplement the Main Mental Capacity Act 2005 Code of Practice : Issued by the Lord Chancellor on 26 August 2008 in Accordance with Sections 42 and 43 of the Act. (TSO (The Stationery Office), London, 2008).

10.

Brown, R., Barber, P. & Martin, D. The Mental Capacity Act 2005: A Guide for Practice. vol. Post-qualifying social work practice (SAGE/Learning Matters, London, 2015).

11.

Beresford, P. Supporting People: Towards a Person-Centred Approach. (Policy, Bristol, 2011).

12.

The place of wishes and feelings in best interests decisions: Wye Valley NH... Modern Law Review (2016).

13.

Emmett, C., Poole, M., Bond, J. & Hughes, J. C. Homeward bound or bound for a home? Assessing the capacity of dementia patients to make decisions about hospital discharge:

Comparing practice with legal standards. *International Journal of Law and Psychiatry* **36**, 73–82 (2013).

14.

Phelvin, A. Getting the message: intuition and reflexivity in professional interpretations of non-verbal behaviours in people with profound learning disabilities. *British Journal of Learning Disabilities* **41**, 31–37 (2013).

15.

Revisiting advance decision making under the Mental Capacity Act 2005: a ta... *Medical law review* (2015).

16.

How ignorance about the Mental Capacity Act can land councils in trouble. *Community Living* (2015).

17.

Manthorpe, Jill, ORCID 0000-0001-9006-1410 . Social Care Workforce Research Unit, King's College London, London, United Kingdom, jill.manthorpe@kcl.ac.uk Samsi, Kritika. Social Care Workforce Research Unit, King's College London, London, United Kingdom. Care homes and the Mental Capacity Act 2005: Changes in understanding and practice over time. *Dementia: The International Journal of Social Research and Practice*, **15**, 858–871 (2016).

18.

The Mental Capacity Act 2005: Riding the storm of criticism. *British Journal of Nursing* (2014).

19.

Willner, P., Jenkins, R., Rees, P., Griffiths, V. J. & John, E. Knowledge of Mental Capacity Issues in Community Teams for Adults with Learning Disabilities. *Journal of Applied Research in Intellectual Disabilities* **24**, 159–171 (2011).

20.

Bournewood revisited--do recent changes to the law regarding Deprivation of... Age And Ageing (2015).

21.

Carpenter, J., Langan, J., Patsios, D. & Jepson, M. Deprivation of Liberty Safeguards: What determines the judgements of Best Interests Assessors? A factorial survey. *Journal of Social Work* **14**, 576–593 (2014).

22.

Ann McDonald. The Impact of the 2005 Mental Capacity Act on Social Workers' Decision Making and Approaches to the Assessment of Risk. *The British Journal of Social* **40**, 1229–1246 (1229).

23.

Blamires, K., Forrester-Jones, R. & Murphy, G. An Investigation into the use of the Deprivation of Liberty Safeguards with People with Intellectual Disabilities. *Journal of Applied Research in Intellectual Disabilities* **30**, 714–726 (2017).

24.

Murrell, A. & McCalla, L. Assessing Decision-making Capacity: The Interpretation and Implementation of the Mental Capacity Act 2005 Amongst Social Care Professionals. *Practice* **28**, 21–36 (2016).

25.

Hinsliff-Smith, Kathryn, ORCID 0000-0003-4259-3118 . Sue Ryder Care Centre for the Study of Supportive, Palliative and End of Life Care, School of Health Sciences, Queen's Medical Centre, University of Nottingham, Nottingham, United Kingdom, kathryn.hinsliff-smith@nottingham.ac.uk Feakes, Ruth. Nottinghamshire CityCare Partnership CIC, Nottingham, United Kingdom Whitworth, Gillian. Nottinghamshire CityCare Partnership CIC, Nottingham, United Kingdom Seymour, Jane, ORCID 0000-0002-9384-2551 . Sue Ryder Care Centre for the Study of Supportive, Palliative and End of Life Care, School of Health Sciences, Queen's Medical Centre, University of Nottingham, Nottingham, United Kingdom Moghaddam, Nima, ORCID 0000-0002-8657-4341 . Sue Ryder Care Centre for the Study of Supportive, Palliative and End of Life Care, School of Health Sciences, Queen's Medical Centre, University of

Nottingham, Nottingham, United Kingdom Dening, Tom. Sue Ryder Care Centre for the Study of Supportive, Palliative and End of Life Care, School of Health Sciences, Queen's Medical Centre, University of Nottingham, Nottingham, United Kingdom Cox, Karen. Sue Ryder Care Centre for the Study of Supportive, Palliative and End of Life Care, School of Health Sciences, Queen's Medical Centre, University of Nottingham, Nottingham, United Kingdom. What do we know about the application of the Mental Capacity Act (2005) in healthcare practice regarding decision-making for frail and older people? A systematic literature review. *Health & Social Care in the Community*, **25**, 295–308 (2017).

26.

Jepson, M. et al. Indirect payments: when the Mental Capacity Act interacts with the personalisation agenda. *Health & Social Care in the Community* **24**, 623–630 (2016).

27.

Deprivation of Liberty Safeguards: a gilded cage is still a cage. *Nursing & Residential Care* (2015).

28.

Frankova, H. Monitoring the Deprivation of Liberty Safeguards. *Nursing and Residential Care* **18**, 381–383 (2016).

29.

Mughal, A.F. Understanding and using the Mental Capacity Act. *Nursing Times* **110**, 16–18 (2014).

30.

Manthorpe, J. & Samsi, K. Care professionals' understanding of the new criminal offences created by the Mental Capacity Act 2005. *International Journal of Geriatric Psychiatry* **30**, 384–392 (2015).

31.

Deprivation of liberty safeguards: Road to ruin? *European Journal of Palliative Care* (2016).

32.

Autonomy, capacity and vulnerable adults: Filling the gaps in the Mental Ca... Legal Studies (2015).

33.

Deprivation of liberty safeguard deaths: changes to reporting requirements. British Journal Of Nursing (Mark Allen Publishing) (2017).

34.

O'Kane, Niall. Camden Learning Disabilities Service, Camden and Islington NHS Foundation Trust, London, United Kingdom, niallokane@doctors.net.uk Hall, Ian. Community Learning Disability Service, East London NHS Foundation Trust, London, United Kingdom Eyeoyibo, Mo. Mental Health of Learning Disability, Kent and Medway NHS and Social Care Partnership Trust, Dartford, United Kingdom. Challenging deprivation of liberty: Advocating for your rights. Advances in Mental Health and Intellectual Disabilities, **11**, 47-53 (2017).

35.

Hubbard, R. Best Interests Assessor Role: An Opportunity or a 'Dead End' for Adult Social Workers? Practice **30**, 83-98 (2018).

36.

Authorisation for deprivation of liberty when receiving treatment for a men... British Journal of Nursing (2017).

37.

Barry, C. & Docherty, M. Assessment of mental capacity and decision-making. Medicine **46**, 405-410 (2018).

38.

Griffith, R. Covert medicine and deprivation of liberty. British Journal of Neuroscience

Nursing **12**, 202–203 (2016).

39.

Private deprivation of liberty. British Journal of Community Nursing (2017).

40.

Jayes, M., Palmer, R. & Enderby, P. An exploration of mental capacity assessment within acute hospital and intermediate care settings in England: a focus group study. Disability and Rehabilitation **39**, 2148–2157 (2017).

41.

The conduct and process of mental capacity assessments in home health care ... British Journal of Community Nursing (2016).

42.

Health and social care practitioners' experiences of assessing mental capac... British Journal of Learning Disabilities (2016).

43.

Allen, N. Restricting Movement or Depriving Liberty. Journal of Mental Health Law (2009).

44.

Hatton, C. Deprivation of liberty applications concerning people with learning disabilities in England: trends over time and geographical variation. Tizard Learning Disability Review **22**, 177–183 (2017).

45.

O'Kane, N., Hall, I. & Eyeoyibo, M. Challenging deprivation of liberty: advocating for your rights. Advances in Mental Health and Intellectual Disabilities **11**, 47–53 (2017).

46.

Horowicz, E. M. The zone of parental control, the "gilded cage" and the deprivation of a child's liberty: getting around Article 5. Tizard Learning Disability Review **22**, 2–9 (2017).

47.

Horowicz, E. M. The zone of parental control, the "gilded cage" and the deprivation of a child's liberty: getting around Article 5. Tizard Learning Disability Review **22**, 2–9 (2017).

48.

Mental Capacity Act 2005. <http://www.legislation.gov.uk/ukpga/2005/9/contents>.

49.

Discussion forum - Discuss - Dignity in Care.
http://www.dignityincare.org.uk/Discuss_and_debate/Discussion_forum/?obj=viewThread&threadID=888&forumID=45.

50.

Deprivation of liberty safeguards (DoLS) – Mental Capacity Act (MCA) directory.
<http://www.scie.org.uk/mca-directory/dols.asp>.

51.

New DoLS Forms - Adass.
<https://www.adass.org.uk/mental-health-drugs-and-alcohol/public-content/new-dols-forms/>.

52.

Deprivation of Liberty Safeguards Guidance - Adass.
<https://www.adass.org.uk/deprivation-of-liberty-safeguards-guidance/>.

53.

Great Britain. Ministry of Justice. Mental Capacity Act 2005: Deprivation of Liberty Safeguards : Code of Practice to Supplement the Main Mental Capacity Act 2005 Code of Practice : Issued by the Lord Chancellor on 26 August 2008 in Accordance with Sections 42 and 43 of the Act. (TSO (The Stationery Office), London, 2008).

54.

House of Lords - Mental Capacity Act 2005: post-legislative scrutiny - Select Committee on the Mental Capacity Act 2005.
<https://publications.parliament.uk/pa/ld201314/ldselect/ldmentalcap/139/13902.htm>.

55.

Mental Capacity Act: government response to the House of Lords Select Committee report - GOV.UK.
<https://www.gov.uk/government/publications/mental-capacity-act-government-response-to-the-house-of-lords-select-committee-report>.

56.

State of Care | Care Quality Commission.
<http://www.cqc.org.uk/publications/major-report/state-care>.

57.

Deprivation of Liberty Safeguards forms and guidance - GOV.UK.
<https://www.gov.uk/government/publications/deprivation-of-liberty-safeguards-forms-and-guidance>.

58.

Mental Capacity and Deprivation of Liberty | Law Commission.
<https://www.lawcom.gov.uk/project/mental-capacity-and-deprivation-of-liberty/#mental-capacity-and-deprivation-of-liberty>.