

# Best Interest Assessor

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1.

Dimond B. Legal aspects of mental capacity: a practical guide for health and social care professionals [Internet]. Second edition. Chichester, West Sussex: Wiley Blackwell; 2016. Available from: <https://ebookcentral.proquest.com/lib/uea/detail.action?docID=4413725>

2.

Richards S, Mughal AF. Deprivation of liberty safeguards (DoLS) handbook. First edition. [United Kingdom]: BookWise;

3.

Shakespeare T. Disability rights and wrongs revisited. Second edition. London: Routledge; 2014.

4.

Langan J, Lindow V, Langan J, Joseph Rowntree Foundation. Living with risk: mental health service user involvement in risk assessment and management. Bristol: Policy; 2004.

5.

Johns R. Capacity and autonomy [Internet]. Vol. Focus on social work law. Basingstoke, Hampshire: Palgrave Macmillan; 2014. Available from: <http://ebookcentral.proquest.com/lib/uea/detail.action?docID=4763902>

6.

Graham M, Cowley J, Keene AR. A practical guide to the Mental Capacity Act 2005: putting the principles of the act into practice [Internet]. London: Jessica Kingsley Publishers; 2015. Available from: <http://ebookcentral.proquest.com/lib/uea/detail.action?docID=2006046>

7.

Golightley M, Goemans R. Social work and mental health. 6th edition. London: SAGE, Learning Matters; 2017.

8.

Godefroy S. Mental health & mental capacity law for social workers: an introduction. Vol. Transforming social work practice. Los Angeles: SAGE; 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. London: TSO (The Stationery Office); 2008.

10.

Brown R, Barber P, Martin D. The Mental Capacity Act 2005: a guide for practice [Internet]. Third edition. Vol. Post-qualifying social work practice. London: SAGE/Learning Matters; 2015. Available from: <https://uea.idm.oclc.org/login?url=https://resolver.vitalsource.com/9781526471284>

11.

Beresford P. Supporting people: towards a person-centred approach [Internet]. Bristol: Policy; 2011. Available from: <https://ebookcentral.proquest.com/lib/uea/detail.action?docID=726870>

12.

The place of wishes and feelings in best interests decisions: Wye Valley NH... Modern Law Review [Internet]. 2016; Available from: <https://search.ebscohost.com/login.aspx?direct=true&db=edsglt&AN=edsgcl.470887056&site=eds-live&scope=site>

13.

Emmett C, Poole M, Bond J, Hughes JC. 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* [Internet]. 2013 Jan;36(1):73–82. Available from: <https://www-sciencedirect-com.uea.idm.oclc.org/science/article/pii/S0160252712000957>

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*. 2013 Mar;41(1):31–7.

15.

Revisiting advance decision making under the Mental Capacity Act 2005: a ta... *Medical law review* [Internet]. 2015; Available from: <https://plus.lexis.com/api/permalink/eacdcf0d-5d57-4d22-824b-dad015605c1e/?context=1001073>

16.

How ignorance about the Mental Capacity Act can land councils in trouble. *Community Living* [Internet]. 2015; Available from: <http://search.ebscohost.com/login.aspx?direct=true&db=ccm&AN=103805807&authtype=sso&custid=s8993828&site=ehost-live>

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](mailto: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*, [Internet]. 2016;15(4):858–71. Available from: <http://search.ebscohost.com/login.aspx?direct=true&db=psyh&AN=2016-30425-024&site=ehost-live>

18.

The Mental Capacity Act 2005: Riding the storm of criticism. *British Journal of Nursing* [Internet]. 2014; Available from: <https://uea.idm.oclc.org/login?url=https://www-magonlinelibrary-com/doi/full/10.12968/bjn.2014.23.15.864>

19.

Willner P, Jenkins R, Rees P, Griffiths VJ, John E. Knowledge of Mental Capacity Issues in Community Teams for Adults with Learning Disabilities. *Journal of Applied Research in Intellectual Disabilities*. 2011 Mar;24(2):159-71.

20.

Bournewood revisited--do recent changes to the law regarding Deprivation of... Age And Ageing [Internet]. 2015; Available from: <http://search.ebscohost.com/login.aspx?direct=true&db=mdc&AN=25385273&site=ehost-live>

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*. 2014 Nov;14(6):576-93.

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* [Internet]. 1229;40(4):1229-46. Available from: <http://search.ebscohost.com/login.aspx?direct=true&db=edsjsr&AN=edsjsr.43687517&authtype=sso&custid=s8993828&site=ehost-live>

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*. 2017 July;30(4):714-26.

24.

Murrell A, McCalla L. Assessing Decision-making Capacity: The Interpretation and Implementation of the Mental Capacity Act 2005 Amongst Social Care Professionals. *Practice* [Internet]. 2016 Jan;28(1):21–36. Available from: <https://www-tandfonline-com.uea.idm.oclc.org/doi/full/10.1080/09503153.2015.1074667>

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](mailto:kathryn.hinsliff-smith@nottingham.ac.uk) Feakes, Ruth. Nottinghamshire CityCare Partnership CIC, Nottingham, United KingdomWhitworth, Gillian. Nottinghamshire CityCare Partnership CIC, Nottingham, United KingdomSeymour, 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 KingdomMoghaddam, 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 KingdomDening, 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 KingdomCox, 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*, [Internet]. 2017;25(2):295–308. Available from: <http://search.ebscohost.com/login.aspx?direct=true&db=psych&AN=2017-06043-001&site=ehost-live>

26.

Jepson M, Laybourne A, Williams V, Cyhlarova E, Williamson T, Robotham D. Indirect payments: when the Mental Capacity Act interacts with the personalisation agenda. *Health & Social Care in the Community*. 2016 Sept;24(5):623–30.

27.

Deprivation of Liberty Safeguards: a gilded cage is still a cage. *Nursing & Residential Care* [Internet]. 2015; Available from: <http://search.ebscohost.com/login.aspx?direct=true&db=ccm&AN=103760685&site=ehost-live>

28.

Frankova H. Monitoring the Deprivation of Liberty Safeguards. *Nursing and Residential Care*. 2016 July 2;18(7):381-3.

29.

Mughal, A.F. Understanding and using the Mental Capacity Act. *Nursing Times* [Internet]. 2014;110(21):16-8. Available from: <https://advance.lexis.com/api/permalink/72565e55-2a2a-48a0-8ef0-354d0e52bdc7/?context=1519360&federationidp=VJX3C459626>

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*. 2015 Apr;30(4):384-92.

31.

Deprivation of liberty safeguards: Road to ruin? *European Journal of Palliative Care* [Internet]. 2016; Available from: <https://uea.idm.oclc.org/login?url=https://search-ebSCOhost-com/login.aspx?direct=true&db=ccm&AN=114207933&site=ehost-live>

32.

Autonomy, capacity and vulnerable adults: Filling the gaps in the Mental Ca... *Legal Studies* [Internet]. 2015; Available from: <https://heinonline.org/HOL/P?h=hein.journals/legstd35&i=704>

33.

Deprivation of liberty safeguard deaths: changes to reporting requirements. *British Journal Of Nursing* (Mark Allen Publishing) [Internet]. 2017; Available from: <https://search.ebscohost.com/login.aspx?direct=true&db=mdc&AN=28410046&site=eds-live&scope=site>

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*, [Internet]. 2017;11(2):47-53. Available from: <https://search.ebscohost.com/login.aspx?direct=true&db=psyh&AN=2017-41138-001&site=eds-live&scope=site>

35.

Hubbard R. Best Interests Assessor Role: An Opportunity or a 'Dead End' for Adult Social Workers? *Practice*. 2018 Mar 15;30(2):83-98.

36.

Authorisation for deprivation of liberty when receiving treatment for a men... *British Journal of Nursing* [Internet]. 2017; Available from: <https://search.ebscohost.com/login.aspx?direct=true&db=ccm&AN=121207242&site=eds-live&scope=site>

37.

Barry C, Docherty M. Assessment of mental capacity and decision-making. *Medicine*. 2018 July;46(7):405-10.

38.

Griffith R. Covert medicine and deprivation of liberty. *British Journal of Neuroscience Nursing*. 2016 Aug 2;12(4):202-3.

39.

Private deprivation of liberty. *British Journal of Community Nursing* [Internet]. 2017; Available from: <https://uea.idm.oclc.org/login?url=https://www-magonlinelibrary-com/doi/full/10.12968/bjcn.2017.22.4.201>

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*. 2017 Oct 9;39(21):2148-57.

41.

The conduct and process of mental capacity assessments in home health care ... *British Journal of Community Nursing* [Internet]. 2016; Available from: <https://search.ebscohost.com/login.aspx?direct=true&db=ccm&AN=119274053&site=eds-live&scope=site>

42.

Health and social care practitioners' experiences of assessing mental capac... *British Journal of Learning Disabilities* [Internet]. 2016; Available from: <https://search.ebscohost.com/login.aspx?direct=true&db=ccm&AN=119088189&site=eds-live&scope=site>

43.

Allen, N. Restricting Movement or Depriving Liberty. *Journal of Mental Health Law* [Internet]. 2009; Available from: <http://heinonline.org/HOL/Page?public=false&handle=hein.journals/jmhl18&id=1>

44.

Hatton C. Deprivation of liberty applications concerning people with learning disabilities in England: trends over time and geographical variation. *Tizard Learning Disability Review*. 2017 July 3;22(3):177-83.

45.

O'Kane N, Hall I, Eyeoyibo M. Challenging deprivation of liberty: advocating for your rights. *Advances in Mental Health and Intellectual Disabilities*. 2017 Mar 6;11(2):47-53.

46.

Horowicz EM. The zone of parental control, the "gilded cage" and the deprivation of a child's liberty: getting around Article 5. Tizard Learning Disability Review. 2017 Jan 3;22(1):2-9.

47.

Horowicz EM. The zone of parental control, the "gilded cage" and the deprivation of a child's liberty: getting around Article 5. Tizard Learning Disability Review. 2017 Jan 3;22(1):2-9.

48.

Mental Capacity Act 2005 [Internet]. Statute Law Database; Available from: <http://www.legislation.gov.uk/ukpga/2005/9/contents>

49.

Discussion forum - Discuss - Dignity in Care [Internet]. Available from: [http://www.dignityincare.org.uk/Discuss\\_and\\_debate/Discussion\\_forum/?obj=viewThread&threadID=888&forumID=45](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 [Internet]. Available from: <http://www.scie.org.uk/mca-directory/dols.asp>

51.

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

52.

Deprivation of Liberty Safeguards Guidance - Adass [Internet]. Available from: <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. London: TSO (The Stationery Office); 2008.

54.

House of Lords - Mental Capacity Act 2005: post-legislative scrutiny - Select Committee on the Mental Capacity Act 2005 [Internet]. Available from:  
<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 [Internet]. Available from:  
<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 [Internet]. Available from:  
<http://www.cqc.org.uk/publications/major-report/state-care>

57.

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

58.

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