



The Law Society

# **Mental Health Act 2007 Six months on: issues and challenges**

Thursday 30 April 2009  
The Law Society, 113 Chancery Lane,  
London WC2A 1PL

5.25 hours CPD

*cpd*  
**event**

Supported by



# Mental Health Act 2007

## Six months on: issues and challenges

### Overview

The aim of the Law Society's Mental Health Act 2007 Conference is to encourage discussion amongst and provide legal and mental health practitioners with information and guidance in relation to the changes made to the Mental Health Act 1983 by the Mental Health Act 2007.

### Why attend?

This essential update conference provides practitioners with the opportunity to hear from leading legal and mental health practitioners about the changes arising from the Mental Health Act 2007. Delegates gain 5.25 hours CPD for a full day's attendance.

### Who should attend?

Legal practitioners, mental health practitioners, public servants, mental health charities, mental health advocates, and consumers.

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|---------------|--|---|
| 09.30 - 10.00 | Registration and coffee  |   |
| 10.00 - 10.10 | Welcome  | Lucy Scott-Moncrieff<br>Solicitor<br>Scott-Moncrieff Harbour and Sinclair   |
| 10.10 - 10.40 | 21st century mental health law: legalism run riot<br>Areas to be covered: <ul style="list-style-type: none"> <li>The new powers of detention</li> <li>Community treatment orders</li> <li>Bournemouth Deprivations of Liberty</li> <li>The new second opinion procedures for Electroconvulsive Therapy</li> </ul>  | Prof. Phil Fennell<br>Professor of Law Cardiff University<br><br>Phil Fennell specialises in Medical Law and Human Rights.  |
| 10.40 - 11.10 | How is 'appropriate treatment for mental disorder' likely to be applied in practice?   | Prof. Nigel Eastman<br>Head of Forensic Psychiatry<br>St George's University of London<br><br>Nigel Eastman is a Professor of Law and Ethics in Psychiatry at University of London. He is also an Honorary Consultant Forensic Psychiatrist in the NHS. |
| 11.10 - 11.25 | Refreshments   |   |
| 11.25 - 11.55 | The relationship between the Mental Capacity Act 2005 and Mental Health Act 1983 (as amended).<br>Areas to be covered: <ul style="list-style-type: none"> <li>Treatment and detention: primary features of MCA and MHA contrasted</li> <li>Important distinctions between MCA and MHA</li> <li>Effect of MCA on those subject to MHA regimes</li> <li>Which regime to use?</li> <li>Some points on guardianship</li> </ul> | Aswini Weeraratne<br>Barrister<br>Doughty Street Chambers<br><br>Aswini Weeraratne specialises in mental health, mental capacity, public law and human rights.  |
| 11.55 - 12.15 | Panel Q & A  | Panel: Prof. Phil Fennell<br>Prof. Nigel Eastman<br>Aswini Weeraratne   |
| 12.15 - 13.00 | Lunch  |   |
| 13.00 - 13.25 | A separate approach? The detention of children and young people under the Mental Health Act.<br>Areas to be covered: <ul style="list-style-type: none"> <li>Alternative legal regimes</li> <li>The MCA and young people</li> <li>Discharge considerations</li> <li>Hearing management</li> </ul>   | Anthony Harbour<br>Solicitor, Author, Trainer<br><br>Anthony Harbour is the lead trainer for the Royal College of Psychiatrists section 12 training for child and adolescent psychiatrists.   |



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|---------------|--|--|
| 13.25 - 14.05 | <p><b>Patient safeguards - advocates and nearest relative</b><br/>Areas to be covered:</p> <ul style="list-style-type: none"><li>• The role of advocacy with a focus on BME</li><li>• The role of the nearest relative</li><li>• Future directions for patient safeguards</li><li>• Mental health advocacy and BME communities</li></ul>   | <p>Tim Spencer-Lane<br/>Lawyer, Public Law Team<br/>Law Commission</p> <p>Tim Spencer-Lane is the Policy Adviser on mental health and disability law for the Law Society and is currently on secondment to the Law Commission where he is leading a project to review adult social care in England and Wales.</p> <p>Marcel Vige<br/>Manager, Diverse Minds<br/>Mind</p> <p>Marcel Vige has been Manager of Diverse Minds (a Policy &amp; Campaigns Unit within National Mind that campaigns to end ethnic disparity within the mental health system) for 4 years. Marcel has been Chairman of the National Black and Minority Ethnic Mental Health Network since 2005, stepping down into the role of Vice Chair in 2008.</p> |
| 14.05 - 14.30 | <p><b>The deprivation of liberty safeguards - essential protection or bureaucratic monster?</b><br/>Areas to be covered:</p> <ul style="list-style-type: none"><li>• HL - a hard case making bad law?</li><li>• Why is it so complicated, and with what consequences?</li><li>• The first month - whose predictions have been right?</li></ul>   | <p>Roger Hargreaves<br/>Independent Social Worker</p> <p>Roger Hargreaves is an independent social worker who specialises in civil court and tribunal reports relating to adults, and in particular people with mental health problems or learning disabilities.</p>   |
| 14:30 - 14:45 | <b>Refreshments</b>  |  |
| 14.45 - 15:10 | <p><b>The role of the responsible clinician</b><br/>Areas to be covered:</p> <ul style="list-style-type: none"><li>• The main duties and responsibilities of the Responsible Clinician under the amended 1983 Mental Health Act</li><li>• The related roles of section 12 Approved Doctor and Approved Clinician</li><li>• The implications of opening the role up to a range of professionals</li></ul> | <p>Dr Ian Hall<br/>Parliamentary Liaison,<br/>Royal College of Psychiatrists</p> <p>Ian Hall is a Consultant Psychiatrist working with people with learning disabilities in East London. He is also an honorary senior lecturer in psychiatry (learning disabilities) at Queen Mary, University of London.</p>   |
| 15.10 - 15.50 | <p><b>Community treatment orders: reflections six months on</b><br/>Areas to be covered:</p> <ul style="list-style-type: none"><li>• Predictions of use</li><li>• Experiences reported by practitioners</li><li>• Tribunal members, experiences of service users</li><li>• Evidence of practice from abroad</li></ul>  | <p>Prof. Peter Bartlett<br/>Faculty of Social Sciences, Law and Education, University of Nottingham</p> <p>Peter Bartlett is Nottinghamshire Healthcare NHS Trust Professor of Mental Health Law in the School of Law at the University of Nottingham.</p> <p>Dr. Rowena Daw<br/>Policy Adviser<br/>Royal College of Psychiatrists</p> <p>Rowena Daw is Head of Policy at the Royal College of Psychiatrists and Vice Chair of the Mental Health Alliance. She is a member of the Law Society Committee on Mental health and Disability.</p>   |
| 15.50 - 16.00 | <b>Conclusions of the day</b>  | <p>Lucy Scott-Moncrief<br/>Solicitor<br/>Scott-Moncrief Harbour and Sinclair</p>   |

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**Conference - Thursday 30 April 2009**  
**The Law Society, 113 Chancery Lane, London WC2A 1PL**  
**5.25 CPD hours**

To register and pay online please click on the following link: <http://services.lawsociety.org.uk/events/node/48884>

Alternatively, please complete the form below in CAPITAL LETTERS and return to the Conference and Events Unit at The Law Society via the following details:

The Law Society, 113 Chancery Lane, London WC2A 1PL or DX 56 Lon/Chancery Ln  
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Title: \_\_\_\_\_

First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Job Title: \_\_\_\_\_ Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address \_\_\_\_\_

Lawyer? Mental Health Practitioner? Other, please state \_\_\_\_\_

### Registration fee

Cost: £175 plus 15% VAT (£26.25) = £201.25

Number of delegates

Total payment

Cheques payable to **The Law Society**

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