

The Court of Protection

A guide to understanding the Court of Protection

Expert advice

It's important that the finances and welfare of the most vulnerable members of our society are protected and that's why there is a Court of Protection.

Slater and Gordon has a team of experts who have many years' experience in Court of Protection law and are dedicated to looking after the welfare, and safeguarding the financial affairs of those suffering from a lack of mental capacity because of learning difficulties, old age and mental illness or as a result of an accident or medical negligence.

Whether applying on your behalf to the Court of Protection for an appointment of Deputy, acting as Professional Deputy, dealing with statutory wills and gifts, dealing with care provision or entitlement to public funding, it's our aim to reduce the burden of dealing with any Court of Protection issues which you may face, at what can be such a difficult time.

What is the Court of Protection?

The Court of Protection is a specialist court responsible for individuals who lack the capacity to manage their own property and affairs or to make decisions about their welfare.

There are many reasons why someone might lack capacity, for example, dementia, learning disabilities, or as a result of a brain injury.

How does the Court of Protection protect someone who lacks capacity?

The Mental Capacity Act gives the Court of Protection jurisdiction to make orders about personal welfare as well as property and finances for those who lack the capacity to make decisions for themselves.

The Act has principles and codes which need to be followed by everyone involved in the management of the welfare, property and finances of a person who lacks capacity.

What happens if there's a dispute in respect of someone who lacks mental capacity?

Sometimes, disputes about finances or the wellbeing of someone who lacks mental capacity can arise. These disputes are dealt with in the Court of Protection.

Such proceedings are complicated and require detailed knowledge of the Court of Protection's practice and procedure.



How can Slater and Gordon help?

Slater and Gordon has a specialist Court of Protection team. Our expert lawyers have many years' experience of dealing with Court of Protection issues.

We have a national reputation for acting as Professional Deputy for people with acquired brain injuries and regularly receive referrals from other law firms with personal injury and medical negligence practices to act as Deputy or advise and assist in respect of having a Deputy appointed.

As well as our Deputyship services, our team of experts can also provide advice and assistance in relation to:

- Statutory Wills and Gifts
- Disputes with the Court of Protection

If you wish to speak to one of our Court of Protection specialists, please do not hesitate to contact us.

Please feel free to discuss your own position and concerns. Contact your nearest office on:

T: 0800 916 9015
E: enquiries@slatergordon.co.uk
W: www.slatergordon.co.uk

Slater and Gordon is one of the UK's leading and largest legal practices with offices throughout England, Wales and Scotland.

Slater and Gordon (UK) LLP is authorised and regulated by the Solicitors Regulation Authority. The information in this factsheet was correct at the time of going to press - June 2016.