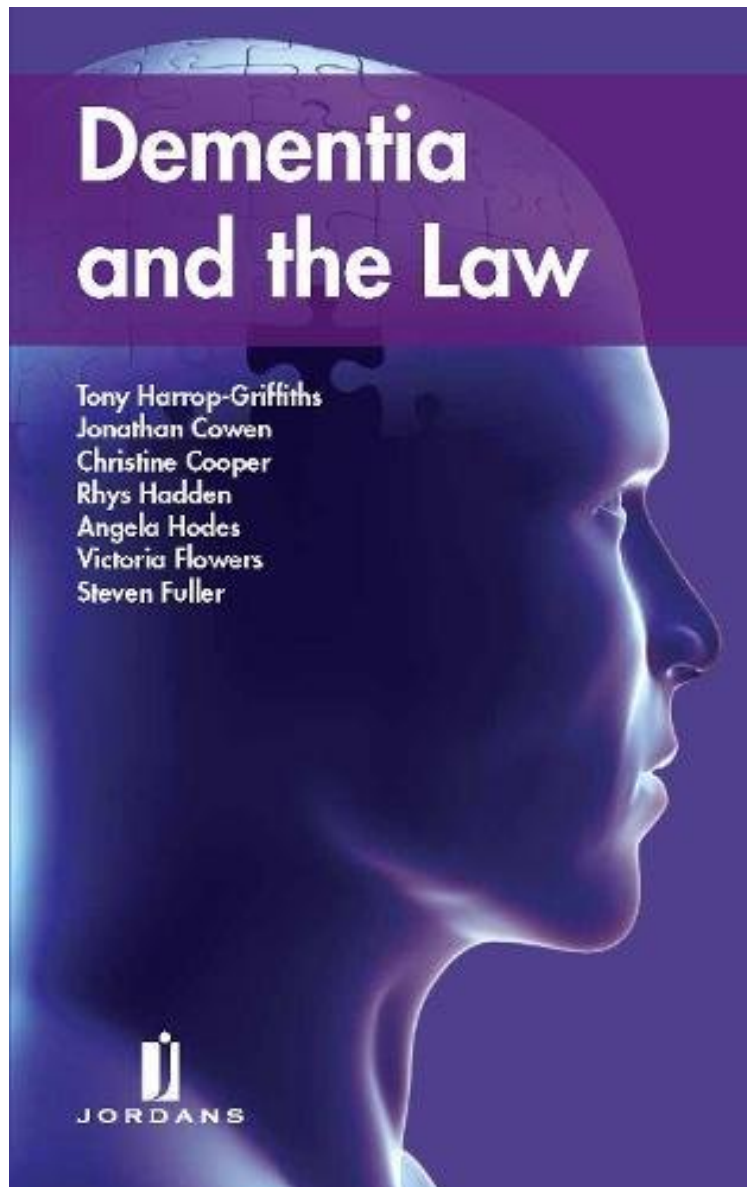


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Dementia and the Law

Tony Harrop-Griffiths, Jonathan Cowen, Christine Cooper, Rhys Hadden, Angela Hodes, Victoria Flowers, Steven Fuller

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Tony Harrop-Griffiths, Jonathan Cowen, Christine Cooper, Rhys Hadden, Angela Hodes, Victoria Flowers, Steven Fuller : Dementia and the Law before purchasing it in order to gauge whether or not it would be worth my time, and all praised Dementia and the Law:

0 of 0 people found the following review helpful. A clear, accessible examination....By Phillip Taylor

MBE[[VIDEOID:mo389L04EK2UKX0]]OF LEGAL ISSUES RELATING TO DEMENTIAAn appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green ChambersIn this multi-authored work of reference from Jordan Publishing, the combined expertise of no less than seven specialist barristers at Field Court Chambers is placed at your disposal, all the better actually, when it comes to helping you increase your understanding of the legal issues relating to dementia, a perpetually delicate and difficult subject.Writing in the foreword, Mrs Justice Lucy Theis from the Family Division, reiterates the uncomfortable truth that `a significant number of people in the UK have dementia; one in three people over 65 will develop it.'As the medical problems linked to dementia have become increasingly widespread, they are now of course, more widely known and understood than the consequent legal issues.This book is therefore timely and much needed. Setting out the law in a straightforward and accessible manner, it addresses a number of key issues -- and often urgent key questions.For example:When data protection and best interests need to be considered, who has permission to access the information?What is the legal approach to issues relating to the deprivation of liberty?Do people with dementia have the right to refuse medical treatment and care at any time?What are the rights of those caring for the person with dementia?These of course are only a few of the dementia-related difficulties which this book discusses in detail.The book goes on to focus on the property and financial affairs of the person with dementia, including powers of attorneys, their obligations and duties and the legalities involved. The final section deals with disputes that may often arise and their possible remedies, for example, remedies in the Court of Protection.Covering England and Wales (with additional references where in Wales the law differs), the book deals sequentially with powers under the Mental Health Act 1983 (as amended) and the Mental Capacity Act 2005. These two crucial pieces of legislation are set out under Statutory Materials in Appendix 1, together with the National Assistance Act 1948.Written in the spirit of compassion and understanding as well as rigorous analysis, this book is to be commended not just for legal professionals but to carers working with people with dementia in the NHS, local authorities and care homes.Relatives of people with dementia will find the information and advice offered of considerable help and benefit and researchers especially, will appreciate the extensive and minutely detailed table of contents, as well as the index, the two appendices and the twenty pages or so of tables of cases, statutes and statutory instruments.This is an indispensable work of reference for all those concerned with legal matters relating to dementia and is also available as an eBook.The publication date is 2014.

This book addresses the full range of legal issues in the UK that arise in respect to people suffering from dementia, setting out the law in a clear and accessible form. Starting from the initial stages of obtaining information, the book follows a logical sequence through: the powers under the UK's Mental Health Act (MHA) 1983 * rights to assessment, treatment, and care services * the Mental Capacity Act (MCA) 2005 * financial deputies and attorneys * care funding. It concludes with a detailed section on the remedies which may be deployed to resolve disputes in these areas. The first section of the book deals with legal issues that arise at the time of diagnosis and in the period when the dementia begins to have a significant impact on the person's life. Access to information about a person with dementia is a particularly complex problem. The rights and duties of disclosure of personal data and medical information are set out in this context. The powers to detain a person with dementia under the MHA are explained, as is the role given to the nearest relative. The second section is focused on legal issues surrounding the care provided to a person with dementia. The concept of 'best interests' is explained at the start of this section, along with the legal approach under the MCA to making decisions for the person with dementia (such as when to deprive that person of his or her liberty). The rights to receive a particular medical treatment and to refuse treatment are set out before turning to the legal issues surrounding care services provided by the local authority. The third section is concerned with the property and financial issues affecting those with dementia. The legal processes, powers, and obligations of attorneys and financial deputies are set out and explained in context along with practical information about the most common problems (such as the sale of property). This section concludes with a chapter covering issues concerning the funding of care. The final section concentrates on the remedies available when disputes arise, as they are likely to apply to a person suffering from dementia. The book covers both England and Wales, and includes additional reference wherever the law differs in Wales. [Subject: Mental Health Law]