

Law Society Practice Note: Transitional Issues for Young People (in development)

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Project method

A joint working group of members from the Society's Mental Health and Disability Committee and the Children Law Sub-Committee, are currently working to produce guidance for solicitors working in: children's services; adult care services; community care; mental health; mental capacity; education; special educational needs.

The practice note will cover the following areas:

- overview of the MCA (particularly how it relates to 16/17 year olds)
- capacity assessments for this group
- transition proceedings (between the High Court and Court of Protection)
- changes arising from the Care Act 2014 and Children and Families Act 2014
- deprivation of liberty and under-18s
- summary of relevant case law

Project results/evaluation

This work is ongoing, but we expect the guidance will provide a resource for practitioners working with children and young adults transitioning between child and adult services and between court jurisdictions.

It will raise awareness of the importance of transition issues and provide guidance to practitioners on areas which are particularly complex and little understood. The guidance will also raise awareness of the Mental Capacity Act 2005 and its applicability to those aged 16-18 who are transitioning between services, and whose interests should be safeguarded by the Court of Protection.

Project area classification

Hospital care	x	Emergency care	
GP care	x	Dementia	
Social care	x	Learning disability	x
Voluntary sector		Other mental health	
Financial services		Palliative care	
Police		Advance planning, LPAs	
Legal	x	Commissioning	
Community health care	x	Training	
Nursing and care home	x	For professionals?	x
Acute care	x	For public and service users?	
Chronic care			