

# Deprivation of Liberty - A Practical Guide: Law Society publication

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## Project method

The Department of Health commissioned the Law Society to produce guidance for frontline health and social care professionals in order to help them identify when a deprivation of liberty may be in operation.

A working group of the Society's Mental Health and Disability Committee (the committee), which is made up of solicitors, barristers, judges and other mental health professionals, was formed to review existing guidance and to draft an up to date practical guide for professionals working in this area. They were joined by Neil Allen of Garden Court Chambers (North). The working group, alongside the Society's policy team, drafted, edited and produced a comprehensive and practical guidance which aims to ensure frontline professionals can more easily identify a DoL in order that the authorisation process and its accompanying protections are triggered.

The guidance covers the following areas:

- a summary of the law in relation to DoL
- an explanation of the implications of the *Cheshire West* case
- identification of liberty restricting measures in various settings
- an explanation of key DoL cases
- signposting to further resources, including statutory guidance, forms and commentaries

## Project results/evaluation

The committee produced an 11 part guide covering the legal framework relevant to DoL in a range of specific care settings. Using the guidance, frontline and legal practitioners can identify liberty restricting measures in: hospitals; psychiatric settings; care homes; supported living; and at home.

## Project area classification

Hospital care	x	Emergency care	x
GP care	x	Dementia	
Social care	x	Learning disability	
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			