21st August 2018

The Mental Capacity Bill - What Matters?

**What This is About**

**The government have started the process to change the Mental Capacity Act through a new Bill that started being looked at in Parliament in July**

The Bill will change the law on when people can make decisions for themselves and when they need help to make decisions. This is called mental capacity and is based on if people have the right mental skills to make decisions on their own or if they need some help or cannot make some kinds of decisions even with help.

In September the new Bill will be looked at again in Parliament and could become the new law. We know a lot of people think the new Bill can be better than it is now.

This law affects a lot of people with Learning Disabilities, their friends and families and organisations that support them.

You can find an easy read guide to the law on Mental Capacity and how it works now [here](http://www.careengland.org.uk/sites/careengland/files/Mental%20Capacity%20Act%202005%20easy%20read%20guide.pdf)

At Learning Disability England we work to bring together everyone’s different ideas to help people understand each other, find solutions and influence on what is important to us.

We think it is very important that people have their say on this law and what changes would work for the people it affects most.

**One of our promises to you as members is that we will ask you what matters on important issues.**

We know different groups or organisations are working on responses on the parts of the Bill they think need changing. We do not want to ask you to do more work but we want to help people have their say if we can and bring together our members ideas.

If you share your response with us we will write up the main themes on what we all agree on and where self advocates, organisations, families and friends had different priorities.

We will then share them with policy makers we are working with as well as sharing them with you as a members and including your ideas in our future work with you.

[**Click here to email your responses**](mailto:info@LDEngland.org.uk?subject=Mental%20Capacity%20Act%20Amendment%20Bill%20)

**The papers that help explain the changes in the Bill**

These are only some of the views or different briefings but give you an idea of what is in the Bill and the issues to consider

1. 39 Essex Chambers, Lucy Series from Cardiff University and CHANGE have worked on an Easy Read version and questions. [You can find them here](https://www.changepeople.org/blog/august-2018/changes-to-the-mental-capacity-act" \t "_blank)

2. Lucy Series from Cardiff University has written a briefing paper on the changes and what she thinks is needed to improve it.  [Click here to read it](https://www.scribd.com/document/386646804/L-Series-August-2018-Improving-the-Mental-Capacity-Amendment-Bill" \t "_blank)

3. The Social Care Institute for Excellence (SCIE) have written a summary briefing on the changes proposed [Read the summary here](https://www.scie.org.uk/mca/dols/practice/lps" \t "_blank)

4. The British Institute of Human Rights shared their view on how this affects human rights.  [Click for more information](https://www.bihr.org.uk/blog/mcabill" \t "_blank)

5. Jane Townson Philpott from Somserset Care wrote a blog on what she thinks as a CEO [Read the blog here](https://www.linkedin.com/pulse/another-fine-mess-care-providers-jane-townson-philpott/" \t "_blank)