

## Five Energising Events

Welcome to the National Mental Capacity Forum.

When I think about the origins of my interest in mental capacity, as I did when I applied to become the Chair of the Forum, I remember decisive events in my family's life, curiosity concerning the boundary between personal and professional worlds, and the consequences of belonging to various groups and communities. Each of these, consciously and unconsciously, has fashioned my enduring interest in decision-making and the supports available to people who have capacity and those who are deemed not to have capacity.

The services available to people with different kinds of support needs tend to shape our sense of what is possible. This was brought home to me when I undertook research (in the 1980s!) into the lives and circumstances of the former patients of long-stay hospitals in the north west of England. Their aspirations are familiar to us today: they wanted their own homes, mutually rewarding friendships, intimate relationships and employment. Their reality typically involved material poverty, continually displaced relationships and, for some, exposure to extreme harm in deprived urban areas.

It was some years later that it appeared that the "choices" made by adults with learning disabilities and autism were perceived as irrevocable, regardless of the consequences. The readiness of some support staff to regard "choice" as sacrosanct seemed to be the rationale for non-intervention. It was a relief to learn that during the 1990s, the Law Commission was taking the pulse of decision-making for persons found to lack capacity. It made sense to share such learning. All these years later, I wonder if "choice" has morphed into "unwise decisions."

Since becoming the Chair, my understanding of the Mental Capacity Act and its implications has been energised by five events:

- 1) an invitation to attend the [Essex Autonomy Project Summer School](#). This crystallised the ambitions of people who are the potential subjects of the Act, of lawyers and diverse contingents of academics, clinicians, and social care practitioners. It triggered the Forum giving coverage in its first webinar of 2022, to Do Not Attempt Cardio-Pulmonary Resuscitation recommendations. A note about the Summer School features on this website;
- 2) a meeting of the Forum which revealed confusion concerning its leadership and implementation wings (which was resolved during the meeting – we now have one Forum) and the absence of any coverage to marginalised voices, most particularly, those who are most likely to be the subjects of the legislation. Since this is work in process, the next Forum meeting will confirm increased membership and hopefully, the revised Terms of Reference;
- 3) the approaches of many people whose relatives are poorly served by the legislation. This is a societal history in itself. Briefly, their challenges have been discouraged and/or dismissed. It is no accident that they seek the advice of a Forum and, in doing so, push the edges of what the Forum is able to do;

- 4) an invitation to participate in [a series of workshops](#) hosted by Norfolk's Safeguarding Adults Board concerning practitioners' experiences of the Mental Capacity Act. In the note about these workshops, it is clear that efforts to democratise the practice of assessing capacity are bound up with professionals' organisations, the status of their discipline and the confidence of individual practitioners;
- 5) a request to review a chapter of a textbook: [Supporting Legal Capacity in Socio-Legal Context](#) edited by Mary Donnelly, Rosie Harding and Ezgi Tascioglu. The book demonstrates international interest in the politics of intervening and resourcing support and crucially, it is a bridge to necessary debate.

I am staggered by the gargantuan efforts of so many people who are keen to enlist their experience, ideas and networks to benefit all of us – and I am delighted to be in a position to instil hope.