

## The Court of Protection - a glossary

Here are some of the acronyms, words and phrases you may come across in the Court of Protection, together with some of the acronyms relating to health and welfare which most often appear. Comments on it and suggestions for further things to include are very welcome via the [contact page](#).

<b>ALR</b>	<b>Accredited Legal Representative</b>	A specialist lawyer who the Court can appoint to act for P if P does not have capacity to conduct the case themselves (see COPR 2017 Rule 1.2)
	<b>Advocate</b>	In this context, an advocate is likely to be an IMCA. They may also be an advocate who has been appointed as an advocate for the person under the Care Act, the Social Services and Well-Being (Wales) Act or the Mental Health Act. An advocate is not a lawyer, and their main job is to talk to the person, get to know them, and to tell people what the person wants.
	<b>Advocates Meeting</b>	A meeting should take place at least five days before the Final Management Hearing between advocates and, so far as practicable, any unrepresented parties, with the purpose of resolving or narrowing the issues to be determined at the Final Management Hearing, addressing each of the matters required by Practice Direction 4B and preparing a draft order.
<b>ACO</b>	<b>Authorised Court Officer</b>	Certain types of straightforward decisions about P's property and affairs can be taken by an Authorised Court Officer. They are specialist civil servants who work under the supervision of the judges at the Court of Protection.

<b>CHC</b>	<b>Continuing Health Care</b>	Some people with long-term complex health needs qualify for free social care arranged and funded solely by the NHS. This is known as NHS continuing healthcare: see the framework document <a href="#">here</a> . NB, this is for adults, rather than children, and CHC applies in England with a different framework in Wales, <a href="#">Continuing NHS Healthcare</a> .
<b>CMHT</b>	<b>Community Mental Health Team</b>	CMHTs support people with mental health problems living in the community, and also their carers. The team may include a community psychiatric nurse (CPN), a psychologist, an occupational therapist, a counsellor and a community support worker, as well as a social worker.
<b>CPA</b>	<b>Care Programme Approach</b>	The Care Programme Approach (CPA) is a package of care for people with mental health problems: for more see <a href="#">here</a> .
<b>CPBA</b>	<b>Court of Protection Bar Association</b>	Professional organisation of barristers who specialise in cases in the Court of Protection.
<b>DoLS</b>	<b>Deprivation of Liberty Safeguards</b>	Part of the Mental Capacity Act 2005 The Deprivation of Liberty Safeguards are part of the Mental Capacity Act. A person can be deprived of their liberty in a hospital or care home under an urgent or a standard DOLS authorisation. There are special protections in place for the person, including support by a Relevant Person's Representative. More details about the DoLS can be found in the <a href="#">DoLS Code of Practice</a> . Pronounced "DOLS," rather than "D,O,L,S."

	<b>Deputy</b>	A Deputy is a person who the court chooses to make decisions on behalf of P. This could be about their health and welfare, their property and affairs, or both.
<b>DRH</b>	<b>Dispute Resolution Hearing</b>	A hearing arranged in cases involving disputes about property and affairs. This is a chance to see whether the case can be resolved and avoid unnecessary litigation. The hearing is therefore held entirely in private, and before a different judge who would then hear the case if the dispute cannot be resolved.
<b>DST</b>	<b>Decision Support Tool</b>	A tool used to determine eligibility for Continuing Health Care; for more see <a href="#">here</a> .
<b>EPA</b>	<b>Enduring Power of Attorney</b>	A document created by someone who has capacity who decides in advance who they would like to make decisions for them, if they later lose capacity. The person can appoint an attorney (or more than one attorney) to make decisions on their behalf about their about property and affairs. EPAs can no longer be created, the replacement since the MCA 2005 came into force being LPAs (Lasting Powers of Attorney).
<b>FMH</b>	<b>Final Management Hearing</b>	Before the final hearing, the Court will have one last hearing to make sure that it has all the evidence it needs to answer the questions before it.
<b>IMCA</b>	<b>Independent Mental Capacity Advocate</b>	An IMCA is an advocate. An IMCA's job is to talk to P and get to know them, and to tell people what P wants to happen. They are not

		normally involved directly in proceedings, but have often been involved at the pre-proceedings stage in health and welfare matters. It is pronounced "IMCA", rather than "I,M,C,A."
<b>IMHA</b>	<b>Independent Mental Health Advocate</b>	An advocate appointed under the Mental Health Act. It is pronounced "IMHA," rather than "I,M,H,A."
<b>ISW</b>	<b>Independent Social Worker</b>	A court-appointed expert, most often reporting upon best interests (but often will have important observations to make about capacity)
<b>LF</b>	<b>Litigation friend</b>	<p>A litigation friend is someone who takes P's place in the proceedings, if P lacks capacity to conduct the proceedings himself. For example, the litigation friend could instruct solicitors on behalf of P, or the litigation friend could speak to the judge directly on P's behalf. A litigation friend could be a family member, a friend, an advocate or the Official Solicitor.</p> <p>In some cases, a litigation friend might also be appointed to act for another party who does not have capacity to conduct the proceedings.</p>
<b>LPA</b>	<b>Lasting Power of Attorney</b>	A document created by someone who has capacity who decides in advance who they would like to make decisions for them, if they later lose capacity. The person can appoint an attorney (or more than one attorney) to make decisions on their behalf about their health and welfare, about property and affairs, or both. There are important rules that have to be complied with about how a power of attorney is created and how an attorney has to behave.

<b>MA</b>	<b>Managing authority</b>	The care home or hospital where someone is deprived of their liberty under a DoLS authorisation.
<b>MAPPA</b>	<b>Multi-Agency Public Protection Arrangements</b>	Multi-agency public protection arrangements are in place to ensure the successful management of violent and sexual offenders. For more, see <a href="#">here</a> .
<b>OPG</b>	<b>Office of the Public Guardian</b>	The statutory body with responsibility (amongst other matters) for registering LPAs and supervising deputies.
<b>OS</b>	<b>Official Solicitor</b>	The Official Solicitor is a civil servant and a lawyer who is appointed by the government, but is independent of them. The current Official Solicitor is Sarah Castle. If there is no one suitable to act as litigation friend (and if arrangements can be made to meet her legal costs) then she can be the litigation friend for the person. She has staff who work on different cases in the Court of Protection.
<b>P</b>	<b>'Person' (not 'patient')</b>	The person the proceedings are about.
<b>PS</b>	<b>Position statement</b>	A document setting out what the party wants to happen at a particular hearing.
<b>PBS</b>	<b>Positive Behaviour Support</b>	Positive behaviour support (PBS) is 'a person centred framework for providing long-term support to people with a learning disability, and/or autism, including those with mental health conditions, who have, or may be at risk of developing, behaviours that challenge.' For more, see the paper by Victoria

		Butler-Cole QC and Theresa Joyce available <a href="#">here</a> .
<b>PRN</b>	<b>Pro Re Nata</b>	Medication prescribed on a 'when required' basis. Nb, it is always important to check whether medication prescribed on this basis is actually necessary and/or is being used more than is appropriate.
<b>RPR</b>	<b>Relevant Person's Representative</b>	A person appointed to support someone subject to a standard authorisation under the Deprivation of Liberty Safeguards. They can be unpaid (a family member or friend) or paid.
<b>RTM</b>	<b>Round table meeting</b>	A meeting during the course of a case to try to reach agreement. It will usually include the solicitors and/or barristers involved and, often, be chaired by the solicitor or barrister who is instructed on behalf of P if P is a party.
	<b>Section 21A</b>	Section 21A is the part of the Mental Capacity Act 2005 which allows the person (or someone on their behalf) to challenge a DoLS authorisation in the court.
	<b>Section 49 report</b>	A report that the judge asks to be provided to them. They are known as section 49 reports because that is the section of the Mental Capacity Act 2005 which gives the judge the power to ask for them. The judge can ask for a section 49 report from a Visitor who will visit P and give a report to the court. Sometimes they might require a local authority or an NHS body to provide particular information to the court in a section 49 report.

<b>SJ</b>	<b>Senior Judge</b>	The Senior Judge of the Court of Protection, in charge of the day-to-day running of the court. Currently Senior Judge Hilder.
<b>SLT (sometimes SALT)</b>	<b>Speech and Language Therapist</b>	Their involvement can be crucial in cases involving complex communication needs.
<b>SA</b>	<b>Standard authorisation</b>	A standard authorisation is something that a local authority (or in Wales in some cases a Local Health Board) can put in place when P is deprived of his liberty in a care home or a hospital. If you think that P should not be in the care home or the hospital, you can apply to the court to stop the standard authorisation and to say that P should be allowed to live somewhere else.
	<b>Statutory will</b>	If a person does not have the capacity to make their own will, the Court of Protection can make one for them. It has to follow a specific procedure to do so.
<b>SB</b>	<b>Supervisory body</b>	The local authority (or sometimes in Wales, the Local Health Board) which is responsible for granting a DoLS authorisation where a person is deprived of their liberty in a care home or hospital.
	<b>Tier 1/2/3 Judge</b>	Tier 1 judges are District Judges Tier 2 Judges are Circuit Judges Tier 3 Judges are High Court judges (in each case, sitting as a nominated judge of the Court of Protection)

<b>TO</b>	<b>Transparency Order</b>	An order which the court makes if the hearing is in public explaining what can and cannot be said about the case (in particular about P).
<b>UA</b>	<b>Urgent Authorisation</b>	An urgent authorisation is something that a care home or hospital can put in place when they think that P is being deprived of his liberty. Urgent authorisations last for a week, but can be renewed once, so that they can last a maximum of two weeks. A standard authorisation should have been put in place by the time the urgent authorisation runs out.
<b>VP</b>	<b>Vice-President</b>	The Vice-President of the Court of Protection, currently Hayden J.
	<b>Visitor</b>	A person appointed by the Court to visit P and report back on the things that the Court has asked them to. A Visitor could be a General Visitor, who may have a social work, advocacy, nursing or finance background, or a Special Visitor, who will be a psychiatrist.