

# Second UK Mental Disability Law Conference

Tuesday and Wednesday 26 – 27 June 2018

**Venue:** Law and Social Sciences Building, University of Nottingham,  
University Park Campus, Nottingham NG7 2RD



## Parallel Session timetable

| Rm  | Time          | Parallel Session 1 (Tuesday 26 June)                                                                                                                                                       |
|-----|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |               | 13.00 – 14.30                                                                                                                                                                              |
| A1  | 13.00 – 14.30 | <b>Judy Laing and Kevin Stone:</b> The views of Approved Mental Health Professionals to the 'Nearest Relative' role in England.                                                            |
|     |               | <b>Tom Webb:</b> Should the Mental Health Act 1983 s.23 Hospital Manager Discharge Power be Retained?                                                                                      |
|     |               | <b>Russell Ashmore:</b> Are mental health trusts in England implementing de facto section 17 leave for informal patients? An analysis of local policies.                                   |
| A3  | 13.00 – 14.30 | <b>Kris Gledhill:</b> Is it ever lawful to detain on the basis of 'unsound mind'?                                                                                                          |
|     |               | <b>Bo Chen:</b> Shared Authority and Silenced Service Users: Decision-making of Mental Health Treatment in China                                                                           |
|     |               | <b>Sheila Wildeman:</b> Anti-Carceral Disability Rights Litigation in Canada: Pathways to Substantive Equality Informed by the CRPD                                                        |
| B62 | 13.00 – 13.30 | <b>Camillia Kong and Alex Ruck Keene:</b> Overcoming challenges in Mental Capacity: overview of a Practitioner Guide                                                                       |
|     | 13.30 – 14.00 | <b>Paul Hutton:</b> Understanding and supporting treatment decision-making capacity in psychosis: An overview of Edinburgh-led research on the psychology of decision-making in psychosis. |
|     | 14.00 – 14.30 | <b>Jim Rogers:</b> Decision Making in Relation to Mental Capacity                                                                                                                          |
| B63 | 13.00 – 13.30 | <b>Aileen O'Brien, Paul Lomax and Paul Gosney:</b> The current appeal system for those detained in England and Wales under the Mental Health Act needs reform.                             |
|     | 13.30 – 14.00 | <b>Nicola Glover-Thomas:</b> Examining the Drivers for Rising Mental Health Tribunal Caseloads                                                                                             |
|     | 14.00 – 14.30 | <b>Jill Stavert:</b> CRPD, involuntary psychiatric care and treatment and mental health tribunals: can they happily co-exist?                                                              |

| Rm | Time          | Parallel Session 2 (Wednesday 27 June 2018)                                                                                                              |
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|    |               | 9.30 – 11.00                                                                                                                                             |
| A1 | 9.30 – 10.00  | <b>Mat Kinton:</b> Detention in the Community – a current legal dilemma                                                                                  |
|    | 10.00 – 10.30 | <b>Russell Ashmore:</b> Are mental health trusts in England implementing de facto section 17 leave for informal patients? An analysis of local policies. |
|    | 10.30 – 11.00 | <b>Peter Hall:</b> Mental Health Act Assessments - Professional Narratives on Alternatives to Hospital Admission                                         |

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| A2  | 9.30 – 11.00  | <b>Simon Clarke:</b> “One can’t have something for nothing. Happiness has got to be paid for”: Electroconvulsive Therapy in the modern mental health service.                                                                                                     |
|     |               | <b>Elizabeth Fistein:</b> Restrictive practice in the care of people with Prader-Willi Syndrome – a review of literature                                                                                                                                          |
|     |               | <b>Kris Gledhill:</b> What are the implications of the CRPD for the professions?                                                                                                                                                                                  |
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| A3  | 9.30 – 11.00  | <b>Oliver Lewis:</b> Why does the CRPD Lack Traction in UK mental health law reform?                                                                                                                                                                              |
|     |               | <b>Mary Donnelly:</b> Two Roads Diverged?: European Responses to the CRPD                                                                                                                                                                                         |
|     |               | <b>Christopher James Ryan and Tim Foley:</b> To what extent are reforms to mental health legislation driven by the Convention on the Rights of Persons with Disabilities reflected in the implementation of that legislation? – Experience in an Australian state |
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| B62 | 9.30 – 10.00  | <b>Phil Fennell:</b> The Lunacy Inquisition of W F (‘Mad’) Windham (1861-2) and the Common Law Roots of the Mental Capacity Act 2005: Lessons from the Past.                                                                                                      |
|     | 10.00 – 10.30 | <b>Jack Clayton Thompson:</b> All-or-Nothing: Mental Capacity, Autonomy and Consent                                                                                                                                                                               |
|     | 10.30 – 11.00 | <b>Grace Carter:</b> Having their cake and eating it too- providing clarification on a contradiction in Article 12 of the CRPD in light of self binding and contrary wishes                                                                                       |
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| B63 | 9.30 – 10.00  | <b>Nigel Eastman and Richard Latham:</b> Reinstatement of a ‘Therapeutic Benefit’ Test within The Mental Health Act 1983, as amended by The 2007 Act                                                                                                              |
|     | 10.00 – 10.30 | <b>George Szmukler:</b> ‘Capacity-based’ mental health law and public protection                                                                                                                                                                                  |
|     | 10.30 – 11.00 | <b>Paul Skowron:</b> What is the ‘Best Interpretation of Will and Preferences’?                                                                                                                                                                                   |

| Rm | Time          | Parallel Session 3 (Wednesday 27 June 2018)<br>11.30 – 13.00                                                                   |
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| A1 | 11.30 – 12.00 | <b>Simon Clarke:</b> Disciplinary power and degradation ceremonies: the case of the ward round                                 |
|    | 12.00 – 12.30 | <b>Jack Tomlin:</b> The Restrictiveness of Forensic Care: Exploring Patient Experience                                         |
|    | 12.30 – 13.00 | <b>Serena Bradshaw:</b> The Case for Supporting Survivors after the Judicial Process                                           |
|    |               |                                                                                                                                |
| A2 | 11.30-1300    | <b>Jill Craigie:</b> Challenges for conceptualising ‘undue influence’ in the context of supported decision-making              |
|    |               | <b>Amanda Keeling :</b> Unravelling Article 16 CRPD: What does the Committee want from us (and is it enough)?                  |
|    |               | <b>Ben Clubbs Coldron:</b> The Implementation of Policies to Support Political Inclusion in Secondary Mental Health Facilities |
|    |               |                                                                                                                                |
| A3 | 11.30 – 12.00 | <b>Claire Hogg:</b> The Insanity Defence: Law and Jurisprudence in England and Wales                                           |
|    | 12.00 – 12.30 | <b>Meron Wondemaghen:</b> Equality, Insanity and the CRPD                                                                      |
|    | 12.30 – 13.00 | <b>Leon McRae:</b> Blaming rape on sleep: A psychoanalytic intervention                                                        |

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| B62 | 11.30 – 12.00 | <b>Lucy Series:</b> To 'empower and protect': Tracing the Mental Capacity Act 2005's promise to empower                                                                                               |
|     | 12.00 – 12.30 | <b>Hope Davidson:</b> Same same, but different – Comparing the potential of the Assisted Decision-Making Capacity Act 2015 in Ireland and the Mental Capacity Act 2005 in healthcare decision-making. |
|     | 12.30 – 13.00 | <b>Peter Bartlett:</b> Getting There from Here: English Mental Capacity Legislation and Supported Decision-Making                                                                                     |
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| B63 | 11.30 – 12.00 | <b>Phil Fennell:</b> Jurisdiction over the Person. The New 'New Legalism' and its relevance to the reform of mental health and mental capacity law.                                                   |
|     | 12.00 – 12.30 | <b>Alex Ruck Keene:</b> Navigating rights in the context of mental health reform                                                                                                                      |
|     | 12.30 – 13.00 | <b>Dorothy Gould:</b> The relevance of user-led research to reform of the Mental Health Act 1983                                                                                                      |

| Rm  | Time          | Parallel Session 4 (Wednesday 27 June 2018)<br>14.00 – 15.00                                                                                                                                       |
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| A2  | 14.00 – 14.30 | <b>Jack Clayton Thompson:</b> Male Suicide, Masculinity and Vulnerability                                                                                                                          |
|     | 14.30 – 15.00 | <b>Darius Whelan:</b> Risk of Suicide in ECtHR Mental Health Case-Law                                                                                                                              |
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| B62 | 14.00 – 14.30 | <b>Jaime Lindsey and Rosie Harding:</b> Capabilities and Capacity: Wellbeing and Sexual Intimacy in the Court of Protection                                                                        |
|     | 14.30 – 15.00 | <b>Rachel Clawson:</b> Forced marriage of adults with learning disabilities –developing knowledge, policy and practice to keep people safe                                                         |
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| B63 | 14.00 – 14.30 | <b>Emma Whewell:</b> Capacity and pre-proceedings in the field of children's social care: how misunderstandings between professionals can impact negatively on parents with learning disabilities. |
|     | 14.30 – 15.00 | <b>Camilla Parker:</b> A Minor Issue? Children and Young People's Mental Health Care and the Reform of the Mental Health Act 1983                                                                  |

