

Advocacy & The Rule

1.2 Representative

Fact Sheet



Hampshire and Isle of Wight



What is a Rule 1.2 Representative?

The Representative will advocate for the person who lacks mental capacity to consent to their care plan and where they live. The Representative promotes and protects the rights of the person through the Community Deprivation of Liberty (DoL) process.

Who can be a Representative?

The Representative can be a family member or friend of the person. The Representative is usually not the person who provides most of the care. If there is no one eligible to do this role, a member of our team can ask a professional advocate to support the person.

What does a Representative do?

The Representative:

1. Informs the person about the DoL process

The Representative will take all steps possible to find out the person's feelings about their care plan and where they live. They may need to use alternative communication methods to understand the person's wishes.

2. The Representative reads through the paperwork collected by us.

3. The Representative writes a statement for the Court.

This statement tells the Court whether the Representative thinks that the care plan is right for the person and in their best interests.

The Representative may ask the Court to review or end the DoL Order if the person's circumstances change. For example:

- The person may regain the mental capacity to consent to their care.
- If they notice that there are more restrictions on the person's freedom.

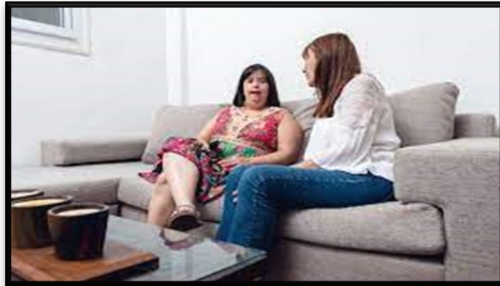


WANT TO KNOW MORE?

Please contact the team.



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The role of The Representative during the DoL Order

The DoL Order will last up to a year. During that year The Representative will:

- Visit the person regularly to listen to their views. If necessary, the Representative will contact the team at the ICB to discuss the care.
- Check that the care is appropriate, and the person is satisfied with it.
- Inform the court if the care plan changes and restricts the person's freedom further.
- Support the person to object to their care plans if they wish to do so.

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ICB Website: [Mental Capacity Act \(MCA\) and Community Deprivation of Liberty \(DoL\) :: Hampshire and Isle of Wight ICS](#)
(hantsiowhealthandcare.org.uk)

Useful Links:

- VoiceAbility - [VoiceAbility | Rule 1.2 Representative](#)
- Solent Mind - [Portsmouth Advocacy Service | DoLS, IMCA, IMHA and Care Act mental health dementia Advocacy service in Portsmouth by Solent Mind](#)
- The Advocacy People - [Advocacy For People Who Lack Capacity \(theadvocacypeople.org.uk\)](http://theadvocacypeople.org.uk)
- SWAN - [Isle of Wight | South West Advocacy Network \(swanadvocacy.org.uk\)](http://swanadvocacy.org.uk)
- Advocacy Focus - [Rule 1.2 Representative - Advocacy Focus](#)

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