

Deprivation of Liberty Letter 1

Letter to Managing Authority concerning unauthorised Deprivation of Liberty

[Sender's address]
[Contact telephone number]
[Date]

[Name and address of managing authority]

Dear Sir/Madam,

RE: [Name of person/resident]

I am writing to you about the above-named person, who is accommodated in your hospital/care home [delete as applicable].

I am the person's [state relationship or interest in the matter, e.g. 'child', 'friend', 'representative', etc].

It appears to me that this person lacks capacity to consent to the arrangements made for their care or treatment and is subject to an unauthorised deprivation of liberty. I am therefore writing, in accordance with the provisions of the Mental Capacity Act 2005, to ask you to give an urgent deprivation of liberty authorisation and to request a standard authorisation from the supervisory body.

My reasons for believing that this person is subject to an unauthorised deprivation of liberty are that [briefly state reasons].

As I am sure you know, if you do not request a standard authorisation within a reasonable period, I may ask the supervisory body to decide whether or not there is an unauthorised deprivation of liberty.

Thank you for your consideration of this matter.

Yours faithfully,

[Signature]

[Name of sender in block capitals]

Notes

The use of this letter is not mandatory. However, any oral or written request should include the information in bold in the above letter.