

Deprivation of Liberty Letter 2

Letter to Supervisory Body concerning unauthorised Deprivation of Liberty

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

[Name and address of Supervisory Body]

Dear Sir/Madam,

RE: [Name of person/resident]

I am writing to you about the above-named person, who is accommodated in [name and address of hospital or care home].

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

On [enter date], I wrote to/spoke with [delete as applicable] the managing authority of the [name of hospital or care home]. I informed them that it appeared to me that this person lacked capacity to consent to the arrangements made for their care or treatment and was subject to an unauthorised deprivation of liberty. I asked them to give an urgent deprivation of liberty authorisation and to request a standard authorisation, in accordance with the provisions of the Mental Capacity Act 2005.

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

I understand that the managing authority has not requested a standard authorisation.

I am therefore writing to make a formal request that you now decide whether or not this person is subject to 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.