

BOOK REVIEW

COURT OF PROTECTION PRACTICE 2015

General Editor: District Judge Gordon Ashton OBE and a team of contributors

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COURT OF PROTECTION PRACTITIONERS: NOTE THE RADICALLY AND EXTENSIVELY UPDATED EDITION OF THIS DEFINITIVE WORK FOR 2015 – WITH FREE SUPPLEMENT AND ACCOMPANYING CD ROM.

An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers

With an aging population, and instances of dementia increasing, together with other illnesses that impair cognitive ability, public awareness of the existence of the Court of Protection has certainly increased in recent years. Its remit and its functions are extensive and manifold as evidenced by this latest edition of ‘Court of Protection Practice 2015’ recently launched by Jordan’s.

As President of the Court of Protection, Sir James Munby notes in the Foreword, this is an essential volume for those

who work in, or appear before the Court and indeed ‘essential for every judge and practitioner in the Court of Protection.’

If any aspect of your professional work places you in the above categories, you’ll need to refer to the wealth of new material contained in this book which comes with a free supplement -- and of course the accompanying CD ROM -- provided by Jordan’s.

It is the supplement, however which contains the most up to date material. Just after the main volume went to press, the amendments to the Court of Protection Rules 2007 were put in place and have been incorporated in their entirety in the supplement.

As the publishers have explained, the Court of Protection (Amendment) Rules 2015 (SI 2015/548) amended the Court of Protection Rules 2007 with effect from 6 April 2015 for certain rules and 1 July 2015 for the remainder, subject to transitional provisions. The amendments and the dates of commencement are clearly indicated.

Because of its currency and importance, the supplement should receive special attention, certainly with respect to the revocations and the overriding objective, which stresses that the court must be enabled to deal with a case justly, ensuring for example, that it is dealt with expeditiously and fairly and that the parties are on an equal footing.

Within this surprisingly compact volume of some 3,000 pages, there is much else that is new for 2015, too diverse to mention in detail here. But suffice to say, all the narrative chapters in Part I and the procedural guides in Part II have

been comprehensively updated, with all the relevant updated legislation included in Parts III to V.

Among the important updates are the latest Deprivation of Liberty (DOL) forms contained in Part VII. These will appear online as fillable PDF's which can be saved and reprinted and which will also allow changes and correction of errors. New precedent orders, including those pertaining to DOL matters, are to be found in Part VIII. Part IX contains the latest case law summarized under topic headings which is excellent for the advocate, and in Part X you'll find the full range of updated international questionnaires.

The book also provides extensive research resources and directories, including tables of statutes, statutory instruments, cases, practice directions and codes of practice, plus a table of EC and international regulations.

Without a doubt this is the complete and definitive work of reference on the Court of Protection. And in a bit of an understatement, one must say that this book is a monumental achievement and certainly a credit to the general editor, District Judge Gordon R Ashton and his team of eight expert contributors. Thank you.