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Guardianship under the Mental Health Act 1983 - England 2012

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Summary

This report contains the latest statistics about cases of guardianship under Sections 7 and 37 of the Mental Health Act 1983 in England. It contains information at national, regional and local authority level. This will be relevant to anyone with responsibility for handling applications for guardianship or who is involved in monitoring uses of the Mental Health Act and the rights of people with mental disorders. It will be of particular interest to local social services authorities who are the named guardians in the majority of cases and who supply the data used for these statistics.

Key Facts

- The number of new Guardianship cases fell by 5 per cent between 2010/11 and 2011/12 from 347 to 331 cases. This is a much smaller reduction than between the previous two reporting years, which saw a notable fall of 21 per cent, possibly attributable to the introduction of new Mental Capacity Act Deprivation of Liberty Safeguards and Community Treatment Order legislation. The number of new cases in 2011/12 was 31 per cent lower than in 2002/03 when 477 new cases were reported.
- This is the seventh consecutive decrease in the numbers of continuing cases. The number of cases continuing at the end of the year decreased by 26 per cent (from 923 in 2002/03 to 682 in 2011/12). The number of cases closed during the reporting year was 357; a decrease of 33 per cent since 2002/03 from 534.

There are large regional variations in the rates of Guardianship usage:

- Local Authorities in the North West had the highest 'turnover' of guardianship cases in England during the 2011/12 reporting period, having the highest numbers and proportions of both new cases and closed cases, as well as continuing cases.
- There were 13 new cases of guardianship per million population in the North West, and this represents 27 per cent of all new cases in England. The lowest rates of new cases were in the East Midlands (2 per million population; 3 per cent of all new cases), London (3 per million population; 7.3% of all new cases) and the East of England (3 per million population; 4.5 per cent of all new cases).
- Twenty six cases per million population in the North West were continuing cases. The North East had the second highest rate at 22 per million. The lowest rates were seen in London, where 4 cases per million population continued at the end of the

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reporting year.

- Variations in the rate of Guardianship usage are also noticeable across different types of authorities. Metropolitan and Unitary authorities had 11 and 9 new cases per million population during the reporting year, and 19 and 17 continuing cases per million population. The rate of new cases was 3 per million population in both Inner and Outer London, and 4 per million in Shire Counties. The rates of continuing cases were 4 per million in Outer London, 6 per million in Inner London, and 11 per million in Shire Counties.
- These variations in Guardianship usage are also very apparent at Local Authority level. More than half of continuing cases were dealt with by just 16 per cent of Local Authorities in England (25 out of 152 authorities).

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