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## Mental Capacity Act 2005, Deprivation of Liberty Safeguards assessments - England, 2011-12, Third report on annual data

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### Summary

The Mental Capacity Act Deprivation of Liberty Safeguards (MCA DoLS), which came into force on 1 April 2009, provide a legal framework to ensure people are deprived of their liberty only when there is no other way to care for them or safely provide treatment. They were introduced as an amendment under the Mental Health Act 2007 but form part of the Mental Capacity Act.

This report provides information on uses of the legislation across the whole year from 1 April 2011 - 31 March 2012. This report also references the expected figures included in the planning assumptions made by the Department of Health.

### Key facts

- There has been a year-on-year increase in the number of applications completed for Deprivation of Liberty Safeguards (DoLS) since the safeguards were first introduced in 2009/10. There were 11,393 applications in 2011/12, which represents a 27 per cent increase on the 8,982 in 2010/11 and a 59 per cent increase on the 7,157 applications in 2009/10 (the first year of the new safeguards).
- The number of people subject to a standard authorisation at the end of the quarter had increased each quarter since the safeguards were introduced, from 536 at the end of June 2009 to 1,976 at the end of December 2011. However, between the end of December 2011 and March 2012 the numbers decreased by 16 per cent, the first fall in numbers seen.
- Dementia accounted for 53 per cent of all applications and this is reflected in the age profile of people who are the subject of DoLS applications.
- Fifty-eight per cent of applications relate to people over 74 and the population-based rate of applications is much higher for over 74s and over 84s. For the over 84s the application rate is 25 in 10,000. This compares to 12 in 10,000 for 75-84 year olds, 3 in 10,000 for 65-74 year olds and just 1 in 10,000 for 18-64 year olds.

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olds (working-age adults).

- There are wide variations in population-based application rates by region. The East Midlands has the highest rate of applications at 51 per 100,000, whilst London had the lowest rate at just 17 per 100,000. These compare to a rate for England as a whole of 28 per 100,000.

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