

Alternative Action Plan - Legal Actions
Draft actions from November 2022 CB-NSG

Action: What is needed	How it will be done	Who will do it	When it will be done
Access to legal advice for people who are experiencing delayed discharge from inpatient units	Legal Panel and CBF have written to Tom Cahill/NHSE, ongoing work to develop resource	CBF, Legal Panel NHSE	Ongoing/ASAP
Prevent the scrapping of the Human Rights Act	Campaigning against changes, responding to consultations, co-ordinating with other organisations to raise awareness, lobbying/writing to MPs, etc.	CB-NSG members – to campaign	Ongoing/as needed
Produce/collate resources simplifying the key legislation related to support for people with a learning disability	Identify any existing resources around this, and identify where there are gaps Produce resources/information that fill in these gaps Produce document/webpage/etc that collates all of these in an accessible manner Link with the Legal Panel resource on legal support for people who are detained in mental health units	CB-NSG members/Research Network/Legal Panel – to identify gaps, resources <ul style="list-style-type: none">• Work with family carers to identify gaps/what is confusing and needs to be clarified CBF/Legal Panel – to produce resource on Legal Support for people detained in mental health units (for sharing with NHSE, etc)	
Prevent people who have capital that needs to be used on meeting needs e.g., adapting home from being penalised by means-tested legal aid	Legal aid to support people who are detained in inpatient units to be made non-means-tested <ul style="list-style-type: none">• Mental health tribunals and challenging DoLS are already non-means-tested but these are only part of the support needed to enable someone to be discharged• Minister of Justice currently undertaking review of Legal Aid – consultation over but is there way of influencing? CB-NSG members/Legal Panel/family carers to explore if there are other key areas for legal aid that need to be made non-means-tested		

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CBF and Legal Panel to write joint letter to Ministry of Justice re: introduction of non-means-tested legal aid for Transforming Care cohort			ASAP
Legal Support Network (in same vein as Charity Helpline network) for Lawyers and Legal Experts	<p>Lawyers who are members of the CB-NSG/Legal Panel to a) cross-refer and redirect people who approach them to the 'right' lawyer if they are not the best option, and b) work with colleagues and contacts to get them to sign up to this</p> <p><i>Could be included in creation of Legal Panel resource – e.g., include the details and then share among lawyers/legal experts to allow for cross-referral</i></p>		
Legal Support Network for Charities and Advocacy Organisations	<p>Compiling resource/list highlighting the different options offered by different charities and organisations relating to (free) legal support – bringing these all together so that they can be easily found by families</p> <ul style="list-style-type: none"> • CBF Legal Panel • Parent Carer Alliance (SEN drop-ins and webinars etc for legal advice) <p>Needs to be a willingness to cross-reference and cross-promote the work of other organisations</p>	CBF/Legal Panel to include in inpatient legal support resource, Access Social Care to include in chatbot service	
Rights-based approach to (in particular) early years and early intervention	<p>Sharing information about child's legal rights with parents (resource/guidance/workshops)</p> <ul style="list-style-type: none"> • To be co-produced with families • Local authorities to be required to share this information 	<p>Katie Clarke and Viv Cooper, with CBF/Legal Panel support – begin production</p> <p>Seek support of Children's Commissioner, LGA etc</p>	
Training for professionals who work in area of learning disabilities (e.g., GPs, community learning disability teams, educators, etc) on rights and responsibilities of people with learning disabilities		[Is anyone/are any groups in CB-NSG well-placed to develop this training? Does it already exist/can it be adapted from existing training?]	
Legal challenge(s) against inadequate 'early help' schemes/provision	Equality- and Human Rights Act-based cases, public law arguments	CB-NSG lawyers/Legal Panel (and appropriate colleagues) to consider this as an option	

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Legal challenge(s) under Care Act to ensure support for families (who can then better care for their relative)			
Training for legal professionals/professionals who work in areas around the law (e.g., social workers etc) to help them to be more family-centred/supportive		[Is anyone/are any groups in CB-NSG well-placed to develop this training? Does it already exist/can it be adapted from existing training?]	
Training and information for keyworkers around legal issues	Resources produced to be shared with keyworkers Training to increase knowledge and awareness of legal issues and routes to support?		
Resources discussed above to be compiled	Focus group with family carers, relevant organisations and lawyers/legal experts to identify issues, what needs to be included <ul style="list-style-type: none"> • Must ensure that this includes diverse families to take into account intersectionality, multicultural aspects Life-cycle approach (early life/childhood, adolescence, transition to adulthood, adulthood)	CELC/Emma Austin will be involved in producing resource, Katie Clarke/Bringing Us Together will be involved, Access will (probably) be involved if we ask but Lucy does not have authority to commit Access without asking – Group to be reconvened and volunteers from wider CB-NSG to be asked for	
Up-to-date list of providers that provide housing and/or care, that can be used by lawyers seeking community options to support discharge from inpatient units	Identify if any existing resource exists (VQDG Provider Taskforce?) Identify any bodies that may be useful in compiling if one does not exist/needs updating ¹		

¹ Housing Sub-Group, [The Learning Disability and Autism Housing Network - Golden Lane Housing \(glh.org.uk\)](https://www.glh.org.uk), VODG Provider Taskforce, Supported Living Improvement Coalition, etc