When to bring court proceedings to challenge a

DOLS standard authorisation

Does P have the capacity to decide whether to issue proceedings?

This involves understanding that a judge can be asked to decide whether P remains in the care home/hospital, or whether the arrangements for their care should be changed

YES

Ask P if she wants to issue proceedings

NO

Does P express a consistent wish to apply to court to challenge the DOLS authorisation?

YES

Issue proceedings

NO

Does P wish to apply to court, taking account of what P says and how P behaves?

NO

You do not have to issue proceedings

NO

Would P wish to apply to court, if P could express an informed view?

NO

If you are P's RPR, do you think that it is in P's best interests for you to issue proceedings?