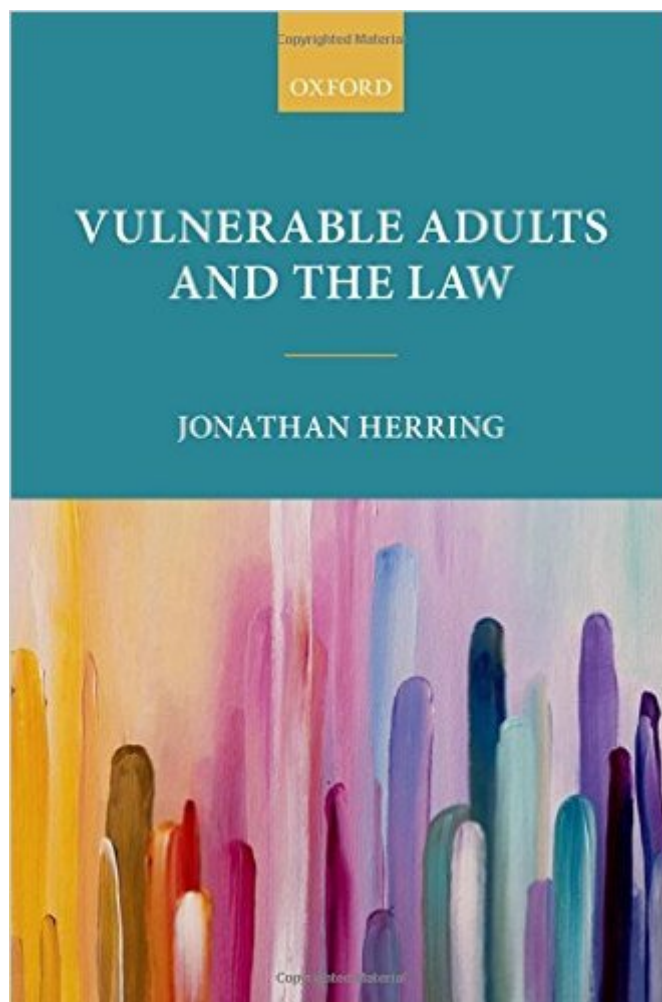


The book was found

# Vulnerable Adults And The Law



## Synopsis

We are used to thinking that most people have the capacity to make their own decisions; that they should be free to decide how to live their lives; and that it is a good thing to be self-sufficient. However, in an examination of the legal position of vulnerable adults, understood as those who have capacity under the Mental Capacity Act 2005 but are deemed impaired through vulnerability in their exercise of decision making powers, Jonathan Herring challenges that assumption. Drawing on feminist and disability perspectives he argues that we are all in fact, 'vulnerable' and we need to replace the competent, able-bodied, independent person as the norm which the law is based on and instead fashion which recognizes our interdependence and mutuality. At the heart of the law is a distinction between those who have capacity and those who do not. Those who have capacity are given the full rights of the law; they are entitled to enter contracts, dispose of their property, are able to marry. Those who are deemed to lack capacity are unable to make these decisions. Their decisions are made on their behalf based on an assessment of what is in their best interests. This approach is underpinned by the principle of autonomy, and is problematic for those who are deemed 'vulnerable'. The Court of Protection and the Court of Appeal have developed a jurisdiction to deal with cases involving vulnerable adults which has been used in a wide range of cases from those involving people with early stage dementia to cases of forced marriage. This development of law has proved controversial and the courts have struggled to draw its limits and explain the justification for it. Jonathan Herring welcomes the courts willingness to protect vulnerable adults through the inherent jurisdiction, but argues that we need to go much further. It is not just particular groups such as 'the elderly' or 'the disabled' who are vulnerable, but rather vulnerability is part of the human condition. This means that caring relationships are of central significance to our society and should be at the heart of the legal system.

## Book Information

Hardcover: 240 pages

Publisher: Oxford University Press; 1 edition (March 21, 2016)

Language: English

ISBN-10: 0198737270

ISBN-13: 978-0198737278

Product Dimensions: 9.3 x 1 x 6.4 inches

Shipping Weight: 1.4 pounds (View shipping rates and policies)

Average Customer Review: Be the first to review this item

Best Sellers Rank: #3,064,523 in Books (See Top 100 in Books) #136 in Books > Law > Family Law > Elder Law #1492 in Books > Law > Health & Medical Law #1841 in Books > Law > Legal Theory & Systems > Jurisprudence

[Download to continue reading...](#)

Vulnerable Adults and the Law Voracious Science and Vulnerable Animals: A Primate Scientist's Ethical Journey (Animal Lives) Word Search Book for Adults: Word Search Puzzles to Improve Memory and Exercise: word search, word search books, word search books for adults, adult word search books, word search puzzle books Complex PTSD and Developmental Trauma Disorder: How Childhood and Relationship Trauma Can Cause Anxiety and Depression in Adults (Transcend Mediocrity, Book 126) Sleisenger and Fordtran's Gastrointestinal and Liver Disease Review and Assessment (Sleisenger and Fordtrans Gastrointestinal and Liver) Swear Word Coloring Book : Midnight Black Edition Best Seller Adults Coloring Book With Some Very Sweary Words: 40 Stress Relieving Curse Word Designs ... Words Coloring Books For Adults) (Volume 5) Fairy tales for adults.: Fantastic fairy tales for adults with an erotic bias. Deep Thoughts & Vulgar Quotes: The Book for Adults filled with Dirty Quotes, Deep and Vulgar Thoughts, Profane Proverbs! (Shut the F\*ck Up and Color 7) Jokes : Best Jokes and Riddles 2016 (Jokes, Funny Jokes, Best jokes, Funny Books, jokes free, Jokes for Kids and Adults) Eat Fat and Get Thin, Fit, and Healthier Than Ever Before!: Easy Diet and Delicious Cookbook: Recipes for Dramatic and Sustainable Weight Loss (Includes 21 Day Meal Plan) Best Plants for New Mexico Gardens and Landscapes: Keyed to Cities and Regions in New Mexico and Adjacent Areas, Revised and Expanded Edition Amino Acids: The Way to Health and Wellness: Find Health and Healing from Depression, Addictions, Obesity, Anxiety, Sexual Issues, and Fill Nutritional Needs of Vegetarian and Vegan Diets Die-cutting and Tooling: A guide to the manufacture and use of cutting, embossing and foiling dies, anvils and cylinders The Complete Book of Essential Oils and Aromatherapy: Over 800 Natural, Nontoxic, and Fragrant Recipes to Create Health, Beauty, and Safe Home and Work Environments Low-Dimensional and Nanostructured Materials and Devices: Properties, Synthesis, Characterization, Modelling and Applications (NanoScience and Technology) Sports Law Yearbook 2015/16: A review of cases and events in 2015 and early 2016 - UK, Ireland and EU Arduino and Android using MIT app inventor 2.0: Learn in a day (book for everyone from children to adults) Wine Time Coloring Book: A Stress Relieving Coloring Book For Adults, Filled With Whimsy And Wine (Whimsical Refreshments) (Volume 1) The Miracle Morning Art of Affirmations: A Positive Coloring Book for Adults and Kids Adult Coloring Book Best Sellers: Stress Relief Coloring Book for Adults: Garden Flowers, Mandalas, Animals, and Geometric Designs

