



#LBBILL

# Book Two

Easy  
Read

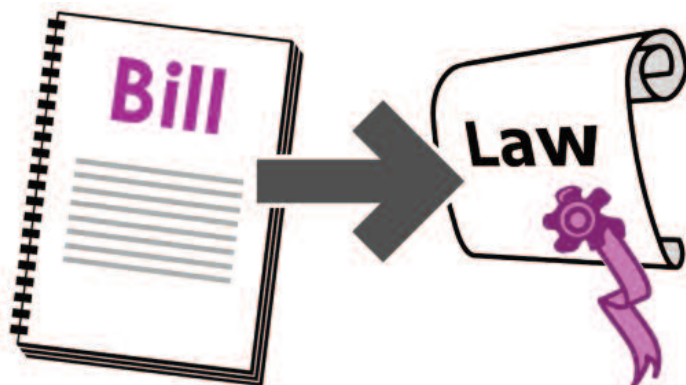
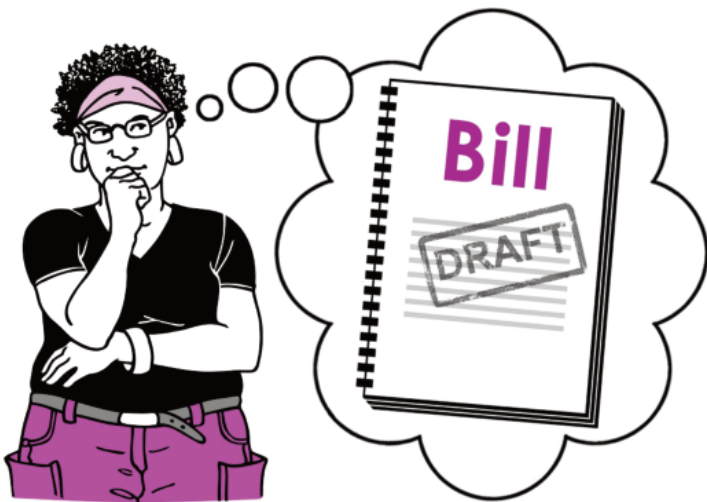
*What we want the  
LB Bill to say*



This document is about the Justice for LB campaign and what we want to do.

It tells you about an idea called the '**LB Bill**'.

The '**LB Bill**' is an idea for how the law can change.





We think the law needs to be changed to make things better for disabled people.

The NHS and your Council also have to do what the law says.

We have made **2 documents**.

Read the document "**Book 1: About the LB Bill**". It tells you:

- Who Justice for LB are.
- Why we want to change the law
- What we need to do to change the law
- What we want the law to say

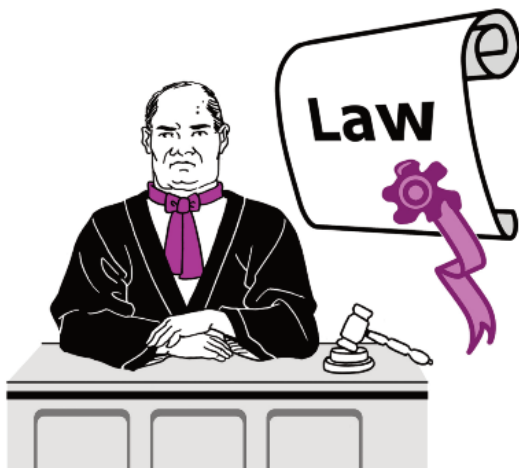


This document “**Book 2: What we want the LB Bill to say**”:

- Tells you more about what we want the law to say
- Asks you what you would like the law to say



The Justice for LB campaign wants to change the law to make the NHS and Councils listen to disabled people.



The law is the rules which everyone has to live by



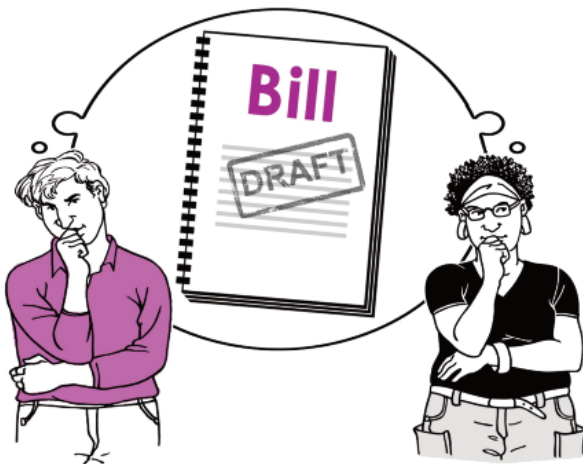
The Justice for LB campaign has to ask the Government and MPs to change the law.



MPs decide what the law should say.



The Justice for LB campaign has to write something called a '**Draft Bill**'. A Bill is a suggestion for a new law.



'**Draft Bill**' means it is just an idea and is not yet finished.



Justice for LB will have to give it to the MPs to look at.

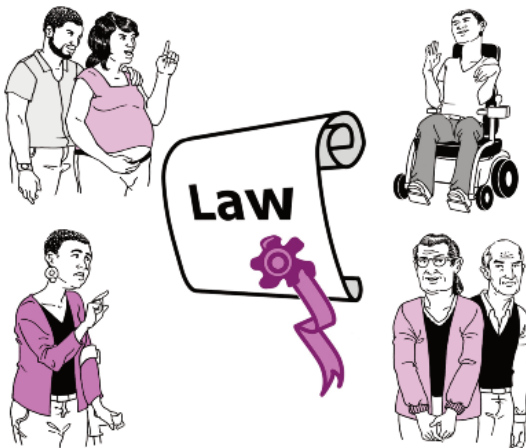




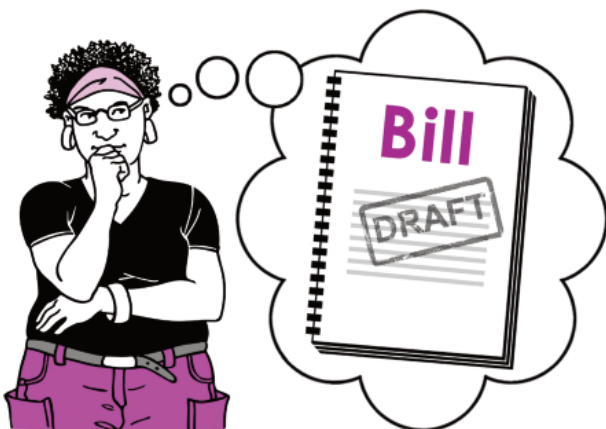
The campaign hopes that MPs will agree with our draft Bill.



If the MPs agree, they can try to make it the law.



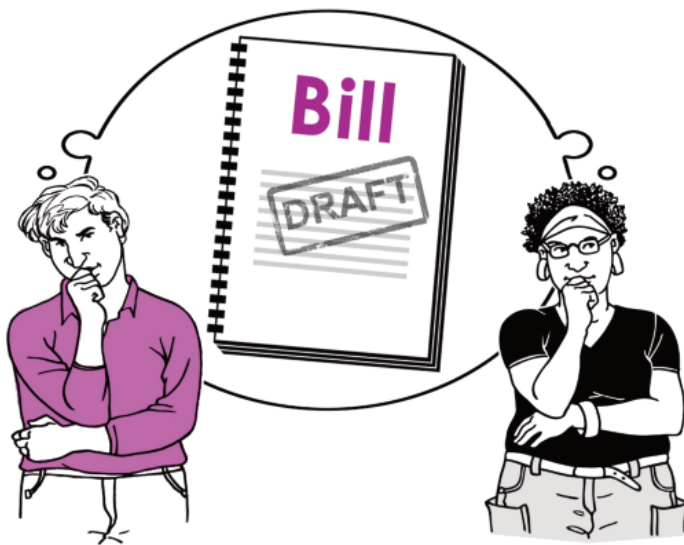
The campaign needs to hear from everyone about how the law should change.



Draft Bills have '**clauses**'.  
A clause is one of the ideas about how the law should change.



The next pages have the 'clauses' and ideas for the first draft of the Bill.



We want to know what you think.



Do you agree with our ideas?

.....



Do you disagree with our ideas?

.....



Do you have your own ideas about how the law can make life better for disabled people?

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## Clause 1

**Councils and the NHS must think about the need for disabled people to be included in their community in everything they do.**



A council is the people who run most things locally.

Councils must help disabled people that need help.







The NHS must meet people's health needs.



Your community is the place you live and the people who live near you.



Councils and the NHS sometimes say people with disabilities must live away from their communities before thinking about ways they can stay in their community.



The campaign thinks that Councils and the NHS should always have to think about how they can help disabled people to live in their community first.





Is this a good idea?

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If yes, what exactly should Councils and the NHS have to think about so they can help disabled people to live in their community first?



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What does it mean to you to be included in your community?

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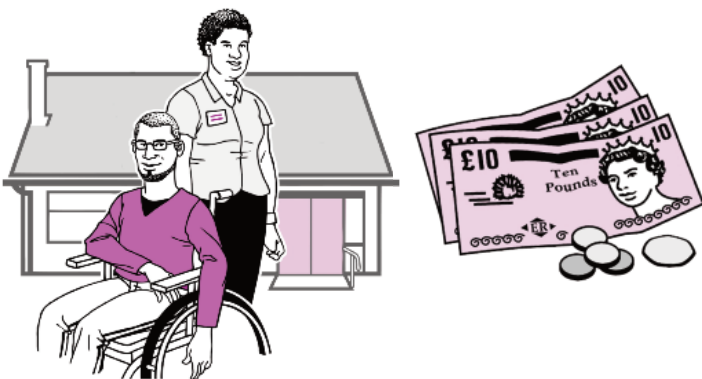
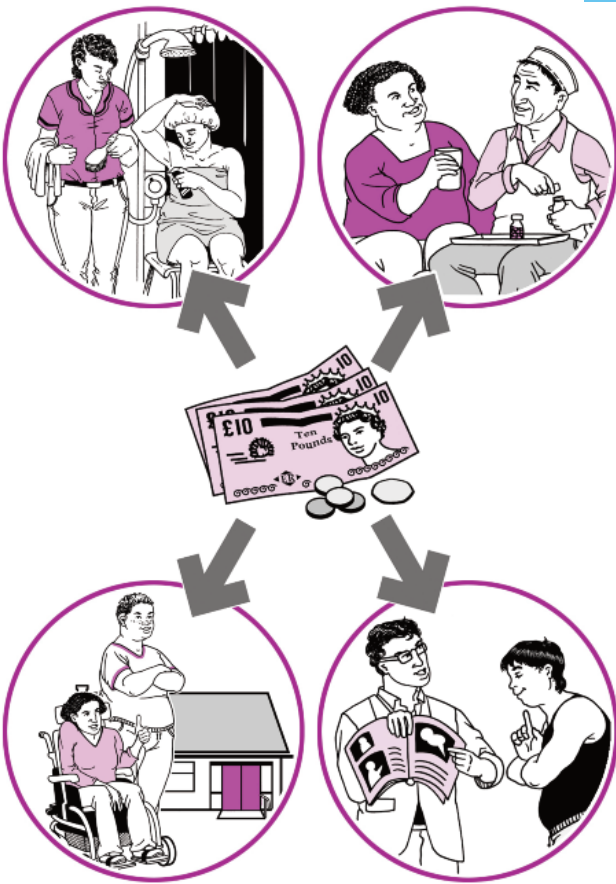
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## Clause 2

**When deciding about paying for care at home for disabled people, the care should be what people need at home.**

At the moment, some councils cap the amount of care disabled people can get at home.

A cap is a limit on how much money a council can spend.

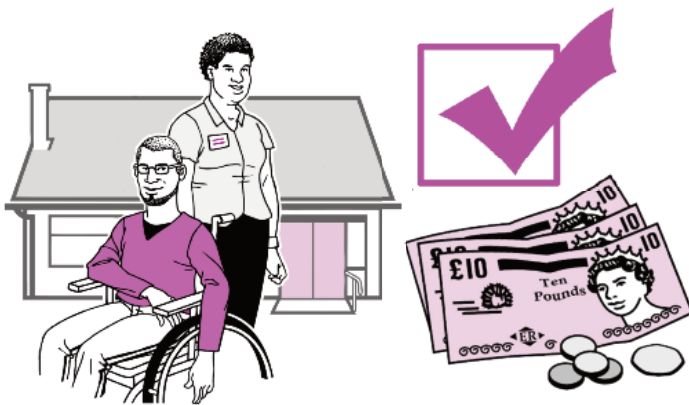




Usually, the limit is what it would cost to put that person in a residential care home. This sometimes means that councils stop themselves spending enough money to help someone stay at home.



The Justice for LB campaign thinks this is wrong.



The campaign thinks decisions about paying for care at home should ignore any type of limit apart from what the person needs at home.



Do you agree?

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## Clause 3



**Councils and the NHS must have enough support for disabled people in the community.**



The campaign thinks that in every area there must be enough support to help disabled people stay in their community.



This would mean that disabled people would go into a care home or hospital only if they really needed it.



Do you agree?

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What kind of support do you think would help keep disabled people in their community?

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## Clause 4

**Every disabled person should get support and live in the place that best suits them.**

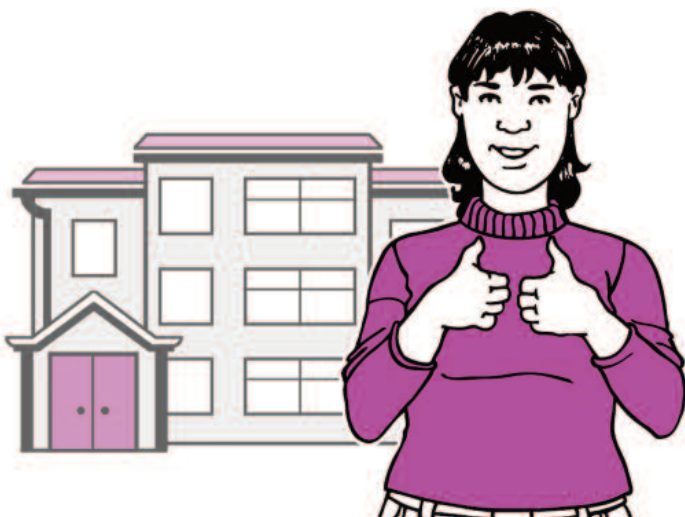
This clause is supposed to do 2 things.

It should help keep disabled people in their homes.



There are some disabled people who can't stay in their homes.

They should still have a right to live in the place that is best for them.





Councils and NHS bodies would decide where the best place to live would be for each disabled person.

The Council or the NHS would have to start with what the disabled person and their family wanted.

They could only make someone live in a care home or hospital if there was a very good reason.

Sometimes a good reason may be that it costs far too much money to help a disabled person live where they want.





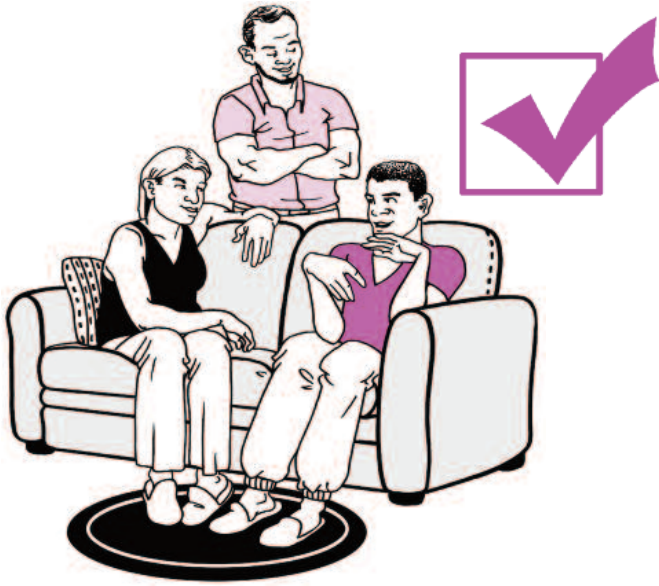
If the council or the NHS made a bad decision the disabled person could take them to court.

Do you agree?

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The draft Bill says that Councils and the NHS should have to think about these things:

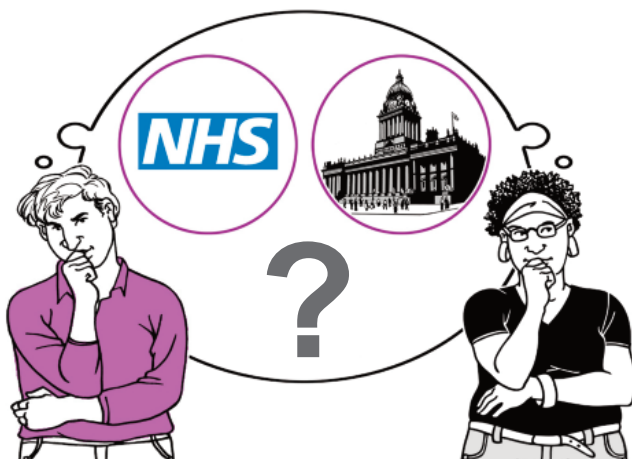
Keeping people close to home.



Making sure people can see family and friends.

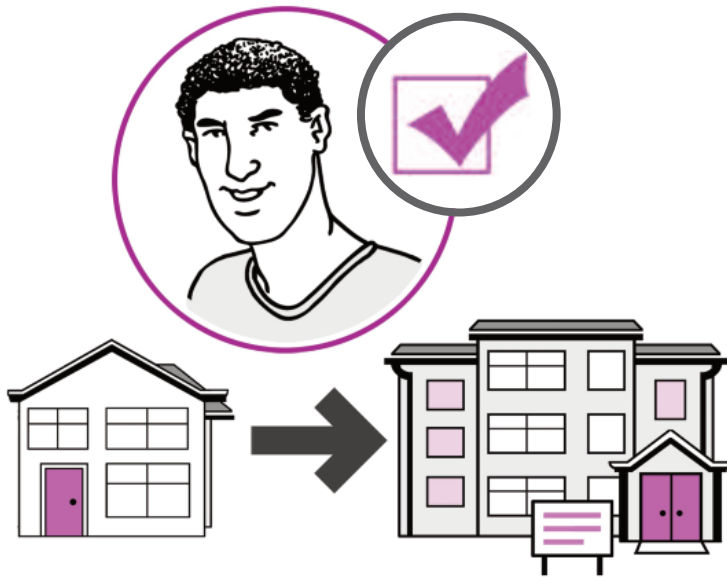
Helping disabled people to:

- work
- study
- go out in the community



Is there anything else that they should have to think about?

## Clause 5

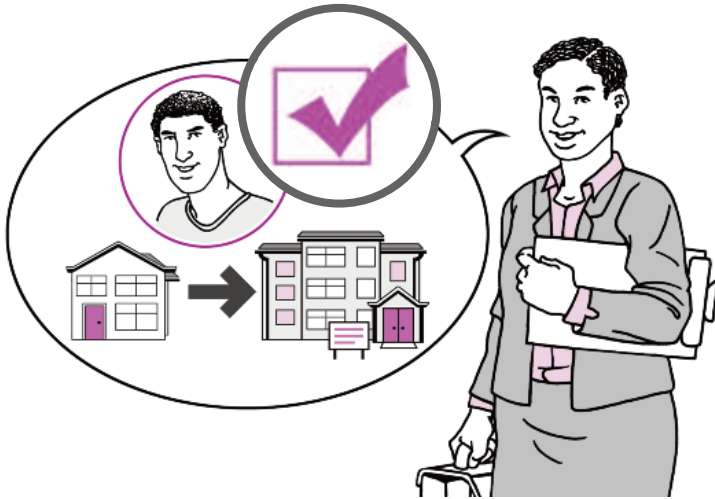


**Whenever a disabled person is moved this should be approved.**

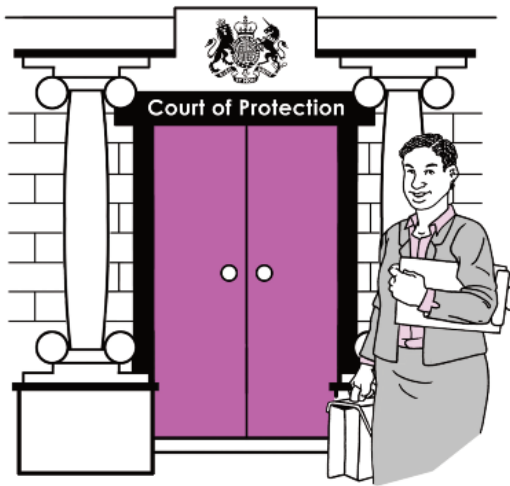
Approved means agreed by someone. The campaign thinks that these are the people who should approve a move:

The disabled person if they are over 16 and can decide for themselves.

The parent if the disabled person is under 16.



The Court of Protection if the disabled person is over 16 and can't decide for themselves.



The Court of Protection is the court which makes decisions for people who can't decide for themselves.



All decisions by the Court of Protection have to be what is best for the disabled person.



People would have a right to be told everything they would need to know so they can decide whether or not to approve a move.





Do you agree?

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What would people need to know before they could agree or disagree with a move?



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## Clause 6



**Councils and the NHS should have to be open about the disabled people they support at home and in care homes or hospitals**



Councils and the NHS would have to tell the government what they are doing.



They would have to tell the government:



Who they had put in care homes and hospitals.



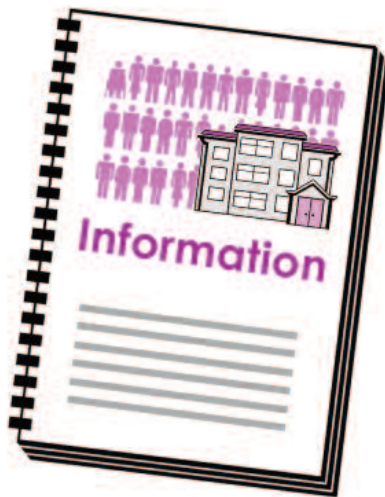
Why they couldn't help these people to stay at home.



How they plan to help the person get back home.



What they are doing to make it easier for disabled people to stay at home.



The government would then share this information with the public.

The information would be anonymous.

Anonymous means that no-one would know which disabled people are included in the information.

Do you agree?



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How should the government have to make this information public?

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Is there anything else they should have to make public?

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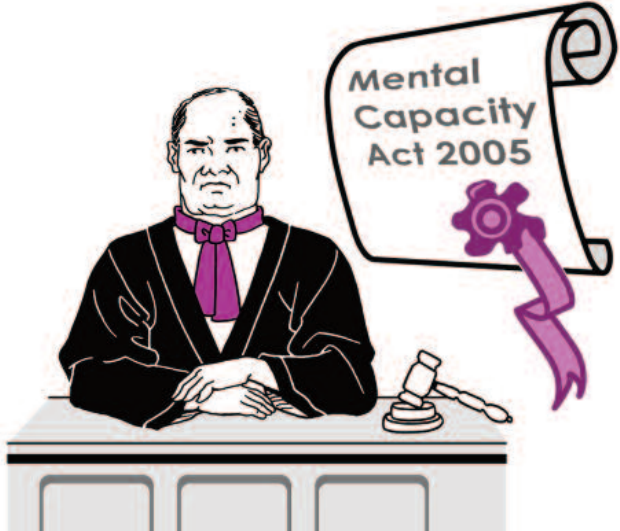
Clause 7



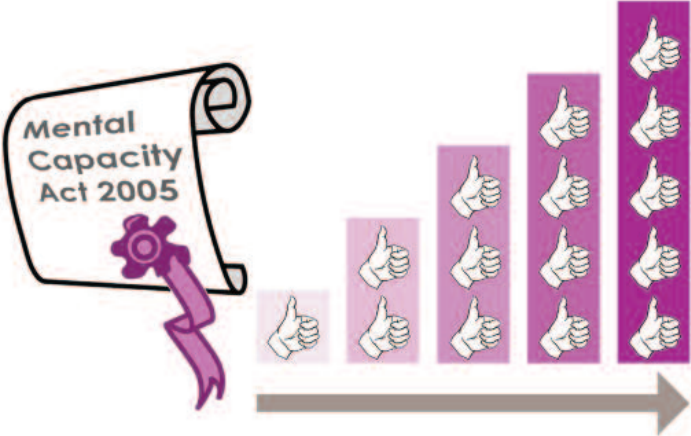
The Mental Capacity Act 2005 should change to give better rights to disabled people and families.

The Mental Capacity Act is the law about how decisions get made when people can't decide for themselves.

It is often called the MCA.



The Justice for LB campaign thinks the MCA can be changed to make it better for disabled people and families.





The first change is about when someone thinks a person can't decide something for themselves.



The Justice for LB campaign thinks that when this happens the disabled person and their families must be consulted.

Consulted means asking someone what they think about things.



The second change is about decisions taken in a disabled person's best interests.



Best interests means what is best overall for the person.



When people can't decide for themselves, a best interests decision must be made.

The campaign thinks that when this happens disabled people's views, wishes and feelings must be considered first.

The campaign also thinks that best interests decisions should take account of disabled people's Human Rights.





There is more information about Human Rights here:

[http://www.equalityhumanrights.com/sites/default/files/documents/publications/ours\\_to\\_own\\_easy\\_read.pdf](http://www.equalityhumanrights.com/sites/default/files/documents/publications/ours_to_own_easy_read.pdf)



The campaign also thinks that families should be consulted in best interests decisions.



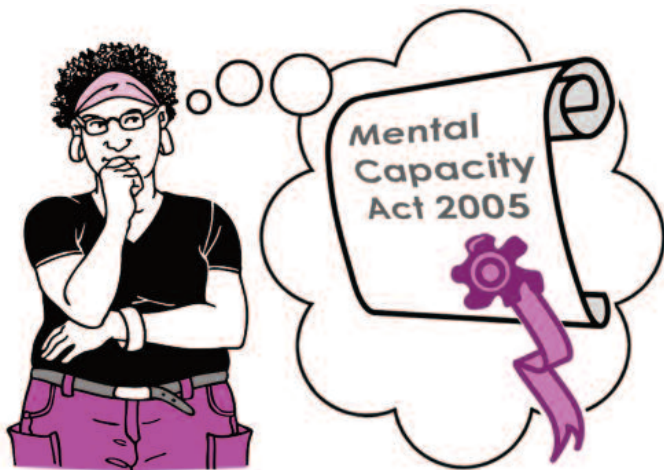
There are some times when families should not be consulted about best interest decisions.

This should only happen when it isn't best for the disabled person to consult their family.



Do you agree?

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Are these the right changes to the MCA?

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Are there other changes you think are needed?

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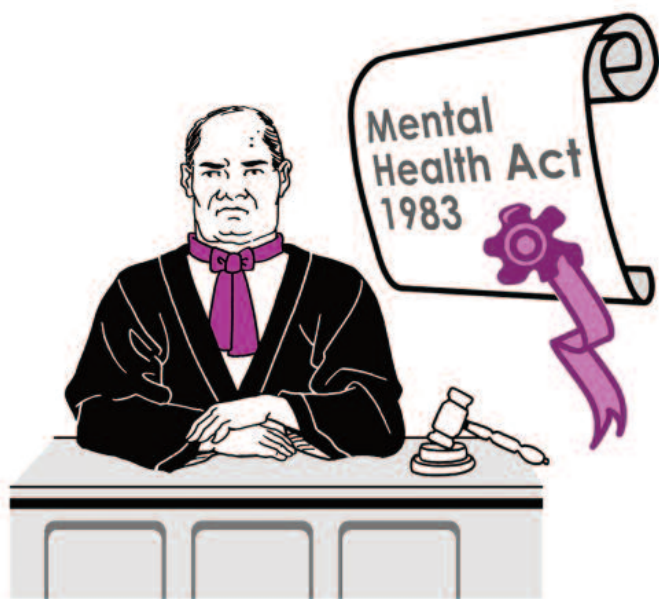
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## Clause 7



**People with learning disabilities and autism shouldn't be under the Mental Health Act 1983.**



The Mental Health Act is the law for people who have a mental illness.

It is often called the MHA.



At the moment, people with learning disabilities and autism are sometimes covered by the MHA.



People with learning disabilities are covered by the MHA when other people are worried about their behaviour.



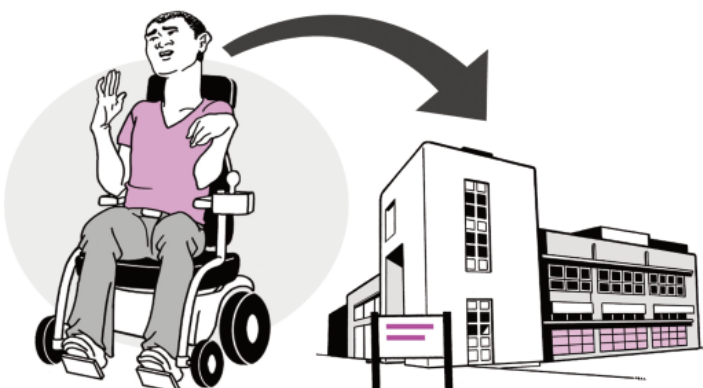


People covered by the MHA can be 'sectioned'.

If you are sectioned you will be kept in hospital for your safety or other people's safety.



This is usually because the person is unwell with a mental illness.



But sometimes disabled people are sectioned just because of their disability.



This might happen if the disabled person behaves in a way that worries people.



The Justice for LB campaign thinks this is wrong.



The campaign thinks disabled people should only be covered by the MHA if they are unwell because of mental illness.

Do you agree?



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When do you think disabled people should be covered by the MHA?

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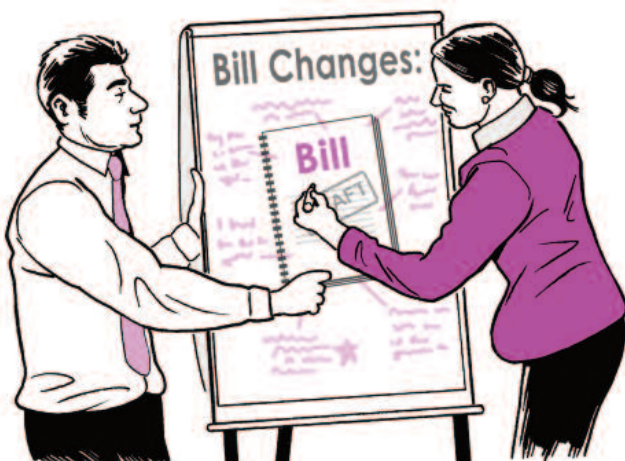
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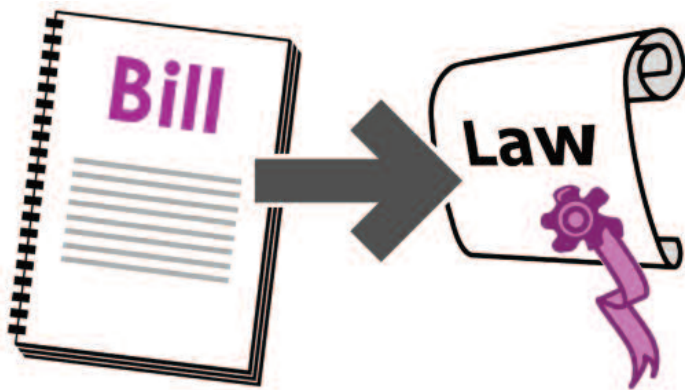
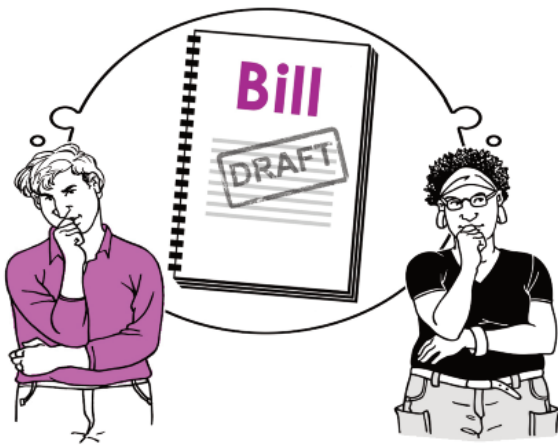
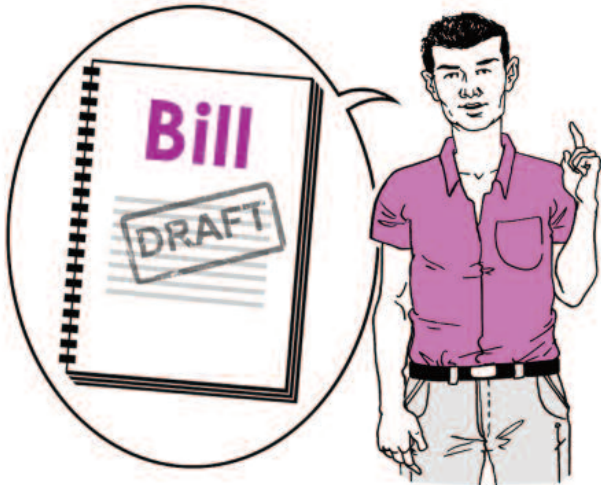
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These are the clauses for the draft Bill at the moment.



But everything can be changed.



You can say anything you like about the Bill.

These are the questions about the Bill the campaign would like you to answer:

1. Is trying to change the law through this Bill a good idea?

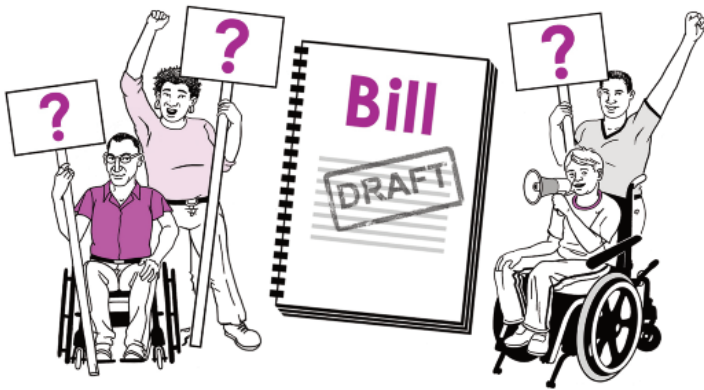
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2. Are there any big issues that this first draft of the Bill doesn't cover?

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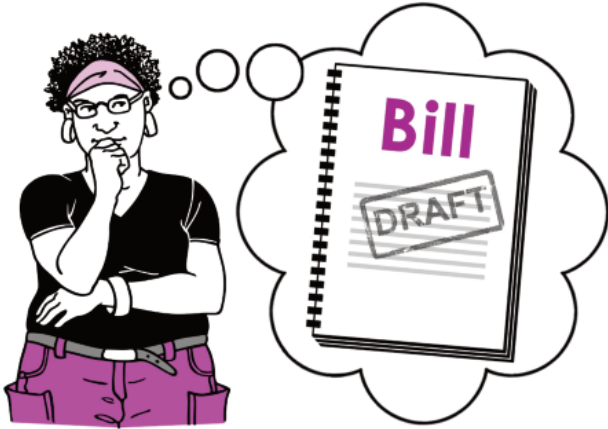
3. Do you understand what each of the current clauses is trying to do?

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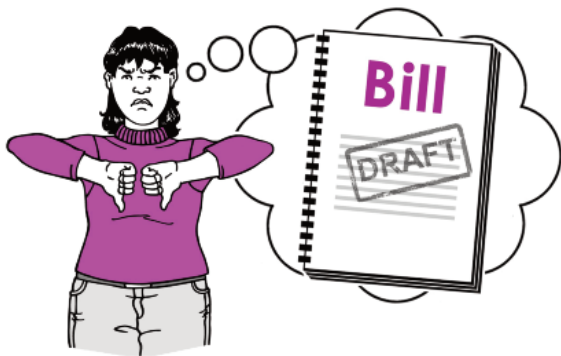
4. Do you agree with the current clauses?

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5. Are there any that would make things worse rather than better?

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The campaign wants to work with disabled people and disability organisations to hear as many voices as possible.



Please send us your views and comments on these questions or anything else:

email

**[LBFeedback@gmail.com](mailto:LBFeedback@gmail.com)**



Twitter

**@justiceforLB** – or use the hashtags

**#justiceforLB** or **#LBBill**



Facebook

– there are groups both for **'Justice for LB'** and **'LBBill'**



Via the Bill blog

[www.lbbill.wordpress.com](http://www.lbbill.wordpress.com)

This easy read document was produced by CHANGE  
[www.changepeople.org](http://www.changepeople.org)