



John Holdsworth

Chartered Legal Executive

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☎ 01872 246 109



John Holdsworth began working in childcare law at a Local Authority. Following a move to a private practice, John practised in childcare law and Court of Protection advising on the most vulnerable in society.

Now, John practises solely in Mental Capacity Law, advising clients on all aspects of mental capacity, advising professional deputies, administering deputyships and advocating for clients in Court.

Expertise

Court of Protection

John's expertise is in assisting clients in making applications to the Court of Protection and supporting deputies in the administration of their deputyships. Applications can involve those for the appointment of a deputy for health, welfare, property and finances, statutory Wills, welfare orders, Deprivation of Liberty challenges, financial orders and trustee applications.

Notable Court of Protection cases

Lasting Powers of Attorney

John represented two clients in a challenge to a Lasting Power of Attorney made when the client believed the donor lacked capacity. This case involved a forensic analysis of the timeline of events, contrasting capacity assessments and contested deputyship applications. It was important in this case to gather as much information as possible from public bodies to understand the complete picture about capacity at various junctures and advise concisely to the clients on the options and the likelihood of success.

John acted for the Deputy of a farmer with several hundred cattle and several farms spread out across the county. This involved a deep understanding of the agricultural work that is involved in managing a farm in partnership with the local farm agent and investigating allegations of impropriety by a former attorney including applications for a Statutory Will. This required getting involved in the challenge he was making to his Deprivation of Liberty authorisation and

Falmouth

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facilitating his return home.

Lasting Powers of Attorney

Acting for clients who wished to make three concurrent applications relating to the trustee act and for their appointment as Deputy for Health and Welfare and property and financial affairs. It was integral to ensure that all the applications were synchronised in order that the Court could have the full facts before making their decision.

Qualifications & Accreditations

- Called to the Bar of England and Wales (2013)

Memberships

- Fellow of the Chartered Institute of Legal Executives (2018)

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