* FX maintained he had capacity to make a range of decisions and objected to a move planned by the funder (CCG) from one care home to another in his best interests.
* FX had Prader-Willi Syndrome. The BIA gave evidence, as did Professor Holland, an expert in PWS.
* FX would talk about lots of things, including his care and residence needs, but not his illness which he found embarrassing to talk about.
* The BIA said he had capacity because she could not prove he lacked capacity, that is, the first Principle of the MCA was not rebutted. The Professor came to the opposite conclusion.
* Professor Holland only met FX once, where FX himself said “I know SN, I open up to her.”

“SN has different qualifications to those of Professor Holland… She had the advantage of being able to meet more extensively with FX and was able to have more productive discussions with him. She conducted her assessment from the correct starting point of presuming that FX has capacity and applying the relevant statutory framework and guidelines.”