

Avoid elderly being 'snatched' by social workers - make a health and welfare Lasting Power of Attorney

CURTIS Parkinson Solicitors are keen to draw the public's attention to a disturbing recent event.

In April 2009, great-grandmother Betty Figg was snatched by social workers against the wishes of her daughter, her former carer.

Social workers arrived with police and a battering ram to remove the 86-year-old woman, suffering from dementia, from her daughter's house.

The media's coverage captured the humiliating moment Betty Figg was removed from the house, in her wheelchair with a towel over her head.

Social Care's explanation for their actions, was that they did not feel that it was in Betty's best interests to be cared for by her daughter, in a specially converted room in the family home.

Ken Curtis, a Partner with Curtis Parkinson Solicitors, and a member of Solicitors for the Elderly, points out: "Theoretically all families could be at risk of this. However there is a way that it can be avoided; by giving a health and welfare lasting power of attorney to a family member, social services are prevented from making care decisions. Without this document, social services can make

decisions on behalf a vulnerable person, if they think they lack mental capacity and believe it is in their best interests. They do not have to follow what the family want and cannot be liable for their decisions.

"I would encourage all older people to plan ahead and make a Health and Welfare Lasting Power of Attorney. A Health and Welfare Lasting Power of Attorney is an important legal document which is easily created by a solicitor, who can also give advice about the choices available.

"Essentially the document permits a person with mental capacity, to appoint others to act on their behalf if they later lose their mental faculties, at a time when health and welfare decisions need to be made on their behalf."

Curtis Parkinson is a law firm specialising in private and commercial work including buying and selling property, family matters, employment, court disputes, wills, probate, tax planning, debt recovery, personal injury and equine law. The firm has three offices, located in Nottingham city centre, Clifton and Bujwell.

For further information, contact Simon Sterland on 0115 931 7000 or email: simon.sterland@curtis-parkinson.com



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