

What to do if concerned about the use of powers

The attorney, or anyone else with an interest, can ask the sheriff for a direction as to the use of powers (Section 3 of the 2000 Act). The sheriff can then issue a judgment declaring whether a particular power can or cannot be used in a particular situation. If there are more general concerns about the actions of an attorney, any person with an interest can apply to the sheriff under Section 20 of the Act. The sheriff could revoke the power or make an order that the attorney is supervised by the Office of the Public Guardian (for continuing attorneys) or local authorities (for welfare attorneys).

The Mental Welfare Commission for Scotland has been concerned that welfare attorneys are unsure about how to exercise their powers and that they sometimes do not receive the support that

they need to do so (Mental Welfare Commission for Scotland 2010). We have also heard from some attorneys that they have not been consulted when they should have been. Clinicians should work with attorneys, communicate well with them and make sure that everyone (including the attorneys themselves) understands the extent of the powers and how they are best used in individual clinical situations.

References

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'Even for a violent ward...': extract from *A Mind That Found Itself*, by Clifford Whittingham Beers

Selected by Femi Oyeboade

Even for a violent ward my entrance was spectacular – if not dramatic. The three attendants regularly in charge naturally came to the conclusion that, in me, a troublesome patient had been foisted upon them. They noted my arrival with an unpleasant curiosity, which in turn aroused *my* curiosity, for it took but a glance to convince me that my burly keepers were typical attendants of the brute-force type. Acting on the order of the doctor in charge, one of them stripped me of my outer garments; and, clad in nothing but underclothes, I was thrust into a cell.

Few, if any, prisons in this country contain worse holes than this cell proved to be. It was one of five, situated in a short corridor adjoining the main ward. It was about six feet wide by ten feet

long and of a good height. A heavily screened and barred window admitted light and a negligible quantity of air, for the ventilation scarcely deserved the name. The walls and floor were bare, and there was no furniture. A patient confined here must lie on the floor with no substitute for a bed but one or two felt druggets. Sleeping under such conditions becomes tolerable after a time, but not until one has become accustomed to lying on a surface nearly as hard as a stone. Here (as well, indeed, as in other parts of the ward) for a period of three weeks I was again forced to breathe and rebreathe air so vitiated that even when I occupied a larger room in the same ward, doctors and attendants seldom entered without remarking its quality.

IN OTHER WORDS

Clifford Whittingham Beers (1876–1943) published *A Mind That Found Itself* in 1908. It is an autobiographical account of his psychiatric hospital admission and the abuses that he suffered during his treatment in hospital. In 1909 he founded the National Committee for Mental Hygiene (a reforming organisation), now renamed Mental Health America, and in 1913 he started the Clifford Beers Clinic, the first out-patient clinic for the mentally ill in the USA. This extract is from *A Mind That Found Itself: An Autobiography*, University of Pittsburgh Press, 1908: pp. 124–125.
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