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Avoid elderly 'snatch' by state- make a health and welfare LPA

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 quickly spread pictures and video footage of Betty being taken from the house in her wheelchair with a towel thrown over her head.

It seems social services did not agree with Betty's daughter that it was in Betty's best interests to be cared by her daughter in a specially converted room, in her daughter's home.

Could this happen to you and your family?

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.

Anthony Taylor, a partner with Gaskell & Walker Solicitors and a member Solicitors for the Elderly, is encouraging all older people to plan ahead and make a health and welfare lasting power of attorney. 'It is an important document and sensible to get advice about the choices you have. What happened to Mrs Figg may never happen to you, but if it does, you and your family will be glad you made the power.'

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