

News Items

Compulsion and a Schizophrenic Patient

[The following item, reprinted with kind permission from National Schizophrenia Fellowship *News*, may be of interest to some readers in the light of recent correspondence on 'The Limits on Freedom', *Bulletin*, February 1980, pp. 27–8.]

A patient of many years standing had been greatly helped by medication and had been living with his family in reasonable contentment for some years but then decided to refuse further injections and relapsed. One of the symptoms which emerged was an aggressive litigiousness with threats to sue his wife because she had called in a psychiatrist.

Although the patient became more and more ill, the psychiatrist refused to act to get him back into hospital and let it be known that his decision rested at least in part on the fact that solicitors were involved.

A relative wrote to the Area Health Authority:

'... Dr C., Consultant Psychiatrist, has not felt able to recommend compulsory admission. There may be reasons based on medical judgement for his view, but he has also indicated that his decision is affected by the fact that my father has been consulting solicitors and has alleged that his wife's action in calling for a psychiatrist is a ground for separation, and it is about this aspect that I am writing to you.

The point I wish to make is that it would not be extraordinary having regard to the very natural public concern about the possibility of people being 'locked up' in hospitals if a busy and experienced psychiatrist might occasionally lose track of some of the purely legal issues, and I am suggesting that it might be helpful for some short informative note prepared by lawyers to be circulated, from time to time, to psychiatrists in the area. Two particular points which perhaps need emphasis in my father's case are, that under Section 141 of the Mental Health Act 1959, a person who tries with reasonable care and in good faith to carry out the purposes of the Act is completely protected from any civil or criminal proceedings (even if in the event it can be shown that his judgement was wrong); the second, medical practitioners can make recommendations under Section 25 and 26 based upon their opinions. This means that they do not necessarily have, themselves, to have witnessed the behaviour upon which their recommendation is based so long as, in their opinion, they have

an accurate picture of what that behaviour has been. In my father's case, for instance, there have been recent episodes... I think lawyers might agree that if a medical practitioner were satisfied by what he was told, that there had been such episodes, it would not be necessary before he could act, for him personally to have witnessed them.

It is a matter of great anxiety to my mother and myself that my father, who seems to have responded so well to treatment in the past, is now receiving no treatment. If a clarification of the legal issues could help to change this situation, it is a matter of urgency that such a clarification should be undertaken.'

The patient is now in hospital and making progress.

Alzheimer's Disease Society

The Alzheimer's Disease Society has recently been formed under the Presidency of Professor A. N. Davison, of the Institute of Neurology, London, and the Chairmanship of Dr G. K. Wilcock of Oxford. The aim of the Society is to give support to families by linking them through membership; to provide literature to disseminate knowledge of the illness; and to see that adequate nursing care is available in the last stages of the disease. It also aims to promote research and the education of the general public in the understanding of this disease. Mrs Morella Fisher, a Committee member, is responsible for London, Herts, Middlesex and Essex, and is hoping to start mutual support groups in these areas. She may be contacted for information and membership at 3 Spencer House, Vale of Health, Hampstead, London NW3. Telephone 01-431 0013.

Professor Hamilton

Professor Max Hamilton, Emeritus Professor of Psychiatry at the University of Leeds, has been awarded the American Psychopathological Association's Paul Hoch Award for Distinguished Contributions to Psychiatric Research. The prize was presented to him in Washington at an Association meeting in March. Professor Hamilton has been working in the States for the past six months on a rehabilitation research project at the Rockland Research Institute.