

Suffolk County Council



6042/DW/MW David White 700 4115 19

October 2002 Assistant County Solicitor

Peter Shakespeare, Assistant County Manager - Residential and Day Services, Social Care Services, St Paul House

Cc Mary-Beth Randall, Access, 8 Northgate Street, Ipswich IP1 3BB (Fax No 588566) Jenny
Alexander David Shiner

RE: Agnes

I have been able to speak with Mary-Beth Randall this afternoon.

I have advised her that the best starting point, assuming that the son continues to oppose his mother's transfer to a nursing home, will be to invite the Borough Council, in consultation with the Community Physician, to consider whether an application should be made under Section 47 of the National Assistance Act 1948 (and noting that, if need be, consideration could be given to making an ex parte application under the 1951 Amendment Act. I have also advised that the son has no veto in terms of where his mother resides, and that therefore we could, on the basis of clear and compelling medical advice, transfer Agnes ourselves to a nursing home and then pursue guardianship if necessary). However, given the potential consequences of moving a frail and terminally ill older person, my preference, if at all possible, would be to have such a move first considered by a Court if that can be done (and would not otherwise seriously prejudice her health and welfare).

I understand that the GP has agreed that a decision can wait until Monday. I have advised Mary-Beth that if there is a significant deterioration in Agnes's condition over the weekend and her doctor is of the view that she has to be moved immediately, then she can be (and, if appropriate, she could be moved direct to a nursing home if that would avoid yet a further move from a hospital to a nursing home). I have also confirmed that I can be contacted over the weekend if necessary.

I have been able to ascertain via the Borough Council that the Physician is

Dr Torbjorn Sundkvist
Communicable Disease Control Team
PO Box 170
South Building
St Clements
Foxhall Road
Ipswich IP3 8LS

Paul Turner (Acting Head of Legal) was unable to give me a number we could access over the weekend if it became necessary to consider an application under the 1951 Amendment Act. The only number he was able to give me was the Authority's generic emergency number