

Case study

This is a made-up case based on a real patient:

Hannah is a 20 year old lady admitted to hospital about a year ago after a police welfare check.

Her grandmother reported to the police that she has been neglected by her foster-carers. Police found her locked in her bedroom, non-communicative, lying on a soiled mattress. She was admitted to a psychiatric hospital after being checked in general hospital.

Q1: Discuss in your group about the legal framework used by the police to take her to hospital and any other legal frameworks that may apply to her.

Q2: What do you think is the most appropriate legal framework for admitting her to a psychiatric hospital?

Since admission, her presentation has remained more or less the same. Hannah is doubly incontinent, she aimlessly walks around the ward and enters other patients' bedrooms. She is fully reliant on staff and can become agitated and resistive during personal care. She eats and sleeps properly with some support in her best interest as she has been deemed to lack capacity.

The personal history given by grandmother is somewhat contradictory. She reported Hannah as being a normal child and going to school and then University but she dropped out on her second year. She has got an older brother who has been admitted to a secure hospital for several years following his first offence with a diagnosis of schizophrenia.

Hannah has been put on different antipsychotic medication including Clozapine with a modest effect for a diagnosis of hebephrenic schizophrenia. She is now on oral Olanzapine which she occasionally refuses but usually she will take it when staff come back after few minutes. She is not violent but could become resistive and try to storm out the room by force if staff would insist. There is no current plan for changing her medications. The possibility of Autism and/or intellectual disability have been considered for her as well but they have not been confirmed. Hannah is due for her Tribunal hearing.

Q3: Bearing in mind that Hannah has been detained now for around a year, would you recommend upholding her detention under MHA83? Explain the reasons for your answer and apply the statutory criteria.

Q4: Would be DoLS more appropriate here? Explain the reasons for your answer.

Q5: What would be the most appropriate legal framework for delivering her care in community in future? Explain the reasons for your answer.