

I was asked on Twitter, if I thought my experience after my mother's death – which I've described at:

<https://www.dignityincare.org.uk/Discuss-and-debate/download/315/>

would have been different, if I had been a Health and Welfare Attorney (under the LPA) for my mum.

It isn't easy to answer the question, because if I had been an attorney, then 'even by instinct' I wouldn't have called 999 at the suggestion of GP's receptionist: I would have walked down to the GP's Surgery, and insisted on talking to another of the GPs (my mum's GP had taken the day off, which is how my problems started). And I suspect the police would never have been involved, or if they had been, so would a GP.

I'm not going to duplicate what I have already explained in the piece the URL above leads to, but I'll explain what I see as the 'problem with' the behaviour of 'the 999 staff who attended' and what would have happened, if somehow (and it isn't easy to see how this could have happened, but for my purposes here we'll assume it could):

- 1) I had been faced with the presence of the paramedic and the police officers he decided to involve;
- 2) I had been an attorney with 'unrestricted' authority over healthcare interventions, including life-sustaining treatments.

So far as I can see (decide for yourself, if you read the other piece describing how events unfolded), my problems (being annoyed by the police for 7 hours) mainly arose because the 999 Staff couldn't understand why I didn't call someone immediately I thought my mum had died (with '... and they didn't understand how complex at EoL at Home is' also being a huge contributor to this): as my mum had been in a peaceful terminal coma for about 4 days before she finally died at about 8-15am, and as the GP and I had agreed that when my mum died I would call the Surgery, and the Surgery opened at 9am and I wasn't sure exactly when the GP would have arrived, I couldn't work out why what I did – calling the Surgery at 9am – seemed strange to the 999 people. I also can't work out – bearing in mind that it was police officers who were annoying me for most of those 7 hours – what motive they thought I might have had, to kill someone who had already been dying in a 'peaceful terminal coma' for about 4 days.

This, is what I think would have happened, if I had been an attorney – this would perhaps not have left me any less 'mentally scarred' but it would definitely have 'spread some of the 'distress' I was being made to endure, to the police officers'.

When the police [sergeant] asked 'why didn't you call someone, as soon as you thought your mum had died?' I would have answered 'because I decided not to – I

decided it was not in my mum's best interests, for me to call anyone until I was sure she had died'.

I think the police might have disputed that – to which they would have got 'that is why I was empowered as my mum's attorney – to decide what was in her best interests'.

If the police had asked me how I had decided what was in my mum's best interests, I would have told them 'I don't need to tell you why I decided as I did – the MCA doesn't require to me do that'.

I would have explained, that it was reasonable to ask me how I had put myself in the position of being able to make a legally-satisfactory best-interests decision, which amounts to 'I talked to my mum, her GP, the district nurses'. Of course, when questioned as to exactly what was said in most of those conversations, I would – by that stage of my annoyance, certainly – have probably said 'oh, I'm not sure that I can describe confidential conversations to you – you aren't involved in best-interests decision-making for my mum, are you'.

Put simply: if I'd been a welfare attorney confronted by police officers, I doubt that would have saved me much 'stress' – but I think it would have greatly increased the 'stress' on the police officers who were annoying me.