

Winterbourne View

Thank goodness that we have good quality campaigning journalists, who were able to expose the terrible abuse at Winterbourne View. The Panorama programme and the Serious Case Report (SCR) report by Margaret Flynn makes for upsetting and salutary reading.

Commissioning

A key point made in the SCR is that *“Hospitals for adults with learning disabilities and autism should not exist but they do. While they exist, they should be regarded as high risk services”*. Hospitals, regardless of what their statements of purpose say, operate on a medical model. It is the view of BASW that provision must where at all possible be local and based on a social model of disability.¹ BASW argue strongly that social workers should be involved in the commissioning of services including quality assurance, even if technically the resource is a “health” one. In fact why not pass responsibility for commissioning for people with a dual diagnosis of mental health and a learning disability to social service departments, or at least to joint commissioning units? This is even more imperative given that PCTs are on their last legs and the new Clinical Commissioning Groups will be all pulled out to cope with the large scale, main stream contracts. An understanding of the social model very much includes understanding the impact of how institutions always are in danger of becoming oppressive and abusive. Winterbourne View was One Flew over the Cuckoo’s Nest yet again.

Finance

The cost per week of a placement at Winterbourne View was £3,500, with an annual turnover of £3.5m. If that sort of money was invested in high quality locally based support it would be a very significant resource.

Staffing

Winterbourne View was staffed mainly by unqualified nursing support staff, who are of course not registered. The Government have ducked out of requiring care staff to be registered – they said it was too expensive, but what cost is the suffering of the “patients” and their families at Winterbourne View and other institutions across the country?

Inspection and safeguarding

Clearly CQC failed to protect the residents of Winterbourne View, and the SCR details failings of many other organisations to pick up on the systematic and horrendous abuse. It looks like nearly everyone was taken in by the fine words and manipulation of managers at Castlebeck. The SCR covers many areas but is lacking in a detailed critique of the role of those involved of applying the Mental Health Act. The SCR reports that most patients were sectioned, but that “there appeared to be a low threshold for detaining patients under section 3” and “...independent decision by an

¹ We are not saying there should never be hospital provision and indeed not to provide some hospital facilities would be illegal if patients are detained under the Mental Health Act, however it is the experience of many social workers working in the field of learning disabilities that too often that a lack of good quality locally bases resources and support can lead to an escalation into mental health problems, diagnosis and treatment.

[AMHP] seem [sic] to have been overridden” (Summary p. viii). Explicit evidence is not given in the SCR, but if there is evidence there must be a review of practice in relation to the MH Act. It is suggested by the authors (para 3.24 on p.72) that a Section 37 of MHA 83 was imposed by local Castlebeck staff on flimsy grounds. If AMHPs, Second Opinion Appointed Doctors (SOADs), tribunals and courts and the Ministry of Justice really have systematically failed, we need the evidence to be published or at minimum, a clear assurance that relevant information has been referred to the responsible agencies on a timely basis.

There is much more that BASW is going to comment on regarding this seminal case, but in summary BASW urges all health and social care professionals to read the SCR and reflect as to whether any of their practice, or systems that people are operating in could lead to such vulnerable people being abused again. And if on reflection professionals have concern then they need to consider what action they are going to take. Your views and comments are welcome.

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