

Another point of importance to asylum workers, frequently referred to, is the classification of those entitled to pensions under the Act of 1909, and the right of appeal. Only "established" officers have the right to pensions, and under the Act the Visiting Committee, in its sole discretion, first determines who is, and who is not, "established." The further division of such officers into Classes 1 and 2—a better pension being payable to the former class—is also made by the Visiting Committee, with the consent of the local authority; in England, the County or Borough Council; in Scotland, the General Board of Lunacy. On points of such importance, as who is, and who is not an established officer, and the class in which such an officer should be placed, it is an undoubted hardship that there should be no appeal from the decision of the Visiting Committee and local authority; and there is no doubt that the right of appeal was contemplated by the framers of the 1909 Act, Section 15 of which provides "in case of any dispute as to the right of superannuation allowance of any officer or servant of an asylum, or as to the amount of the superannuation allowance to which any such officer or servant is entitled, such dispute shall be determined by the Secretary of State, whose decision shall be final." The Law Officers of the Crown, however, consider that these words do not give an appeal to the Home Office on the above points, but only refer to cases in which a Visiting Committee proposes to cut down or forfeit a pension. Already serious anomalies have arisen, and it is evident that a right of appeal must be provided if injustice is not to be done. Thus, the Committees of about 40 out of the 95 county and borough asylums have placed nearly all their established officers and servants in Class I, whereas most of the others have placed in Class II those who merely have charge of quiet and orderly patients, as for instance, in farms and workshops. This view has also been adopted throughout Scotland by the Board of Lunacy.

At first sight, it certainly appears that the right to the higher pension should be restricted to nurses and attendants in the wards, but from evidence offered to the Committee consideration of individual cases is necessary. Thus, Dr. E. M. Cooke, representing the Lunacy Commissioners, showed that a clerk might enter an asylum at the age of 17, and "have a convalescent patient down in his office to assist: if the Committee interpret that as having the care and charge of patients, at the end of 25 years, at 42, he will be able to retire, which, of course, would be scandalous, and most unfair to the ratepayers."

On the other hand, Dr. Cooke told the Committee that "within the last four or five years there have been three or four gardeners murdered by men labouring under some hidden delusion turning round and hitting them with a spade." We can imagine, also, that the life of a cook, who has insane patients as her assistants, must be one of continued anxiety. In this connection, Dr.

Cooke said, "I think I would allow people in the kitchen and laundry to be in the first class, because very often patients are sent down who are being tested, and need intelligent supervision. It is a debatable point, it is just on the border line; it is a very difficult point, but, on the whole, I think I would allow them to be placed in the first class." Whatever the practice decided upon, it is unquestionable that it ought to be the same throughout all asylums, and employees who perform the same duties, and undergo the same risks should not be placed by one Visiting Committee in Class 1, and by another in Class 2, at the sole discretion of the local authority. It appears to be desirable, though it may be a counsel of perfection, that all who have responsible charge of the insane, whether as gardeners, cooks, or other workers in asylums, should hold the certificate of the Medico-Psychological Association, which would also solve the difficulty.

We must reserve a fuller examination of the evidence to a future occasion, but, in regard to the power of Medical Superintendents to summarily dismiss employees, we may quote an incident related by Dr. Clouston, who represented the Royal Asylums of Scotland, and was for 35 years Physician Superintendent of the Royal Edinburgh Asylum, and also for 10 years at the Carlisle Asylum.

Dr. Clouston said: "I would like to bring before this Committee my experience as governing two asylums for 45 years. I had absolutely autocratic power of dismissing summarily any member of the staff below the matron and the steward; and I think the importance of rigid discipline, especially the importance of attendants treating the patients kindly, and not losing their temper with them, is such that you require to make an example, occasionally, when a man ill-treats a patient; and to have the moral effect of dismissing him summarily. I once came into a ward, where I saw an attendant kick a patient. In the midst of the other staff, and before all the other patients, I dismissed him summarily, within two hours. I called him a cruel brute, and hoped that he would be treated in some such way by somebody else before he died; and the effect upon the patients, and upon the whole institution was most remarkable. I give that as an example."

At the same time, Dr. Clouston upholds an attendant's right of appeal: "Everybody should have a right of appeal in this world." But once an attendant has left an institution, his reinstatement in the face of the action of the Medical Superintendent is practically impossible. Discipline would be impossible to maintain if an insubordinate attendant were re-instated. Probably, attendants recognise this, for Dr. Clouston stated, "No one has ever claimed it. I have summarily dismissed in very aggravated cases, but I have never had an appeal in 45 years, and I must have dismissed scores of attendants."

(To be Continued.)

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