

## Royal Commission into Victoria's Mental Health Service

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I only just found out that I could make a submission so this is rushed and lacks detail. But I wanted to have my say on the way I have been treated by the MHS and where it needs reform. I know you aren't looking into individual circumstances. But I have been victimised 3 times, with 3 different sets of staff, except one. This is not just a case of people needing a good firing, but cultural and systemic changes are needed. Moving staff around won't solve any problems. I will take you through my journey and show where changes are needed.

I've had 3 contacts with the MHS, each year apart. The 1st and 3rd resulted in me being bushwacked and unlawfully imprisoned. The 2nd I was able to get an independent medical assessment and fight the attempt to imprison me.

In the 1st attempt I had been rebelling against my mother. She is a very controlling person and didn't like this. She incited my brothers to attack me. I responded by calling police.

My parents then went to the [REDACTED] centre and spoke to M [REDACTED]. He turned up one day at my mother's request and tried to speak to me. I left the house, returning after he left.

I received a letter from M [REDACTED] ordering me to a family meeting the very next day.

I did not go. I would like to have had the time to arrange a lawyer to either accompany me or go in my place.

He did not tell me that:

- Victoria Legal Aid had specialist Mental Health lawyers who could advise/help me.
- A file had been opened on me and that I could access it under the FOI.

Importantly, he never gave me the opportunity, with a lawyer, to meet with him and hear my side. He only listened to "the parents" (actual problem).

Then one day I was at home alone. My father came home and shortly after police came into the house and broke into my bedroom. I immediately asked for a lawyer. They offered me a doctor and wheeled Dr W [REDACTED] in. M [REDACTED] was in the next room and angrily said "I have the power to do this". Police didn't query this. They should be required to monitor what is happening and intervene if something is wrong.

I started a tape recorder. W [REDACTED] picked up some private papers on my desk. I exercised my right to instruct him to put them down.

In the commitment papers he wrote to justify his actions:

That I was suspicious of him (The tape recorder). This is a common attitude amongst MHS Doctors. They consider you mentally ill if you refuse to co-operate with them or challenge them. This is a cultural attitude that needs to change.

That I spoke sharply to him (ordering him to put my private papers down)

That he was taking this action to support "the parents"(my quotes).

The commitment papers state that Doctors must personally witness the example of mental illness or are guilty of professional negligence. He did not witness any such thing as there was none.

I was then taken by ambulance to [REDACTED] hospital. The loss of my liberty like this traumatised me.

At the Hospital I was examined by another Doctor. I said to him that I was not mentally ill, meaning that I was not being treated for an illness, and he wrote that I was obviously ill (couldn't consent to treatment) so he did so for me. This is another cultural attitude that needs to change. Without I advice about my situation I fell into it!

At the Hospital I was given a blood test against my wishes. I hadn't had breakfast and didn't think was a good idea. I fainted. Afterwards I went into the medical room and lay down. Some nurses came in and said we "might" need this for someone else get out. I went outside and lay on a hard wooden bench as I was still woosy.

I was imprisoned for about a month. When I came up for the Review Board, a nurse gave me a sheet with numbers for [REDACTED] and the Mental Health Legal Service. From [REDACTED] I found out about the FOI.

Dr G [REDACTED] approached me and offered me a "deal". If I cancelled my board hearing they would release me in two weeks. But if the board went against me they might decide I was still unwell and keep me in prison.

I took advice from VLA who said to take it and if the Doctors reneged she would take legal action to gain my release.

She also offered to sue the MHS after my release. I eventually declined. I did so because I was so traumatised by the experience that I didn't want to relive it on the stand. But I regret not doing so. If I had the other two contacts would not have happened. I also note that [REDACTED] no longer has the budget to take such actions. This is a great pity and needs to be rectified.

I was released. After release I became an outpatient at [REDACTED] for a while. I did not co-operate and they cut contact. In my file for the 3rd contact it says that I refused to go there (as if I was doing something wrong). Another bad cultural attitude that needs to change.

One day I had an argument with my father and he said that there was going to be a meeting with [REDACTED] on the subject of imprisoning me again. I rang [REDACTED] who said your not a CTO nothing will happen, don't worry. Nothing happened. My father was using my imprisonment as a threat to hang over me to get his way.

My second contact came some years later. I had an argument with my father and threatened to sue him. He rang [REDACTED] and winged and complained about me. He was told that this was nothing to do with them and to go away. He then got a friend, [REDACTED], to contact [REDACTED]. She threatened to make a complaint if they didn't assess me. For the clinic to pobeey her she must have had a position of influence some where but it doesn't say what this is in the file.

A few days later [REDACTED] B [REDACTED] and another [REDACTED] staff appeared and my house and tried to talk to me. I left and came back a few hours later for my car.

My parents tried to stop me taking it so I called Police. They forced them to let me take the car. My father rang a Catt team and put them onto Police. Despite a major dummy spit by them Police wouldn't stop me saying I was neither homicidal nor suicidal. I thank them for that.

I left. When I returned there was a CATT team waiting for me. "Hiding" in their car outside the next house. Unlike B [REDACTED] and co they didn't try to force me to speak to them so I did. I co-operated fully and they did a thorough examination of me, concluding that I was "not commitable" and left.

They rang [REDACTED] and told them this. Later B [REDACTED] colleague (I don't have time to look up her name) rang and asked them to change their mind and commit me, saying that this was a ""political" matter ([REDACTED]). [REDACTED] CATT refused and discussed it with their head Dr S [REDACTED]. As a resultt they refused further involvement. While this was nice of them, given the seriousness of what had be asked Dr S [REDACTED] should have referred the matter to his administration and/or called in Police.

B [REDACTED] and co turned up again and sat outside my bedroom in an effort to force my to speak to them. I did not co-operate.

B [REDACTED] threatened to put me in a mental Hospital if I did not co-operate with him and monitor me there. I did not. I challenged him. He also repeatedly said that I should co-operate because he was acting in my best interests. He was not He was acting in my parents best interest as directed by [REDACTED]. He did not tell me this. I had to find out by the FOI. I went to [REDACTED] and asked for the duty worker to make my request. She was very unhelpful and tried to persuade me not to make the request, but eventually handed over a form. I sent the form directly to [REDACTED] and rang them. She was helpful and sent me my [REDACTED] file as well as the current [REDACTED] file within the 30 days required by the Act.

This is not acceptable. The file should be handed over immediately, automatically and without charge to all (Not just health card holders) so people like me can see what is going on and defend themselves.

B [REDACTED] tried pumping me to see if I was on illicit drugs. The Act says you can't be considered mentally ill by taking drugs. So he had no jurisdiction and was acting outside his power.

He also said that my parents claimed I was constantly spitting. He said I should submit to a neutral 3rd party to assess this (himself). Again he didn't tell he was acting at [REDACTED] direction.

He also said what would I say if he could cure this would I come and see him. Balony!

On legal advice I got a second opinion from a private Doctor (Dr [REDACTED] F [REDACTED]). He did a thorough examination and I co-operated fully with him. He concluded that I was not mentally ill and said he would contact [REDACTED]. After he did he rang me and said he had contacted them. He also said that he would withdraw from further involvement due to there being something else going on and that he did not want to be involved [REDACTED]). I asked him directly if this meant he was changing his opinion about me. He said no.

[REDACTED] B [REDACTED] made it clear that he resented Dr F [REDACTED] involvement and that he was just going to ignore him. Twice he had been told I was not mentally ill. He should have withdrawn.

I received a letter from B [REDACTED] new colleague. She ordered me to a appointment at [REDACTED] and threatened to just turn up if I didn't attend

Out of fear that I would be bushwacked into prison again I decided that I needed a witness. I rang [REDACTED], but they said that due to budget cuts they couldn't attend "meetings".

I rang the Public Advocates Office, but they also refused to help me. They gave me the number of the Mental Health Awareness organistaion. I rang and begged for help. I was put through to the CEO who agreed to come with me. But she couldn't make the appointment time. So I rang [REDACTED] and asked for a new time. I was put on hold and then [REDACTED] B [REDACTED] came on the line who tried to persuade my not to change it. When I said I wanted to bring someone he kept demanding to know who/what they were. He flat out asked if I was bringing a lawyer, but I wouldn't tell him. It was obvious that he did not want a lawyer present.

I then rang the CEO and asked here to ring [REDACTED] and change the appointment, so that they would not try and see me without her presence.

At the interview, with my witness, I felt free to refuse to co-operate and answered virtually no questions.

[REDACTED] B [REDACTED] said he would like to "try" medication (I'm not a rat). I informed that I would not consider this unless an independant Doctor agreed. He dropped the matter. He gave no reasons on why he considered this.

Writing in my file B [REDACTED] said that they explained to my parents that they couldn't use the Mental Health Act as a threat to make me do what they wanted. He also wrote that he didn't consider this a illness situation.

His colleage wrote a bullet point report which alleged, without reason, that I was mentaly ill.

My 3rd contact was several years ago. My parents, now retired, frequently travel. When they are away I occupy the lounge room instead of just my room. I don't always have them cleared away before they come home. This time, instead of simply asking me to remove them they went to the [REDACTED] CATT team ([REDACTED] had told them to go away, but they just wiped the slate clean here and started again) and said that I was overrunning the house with possessions. My father also made a false and defamatory accusation that I assaulted him.

This followed an incident in which my mother tried to used stand over tactics to remove my possessions. She picked up some and threatened to throw them out. I used reasonable force to protect them. (Grbbed my Fathers chair and headed for the font door with it. This stopped my mother. My parents were given a document, unsigned and not in my file, which described this incident as an example of mental illness on my part. No criticism of my parents or giving me the right to my say. It also said my parents had "rights". This is simply not the business of MHS Doctors. My mother also subsequently said to me that they had been told that they had "rights" (Could have their parental power and "rights" back).

The next day around tea time the [REDACTED] CATT arrived. I was in my room sitting on a chair (He - I don't have time to look up names - wrote I was asleep on my bed). He yelled in a rude and offensive manner "[REDACTED] Hospital here". I asked him to leave his card He didn't and turned and left. I got up went to the other end of the house and said: "I'm not putting up with this anymore, this time I'm going to the Police". I then left the house.

He made a retaliatory call to Police asking them to pick me up. He wrote on the order that the reason for taking this action was that I was hostile to the CATT (Threat to call in Police). He did not say that I was mentally ill or give any evidence that I was.

The next day I returned home and took my car, intending to get an independent opinion. Unfortunately it broke down. I left home again on foot. Police were called and approached me. I fled, with them stalking me. I went around a corner and the road was blocked by Police. Officer [REDACTED] chased me saying "You're not thinking straight" (I'm not sure how he would know, not having questioned me) and detained me.

I was handcuffed like a common criminal and tossed in a van. I complained that the cuffs were hurting me. They agreed to remove them. When I got out of the van officers were facing me with canisters (Capsaicin?). This was over the top. I was not violent. Had not attacked them. They were being used as control devices and should not have been.

I was taken to [REDACTED] Hospital. Upon arrival I was seen solely by Z [REDACTED]. She asked me my name and if I knew where I was. She did not do a thorough evaluation of me. Near the end she told me she committed me because:

- I was brought in by Police.
- "Some" people who commit assault go out and do it again.

Z [REDACTED] found me guilty in here kangaroo court. If I had faced these allegations in the justice system I would have:

Been told the charges against me.

Had a lawyer present.

Been able to deny them with being considered mentally ill. (Because I didn't know what I was doing.)

Importantly she did not say I was suffering from a mental illness or she thought I was because...

After seeing me she went and spoke to "The Parents" and put together a case based solely on their accusations.

The next day I was seen by P [REDACTED] (Head Doctor) and Z [REDACTED]. The Professor told me that he had accessed my file.

Later he said that I had been ill since the last contact and he was now going to start treatment. He put a copy of the Bullet point report in my [REDACTED] file. He did not put copies of the F [REDACTED] report, CATT, or E [REDACTED] reports and made this decision despite those saying I was not ill and there being no evidence, then or now, that I was.

I was also seen by another Doctor who was not a MHS staff member. He came into the ward. I only saw him once more. To do the same thing? He only asked me a few question. He didn't do a thorough examinatio. He was just going threw the motions. I believe there is group think going on at [REDACTED]. As well he is still an employee of the hospital, not independant.

I was in the phone room when the head nurse and two stand over bullies came in. She said I had to take this medication or I would be taken into the closed (HD) ward again. I had not refused to take the medication. They had no reson the heavy me. But it was standard parctice to use the stand over tactics. And the bullies did run throughs threw the ward during medication time. This is wrong in a free society and these tactics should stop.

While there I was assaulted by a prisoner named J [REDACTED]. He used to make blood curling yells waking me and others during the night. I complained to a night nurse named [REDACTED]. He just said: It's ok he isn't dangerous. A couple of days later I was walking up into the ward when, unprovoked, he hit me in the mouth. He was taken down by people ner him and removed from the ward. At 4.30 a nurse came to me and said that they were bringing him back and removing me into the LD (open) ward.

The next day J [REDACTED] assaulted a prisoner called [REDACTED]. Then and only then did staff act. All prisoners in HD were moved to LD. J [REDACTED] was left there by himself.

Evetually he was moved to the LD ward. (There were two there). I was terrified. One nurse I complained to just said: we have assessed him as ok so there is nothing you can do about it. I complained repeatedly to Z [REDACTED] but she refused to do anything, saying that she was not in charge. This matter was not reported to Police, but should have been. A number of times J [REDACTED] made contact with me, which harrassed me and caused me concern. One time he went outside for a smoke and continued to watch the TV through the window. When I picked up the remote for "his" TV and he thought I was going to change channel he pounded violently on the window. He also frequently slept in the TV room which meant it couldn't be used as nobody wanted to risk wking and angering him.

When knocking on the locked door of the nurses station you were usually ignored and left waiting for some time.

A person was brought in by his friends. I understood that he was suffering the effects of taking some drug. He was left in the TV room to see what he would do. When you went outside he would follow and stand in the doorway. When I went to the locked nusres station to complain he followed and got in my face. I feared I would be attacked. He did this to [REDACTED] aswell. Only then was something done about him.

When I told The Professor that I was wanting a independant assessment. I could tell he wasn't pleased. He said I could not leave the hospital to do this.

The Professor brought one of his subordinates over to me me and said you know how you wanted an independant assessment, he will do it. I walked away.

I contacted [REDACTED] and arranged to go before the Review Board (MHRB). I was given access to me file only two days before the hearing and after I had met with my lawyer. The access was in a small dark room with a babysitter (In case I tried to remove something from the file! Talk about paranoia.) It was a lengthy file and I didn't get time to read it all.

So I missed the sllegations against me. For this reason and the behaviour of the board which denied me natural justice I appealed again,

At the first board was another Doctor who was acting as The Professor's representative. He was asked what he had to do with me and when he said nothing was ignored.

At the board hearings Z [REDACTED] wrote in her report that I was ill because I hated the police, USA and PM and was a monarchist. Apart from being utterly absurd, the MHA specifically says the Political views/activities can't be considered grounds for being ill. Despite this one board asked me why I had these views. No board thought that perhaps this sshould reflect on Z [REDACTED] compentancy/credibility to assessments. When I left hospital and was handelled by [REDACTED] this issue was brought up again, with the smae affect.

One board Doctor asked no questions, did no analysis, just sneered at me "These people are all wrong are they?"

The last board before I left hospital was with one member (It should always be 3) A community member. The hospital wheeled out a Doctor that had never met me let alone analysed me. I tried to point this out to the board memembr, but she as much as told me to shut up. I also tried to point out that I had done certain things in the report and anyway the were dirt from last time , when I sucessfully fought the attempt to imprison me. She reactively said are sure or did you just forget?" I gave up. She also said that by virtue of the fact that I lived with my parents I was mentally ill.

I was forced to live at a SRS. This was mandated by The Professor. Despite the fact that I refused to speak to him. He also signed off that I was ill. The paper just list the criteria from the MHA and it is signed. The Doctors should be required to list reason why they are alleging that.

At a meeting with my new case manager and one of my Doctors before I left Hospital, The Doctor said he understood I was seeking an independent opinion. He pumped up my new Doctor, [REDACTED] as someone I should use. However my experience of her is:

She sided with her colleagues at the Hospital, did no separate analysis, basing her view on my file only. She also expressed opinions that only the Hospital has the time to properly diagnose an illness, that some people can hide their illness and it takes time to analyse. In regards to the last one she never saw me for more than 15-20 mins.

When my CTO expired my case manager came and told that [REDACTED] would renew it. The only way not was if I agreed to voluntarily take the medication. I was being handed a life sentence. [REDACTED] did see me and did no analysis.

When I was transferred to [REDACTED] my Doctor was once again [REDACTED] B [REDACTED].

At a board hearing he attended by phone. My lawyer mentioned the P [REDACTED] report and asked him about it. There was a pause a begrudging agreement followed by a tirade against including a claim that I needed to be on a CTO for years or I would be in danger of "thumping" my parents. No evidence was given, just an opinion. Prior to this he went through and read things out of my file. The MHRB had this. He provided no recent evidence or analysis. He had seen me only once. I answered almost all his questions, but he wasn't satisfied. He wrote that I should have my medication increased (not pursued) because of this. He also told a story about a person he claimed denied hearing voices for 10 years before admitting to it. He gave this as "evidence" against me.

At the renewal of my CTO I was taken to his office. He was there with a woman. I was not introduced. I don't know who or what she was. He turned to her and said would you support renewing the CTO. She said yes. So perfunctory was his actions that he nearly renewed my forced stay at the SRS, until he saw that the MHRB had deleted it.

At my last meeting at [REDACTED] my parents and I were there with B [REDACTED] and my case manager. B [REDACTED] said to my Parents that my administrator might consider it reasonable to pay some of my money to my parents. This was not a mental health issue and simply none of his business.

Because of the problems I had with him last time I don't know why he became my Doctor. He should have refused. If I hadn't been transferred I would have fired him and requested another Doctor.

My parents were contacting the MHS giving information, making complaints. My case manager came to once and said my father rang her and said I wasn't being very chatty. She demanded an explanation. I got sick of this and filed a complaint with the health complaints commission. It got dumped down to the clinic and B [REDACTED] replied to me with a very long winded, get stuffed letter. The HCC needs more power and to rely less on mediation. This shouldn't have been handled by the people I was complaining about.

MHCC

I read the new ACT and saw sections that I could refuse to allow MHS staff contact my parents. When meeting the [REDACTED] Manager about a complaint, in which he just supported his staff, I served a letter on him asking for this section to be complied with. He refused. Referring to another section that referred to carers and said this applied.

I filed a complaint with MHCC. [REDACTED] didn't get back to me for a long time. When he did he said the MHS were refusing to comply (No power to enforce).

My first case manager did an assessment of me in which she wrote that it was I that committed the assault in hospital. When I saw this I complained to my new CM. She asked me to put my complaint in writing. As a result a new assessment was done, which wasn't very flattering to me, and it was put over the other one and they apologised.

A MHLS lawyer noticed it was still there and offered to take up the matter for me. She was taken more seriously than I was. She was advised to take the matter up with Dr A [REDACTED] at [REDACTED]. The Health records Act prevents files from being deleted (although I understand there is a long deletion date). This shouldn't be the case. But what happened was the inaccurate record was put in a virtual trash can that only technical staff could access not medical.

There was another issue that Dr A [REDACTED] dealt with. This was caused by the fact that staff doing MHRB reports, usually not the treating Doctor would look up previous reports for dirt to put in. This happens instead of assessing whether someone is ill. It is a practice of looking for evidence that to fit a predetermined and wrong opinion. Dr A [REDACTED] issued a memo that the practice stop. I found that at least [REDACTED] were still doing it. I wrote to Dr A [REDACTED] asking him to enforce his edict. His successor dumped my letter to the [REDACTED] manager who wrote me a letter just supporting his staff. I believe the practice is still continuing.

Mental Health Tribunal.

The MHT released me about 5 years ago. The report was done by my two treating Doctors. One of them told me that as he didn't know me he would do the report just based on my file. He made no attempt in two meetings to analyse me and just supported the [REDACTED] diagnosis.

In it he claimed:

That my refusal to co-operate was a symptom of illness. (When I fully co-operated with the independent MHT Doctor he was made to look an absolute fool.

That I was mentally ill now because I was in the second contact (The Act says you can't do this)

That [REDACTED] B [REDACTED] said I wouldn't co-operate with him. (2nd contact).

The MHT Doctor had read my full file. He knew about the [REDACTED] incident. He went through all contacts and for the first time ever I was able to give my side.

He interrogated the two Doctors and asked if they had recent evidence that I was ill. They didn't as they had never bothered to assess me. The lead Doctor, when he met me for the first time, only asked me questions like did I drink and smoked. He did no assessment. I would have co-operated if he had bothered to do a fair and thorough assessment.

The MHT Doctor said not to go off my medication straight away. I agreed. The first time I was given a reduced amount. The second time they wanted to assess me to see if I was ill. But the tribunal had done this. They couldn't accept it. I cut contact.

The MHS is too adversarial. Staff try to force you to engage. They don't try and persuade you to do so. They also emphasize controlling people instead of healing/treating. I found a page in my file of someone else's file with tips on how to control the person. The MHS staff are insular, arrogant and it suffers from group think.

Assessment: I note with alarm that the requirement that a Doctor assess has been removed from the Act. I would also like it be required that an independent lawyer, such as legal aid, be present and for it to be a serious criminal offence to fail to comply.

The MHRB used to have a requirement that you receive procedural fairness. I did not. I note with alarm that this has been removed from the Act. It would also be useful to have a requirement that you receive natural justice.

I would be interesting to know if staff are assessed for having a personlity that can handle the power given to them or just medical skill.