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## Mental Tribunal attempt stop Supreme Court exposure

“This first appeal under the new mental health legislation comes before Justice Joanne Harrison in Court 11E at Queens Square this morning. The Attorney General and the Mental Health Review Tribunal have moved to strike out forensic patient Saeed Dezfouli’s appeal against his treatment” said Justice Action Coordinator Brett Collins.

“The Tribunal and Justice Health have done everything they could to stop this appeal. Initially it **denied having made a decision** at all and refused to supply reasons, until the audio record exposed the truth. Now all those documents are disgraceful exhibits for public examination” said Mr Collins.

“On August 11, the patient’s **independent psychiatrist**, former Queensland Director of Forensic Psychiatry Dr Bruce Westmore was **refused access** to the patient to examine and report to the Court. Justice Health said it was due to their “regrettable” mistake in checking Westmore’s medical registration, despite his previously easy entry. Westmore’s office asked three times and got no explanation. That record is now before the Court” said Mr Collins.

“Saeed’s **lawyers withdrew from the appeal** last Thursday stating that they were concerned about a possible costs order against them if we lose. This is despite senior counsel’s advice that there are ‘reasonable prospects for success’ and a return to the Tribunal ‘will mean Mr Dezfouli will likely be no better off’ ” said Mr Collins.

“Clearly the **patient’s right under the Act to challenge his treatment is under threat**, but neither the patient nor Justice Action will be going away. This case has indeed become the test of accountability for vulnerable mental health patients. The appeal must be heard, the truth exposed and the Court make the orders” said Mr Collins.

“Mr Dezfouli, despite being a non-violent patient who never intended any harm, has been held in the highest security cell for over eight years. He is forcibly injected every fortnight, and is refused a change of psychiatrist, education and exercise. He is refused new visitors and the rules aren’t even stated. This case exposes **structural abuse of power masked as health care**, costing over \$200,000 a year,” said Mr Collins.

More information on website: <http://tinyurl.com/2g4q6ly>

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