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Health Dept fails to silence patient exposure

"After an amazing battle, mental health patient Saeed Dezfouli has **won the use of his own name** in his campaign for patients' rights. In reality it represents access to public opinion. The Health Department used all of its authority and its subterfuge of concern for the patient, to keep him anonymous. Its arguments (website) are disgraceful and clearly self-serving. We call on Minister Carmel Tebbutt to remove the CEO of Justice Health Julie Babineau" said JA Coordinator Brett Collins.

"They **complained to the Police** NSW State Crime Command that Saeed had made statements on our website without permission under s.162 of the Mental Act. Police refused to act. The Mental Health Review Tribunal even refused to let its own 119 members receive a copy of the critical "OUR PICK Report" as it mentioned the patient's name. They have been caught trying to use a law intended for the patient's benefit to prevent accountability" said Mr Collins.

The name issue went to a Mental Tribunal hearing on 30/9/10 with twenty people present inside the Forensic Hospital. On Friday when further material was due, they responded: "...Justice Health has, after further reflection following the hearing, determined that it does **not wish to continue as a party in these proceedings.**"

"Additionally Justice Action has been **threatened by the Attorney General with contempt of court** for publishing the transcript and reasons for the Tribunal's decision refusing changes in Saeed's treatment, from which he is appealing to the Supreme Court. Initially the Tribunal denied having made a decision at all and refused to supply reasons, until the audio record exposed the truth. Now those disgraceful exhibits are on our website for public exposure" said Mr Collins.

The Attorney General and the Tribunal have moved to strike out his appeal on 23/11/10. This case has become the test of accountability for vulnerable mental health patients in the first appeal under the new Act.

"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, is refused a change of psychiatrist, social support with new visitors, and education. The rules aren't even stated. This case exposes **entrenched abuse of power masked as health care**, costing over \$200,000 a year. We have a home and job for him" said Mr Collins.

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