



The Hon John Hatzistergos
NSW Minister for Justice
Level 33 Governor Macquarie Tower
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I write with reference to the serious health risks currently facing convicted prisoners with a mental illness at Long Bay Jail.

I am aware of the considerable work your Government is undertaking to develop the new forensic mental health facility at the jail. However, it has come to my attention that under new industrial arrangements, forensic patients with a mental illness will be locked up for the night at 4pm rather than 9pm, like all other prisoners in the prison hospital. In effect, this will allow clinicians only the periods between 9am to 12pm and 2pm to 3.30pm to provide mental health rehabilitation services. This is obviously inadequate, creating long periods of isolation and constitutes grossly sub-optimal care.

I am aware that several health professionals have indicated that this type of care is in direct conflict with the evidence of good practice in such situations and can have major and deleterious effects on the health of mentally ill prisoners. Apart from the serious human rights issues this raises, this situation also leads to more complex and potentially volatile problems in the system and increases the likelihood of avoidable expensive acute care.

For prisoners moving from the new forensic hospital on the Long Bay site, to be run by NSW Health Services not Corrections Services, the conditions back at the prison hospital will in fact be considerably more restrictive than those they experienced towards the end of their stay in the forensic hospital. This clearly goes against the usual and accepted pathway of clinical treatment and care, where mentally ill patients receive more freedoms and autonomy as their health improves. According to this widely accepted model of mental health care it is possible to conceive of the prison hospital acting a little like a 'step-down' facility for the forensic hospital under proper circumstances. The new lock-down arrangements prevent this from occurring and seem to breach your duty of care with regard to prisoners with a mental illness, in fact causing an exacerbation and/or prolongation of their illnesses.

Isolation is the enemy of good mental health and your Government must take steps to ensure that the health of prisoners under your care is properly managed. The new prison hospital will have three 'wings' – a medical ward, an aged and frail ward and a 40 bed mental health ward. These wards are separate, meaning it is logistically possible to 'lock down' parts rather than the whole of the facility.

There is clearly an industrial issue that requires a solution. The health of prisoners at Long Bay Jail should not be compromised further because of any delay in finding this solution.

I understand this is a matter which has already aroused some media comment of which the Mental Health Council of Australia, to date, has not been party. Any future action on the part of the MHCA will depend on your urgent response outlining your approach to satisfactory resolution of this matter.

Yours sincerely

David Crosbie
CEO
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cc Morris Iemma, Premier, NSW, NSW Parliament, Macquarie St, Sydney 2000
Sylvia Hale, Greens MP, NSW Parliament, Macquarie St, Sydney 2000