

Profile of Mental Health Patient Saeed Dezfouli

Saeed's History

Mr. Dezfouli was born in Iran on 4th December 1958, his mother a high school teacher and his father was a university lecturer. He had obtained a University degree in Bachelor of Arts and majored in Political Science. He was subsequently arrested, incarcerated and tortured by the authorities in Iran. In 1983, Mr. Dezfouli left Iran to come to Australia as a political refugee. In 1986 he became a citizen of Australia and was working as an Iranian court interpreter for the Ethnic Affairs Commission NSW. He had been working there for over 10 years.

Warnings to authorities

Saeed Dezfouli became fearful for his life and safety and said that he had been receiving death threats in and around 2001. He felt that he was constantly under surveillance. Mr. Dezfouli notified the authorities for 5 months prior to committing the offence by sending them letters about his concerns and he was ignored. One week prior to committing the offence Saeed, who was desperate for a response, sent letters to the then Premier of NSW Bob Carr and Mr. Costa the Police Minister stating that if no contact had been made within 48hrs, he was going to set fire to a government office. He used this as a last chance strategy to warn authorities. As a result of being ignored yet again, on the 18/01/2002 Saeed implemented his statement and set fire to the government office that was his workplace, as stated, *"to get attention to my case by the media."* At the scene, Saeed introduced himself to police, confessed immediately and told them *"he did it."* He was taken to Burwood Police Station where he was charged with several offences.

What needs focus is the significant irresponsibility demonstrated by authorities in ignoring the claims made by Mr. Dezfouli. Saeed did everything within his power to communicate his concerns to authorities. In a letter addressed to Randwick police station dated 28.11.2001 Mr. Dezfouli clearly explains that if his pleas for attention were not addressed within 48 hours he will *"bring you in by force"*. These letters addressed to NSW police and noted politicians including the former premier of NSW Mr. Bob Carr and the former police minister Mr. Michael Costa were ignored. Mr. Dezfouli argues he was making these strong statements to obtain media attention and to highlight issues including his perception that he was under surveillance by the Australian government. This shines light on the response mechanism of government officials.

The threats from Mr. Dezfouli clearly were not taken seriously and Mr. Dezfouli followed through by setting fire to a government office. The above-mentioned letter was preceded by two letters by Mr. Dezfouli both threatening action if his plight wasn't heard. In a letter sent by Mr. Dezfouli dated 26.09.2001, Mr. Dezfouli demonstrates his concerns regarding being under surveillance and asks a direct question *"What do you suggest me to do with this"* followed by a direct statement *"I am considering my next move"*. This cry for help from Mr. Dezfouli puts the ball in the court of the addressed politicians. No action was taken. Mr. Dezfouli followed this with an increasingly threatening tone in his next correspondence. In a letter dated 30.10.2001 again addressed to prominent politicians Mr. Dezfouli claims *"Or even may consider to set a government car or office on fire to force the NSW police department to respond and to arrest and charge me"*. These pleas for attention were supported by Mr. Dezfouli's previously mentioned letter dated 28.11.2001.

The earlier threats were obviously deemed not serious enough to warrant an investigation, this was clearly a mistake on the part of the NSW government.

Saeed Dezfouli is a mental health patient following a tragic accident where a woman died and another two women were injured on 18th January 2002. He acknowledges his responsibility in the matter and is remorseful for the tragic death of his colleague. He stated *"I committed my offence at 5:20pm on Friday. Nobody was supposed to be there to be hurt. I didn't mean for this to happen. My intention was to shed light on what was going on, on issues of concern."*

Three female employees were trapped by the flames and were taken to hospital in an unconscious state. One of them, a 53-year-old woman from Bonnyrigg, died from smoke inhalation. Unfortunately, on the day of the fire the Emergency Exit Door was locked. Clayton Allison, a Station Officer from Burwood Police Station attended the scene and stated "a large number of doors being locked hampered search and rescue operations in that area." This tragedy would have never happened in the first place with proper health and police intervention.

Detention in Long Bay Forensic Hospital

Mr. Dezfouli has been in detention since 19th January 2002. On 13th February 2002 Saeed was transferred to Long Bay Prison Hospital and in 2004 he was found not guilty due to mental illness. Mr. Dezfouli is not a violent or aggressive man, as has been stated many times by his treating doctors and nurses. He is very intelligent, articulate and politically aware. He presents no threat to the community and had not intended the harm that was caused more than 8 years ago. If Saeed was tried through the criminal justice system he would have already served his time and been released. However because he was tried through the mental health system he has served a period of over 8 years to date and is now being held indefinitely, despite ongoing reviews with the Mental Health Review Tribunal. Mr. Dezfouli is being held in the highest security area at Long Bay Forensic Hospital, which he shares with 7 other patients who are classified as the "lowest functioning group." He is denied access to ground leave and has restricted access to a small courtyard. Saeed along with fellow patients are denied any access to education facilities and the only stimulation they get, if it's even educational, is television or as Saeed refers to it *"the idiot box"*.

Defending his rights

His mistreatment is a result of Saeed protesting and fighting for his rights and the rights of his fellow inmates. Over the years he has made a number of complaints of assaults on him by staff, and has sustained a hunger strike for his rights for 52 days. He was involved in a campaign to allow patients more time out of their cells, in which at the time they were spending a good part of the day locked inside their cells. He was also involved in the signing of a petition that was reported in The Australian Newspaper on 31 October 2005. The results of the petition were as follows, *"26 of the 30 patients at Long Bay Prison Hospital in the ward have complained to the Health Care Complaints Commission and the NSW Ombudsman about notes on their psychiatric conditions that are fabricated and saying the nurses and doctors rarely bother to talk to them. Several prisoners had gone on hunger strikes. Many patients have been overdosed and medicated against their will."*

Saeed then proceeded to write to the NSW Ombudsman and received a response dated 22 June 2005. Samantha Guillard Complaints officer wrote "I confirm that the petition was received in this office on 7 June 2005". She forwarded the complaint on to the HCCC for consideration. She said the complaint was about the conduct of medical officers. She also said the office would not pursue the issue. Nothing happened. Attached to the petition was Saeed's complaint about the issues regarding the medical treatment of patients inside Long Bay Forensic Hospital, some of the issues included:

- *That the nurses do not provide adequate nursing care to patients;*
- *That the nurses fabricated notes and call them nurses' notes;*
- *That the psychiatrists show up for a couple of days a week for a couple of hours a day, read the nurses' notes and then write prescriptions without seeing patients.*
- *That some patients do not speak to a doctor for months;*
- *That many nurses do not speak to many patients for months.*

As usual no further action was persuaded nor were any charges laid.

Involuntary Injection

Every fortnight Saeed is held down by 8 nurses and is forcibly injected with a substance called Clopixol, which is used to alleviate paranoia and hallucinations. This drug leaves Saeed feeling severely agitated and has other negative side effects. Saeed has had a serious heart condition for several years. Since the time of his imprisonment he has been held indefinitely and subjected to continuous abuse. Compassion, the Mental Health Act s.68 rights and international treaties are ignored. Furthermore, the expenditure of \$200,000 a year for his treatment and \$1million spent on a cell at the new Long Bay Forensic Hospital amounts to corruption. The lack of complaint from those around shows how widespread the abuse is and how compromised are those participating in the health system

Statement made by Saeed during his time in Long Bay Forensic Hospital.

Saeed states:

"I am a patient with patients' rights, an inmate with inmates' rights and a human being with human rights." These rights have been fundamentally and severely violated by unprofessional, and sadistic state government employees in the positions of psychiatrists, psychiatric nurses, and prison officers. They are required to go by the law, regulations, policy and procedures, codes of conduct practice and ethics, but they don't.

(http://www.justiceaction.org.au/index.php?option=com_content&task=view&id=223&Itemid=124)

Assessment from Dr. Bruce Westmore

On the 16th of July 2009, former Justice Action co-coordinator Michael Poynder received a report from leading forensic psychiatrist Dr. Bruce Westmore who had assessed and examined Saeed Dezfouli on the 10th of July 2009. The report was in preparation for Saeed's upcoming review in August with the Mental Health Review Tribunal (MHRT). The report consisted of the presenting complaint, his past and present medical history, family history and his personal history. In his presenting complaint, Saeed stated, *"I didn't just blow a head gasket and go and do it."* He said he sent numerous letters and faxes to politicians and police authorities regarding his concerns. They were all left unanswered. Saeed also states that once he made such a serious threat, he legally fell under section 24

of the Mental Health Act 1990 and section 7 of the NSW Police Act, where by law the police were required to apprehend him. This did not happen and Saeed was ignored again and again.

After spending two and a half hours with Saeed, Dr. Westmore concluded that “Saeed presents himself in a neat and tidy manner and during our interview he was very pleasant and cooperative. He showed normal patterns of speech and body language and maintained good eye contact. He was not suffering from a major depressive illness. While there is current evidence that he maintains his strong views, his views on the issue that the then Prime Minister of Australia John Howard was going to have him assassinated have now been modified.” Dr. Westmore also stated that Saeed is of above average and possibly superior intelligence.

This was evidence to suggest that there has been a “shift” in Saeed’s mental state, Dr Westmore said, which may be a basis for the Tribunal to consider a possible “conditional release” for Saeed at some stage. Despite Saeed’s reluctance to accept that he is mentally ill, he has taken medication as prescribed and apart from not speaking to his current treating psychiatrist, Dr. Westmore states that Saeed has otherwise been of good behaviour since his incarceration. That he has not been aggressive or violent towards staff or other patients in his entire admission, and has never tried to harm himself. He concludes that there are reasons for “optimism in Saeed’s longterm prognosis, and in particular, in relation to any continuing risk Saeed might pose to himself or the general community.”

Saeed’s future plans

Saeed has a job and home at Justice Action and will continue the Justice Action Mentoring relationship which is funded by Breakout DesignPrintWeb. Saeed and Justice Action call on the Attorney General to support Saeed’s Supreme Court challenge on May 3.

Requests made to the MHRT

Requests for access to a computer, which will be donated by the law students at the University of NSW, supervised ground leave and respect for his human rights have been forwarded to the Mental Health Review Tribunal, and ignored.

The MHRT have only shown an interest in Saeed’s requests when it has been time for his review and even then, he is left without answers.

Concluding Remarks

Whilst Saeed did commit an act that violated the criminal justice system, and accidentally caused injuries and a death, it is not justified that he be subjected to being locked into and abused by the mental health system. We know that even after he is released, after already more than 8 years of forensic confinement, he still has many more years ahead of him to build his life back up by being fully reintegrated into society. Why make this lifelong process any longer?