

# **Breakthrough – First Visit for Saeed’s Friends**

## **Visiting Saeed – An Outsiders Perspective**

**Rosie – JA worker**

When Dani, Adriana and myself first arrived at the forensic hospital within the Long Bay Correctional facility we approached the security staff who seemed reasonably helpful as they cleared us through the initial security measures. We were asked to show photo identification, had our photo taken and had our fingerprints and retina scans taken. As we arrived early we had time to wait before going through to see Saeed and a security staff member even took us through to the staff-only area to get a coffee while we waited.

Whilst we waited to go in, we took some time to take in our surroundings outside of the correctional facility. I noticed that the large car park seemed quite full. It seems that there are a large quantity of staff members who work within the facility, and due to the difficulty that we have faced over the years attempting to visit Saeed, I assumed that they were not the cars of visitors. The forensic hospital appeared to be a new facility, with a very modern design and a plark stating that it was only opened in 2009. The Justice Health building is connected to the forensic hospital and there seemed to be a fair number of staff members around. The waiting room for visitors within the forensic hospital had plenty of empty seats, lockers, one bathroom facility and a television. The room was not very pleasant or inviting so we chose to wait outside instead.

Once our visiting appointment time came around at 9.30am we went back inside and sorted out our belongings and lockers. We were then informed quite rudely by a female member of the ward staff that she had been waiting to escort us to the ward and had come back two times now to do so. We apologised and explained that we were still waiting for one more person who would be visiting with us, however we were never informed that any escort was waiting for us. Whilst waiting for the other visitor to arrive we were made to feel quite uncomfortable with some unfriendly looks from the female staff member.

Once all four of us were ready to go through to the Elouera ward to see Saeed we went through the second stage of security which involved putting our belongings through scanners and walking through body scanners. The process was in ways similar to an airport security check however as there were a large number of prohibited items, we left most of our belongings in lockers. Passing through security from the waiting room in to the forensic hospital was an interesting experience. There were about four different doors within a few meters of each other, each that had to be digitally unlocked by a security guard and were extremely heavy. We had our fingerprints and photos checked and we were escorted through the facility to Saeed’s ward.

As we walked through the large facility I became aware of the huge amount of money that would have been spent on the facility. There was a large grass field that looked inviting but was not being used. There were tall brick walls with

spiked edges, security cameras and even lasers connected to alarms surrounding the perimeters.

When we reached the ward we were taken to a small visiting room with a few chairs and a table. The inside of the ward was completely white with a very sterile feeling. Staff members were locked behind glass in their own areas, completely segregated from the patients. However, as I saw patients walk around the ward, I was initially surprised at how harmless they looked. I was unable to tell who were patients and who were un-uniformed staff members (such as maintenance workers and couriers who were around).

Saeed was brought to us and he seemed very happy to finally meet us and have contact with visitors. We had one hour in the visiting room with him and were watched closely at all times by a nurse who sat outside the room at the window. Saeed informed us that it was a “supervised visit” and that not all visits were supervised. We were unsure as to why our visit had to be supervised as we were not informed, we guessed that it may possibly be due to the fact that Adriana, Dani and I are first time visitors to Saeed. We discussed the Mental Health Review Tribunal hearing that was coming up later in the day and Saeed had a chance to talk to us about his feelings and experiences. Saeed brought up some very interesting information, such as his upcoming anti-discrimination case at the Administration Decision Tribunal against Justice Health on the issue of patients right to access to education. His case will be held over three days on 30<sup>th</sup> of November, 1<sup>st</sup> of December and 2<sup>nd</sup> of December with a barrister provided by Legal Aid. He will argue that there has been a system failure and that it is discriminatory that prisoners have access to education and to study law, yet the patients of the forensic hospital do not. It is very important to Saeed to win this case as he is very interested in studying law during his time in the forensic hospital, and the change of policy will be equally important to forensic patients in the future.

We also discussed his limited access to a computer, whereby he can only access a computer twice a week for one hour and only at restricted times. There are only three computers in the entire hospital and none in his ward, although there is plenty of space. We also discussed the lack of policy or “rule book” provided, which creates problems between patients and the nurses as each nurse can impose their own rules in a completely arbitrary manner. These were all issues to be potentially brought up at the Mental Health Review tribunal.

The hour that we were allowed passed by very quickly and the nurse who was supervising our visit informed us that our time was up. Before we left we asked Saeed for a statement from him that we could release to the media. He stated that the visit....

“Made me feel joyful for the first time in 10 years. Justice Health has finally recognized my need to have visitors. Why do they inject me, take away my cigarettes and not allow my friends in, and see this as their duty of care?”

We walked back through the empty field and the security checks with the many heavy doors. As we debriefed about the experience the main point that stuck

with me was the obvious large amount of money that gets put in to this basically brand new facility and the lack of use that the patients actually get out of it. If \$200,000 is spent per year on each patient, then where is this money going? How is this money really benefiting the patients? And why, if social support is so vital to the rehabilitation of patients, are friends being blocked from visiting? It was clear from our visit today and the reaction we received from Saeed, that social support is extremely beneficial to the wellbeing of patients. So, if the wellbeing and rehabilitation of the "sick" patients of the forensic hospital are apparently the central priorities of Justice Health, then why are they resisting our good will to provide the necessary support? It is clear that the money being injected into this system is not benefiting the patients as it could be, and it is a shame that the funds available seem to be wasted in areas that are irrelevant to the wellbeing of the patients.

## **TRIBUNAL HEARING Report 29/9/11**

On 29<sup>th</sup> of September 2011, the 17<sup>th</sup> review of Saeed Dezfouli took place before the Mental Health Review Tribunal in the Dee Why Ward of the Long Bay Forensic Hospital. A report (dated 18/09/11) compiled by a multi-disciplinary team, including medical, nursing and allied health reports, was made available prior to the hearing.

In attendance were:

Ken Taylor – Deputy President of MHRT  
John Haigh – MHRT member  
John Spencer – MHRT member  
Dr Dhansay – Medical Officer (Psychiatry) on Elouera Ward  
Valerie Bailey – Registered Nurse  
Margot Brink – Social Worker  
Dr Mastroianni – Elouera Ward Psychiatrist  
Saeed Dezfouli  
Brett Collins – Justice Action Coordinator/ Primary Carer  
Dani – JA Worker

Beginning with the Psychiatrist's report, Dr Mastroianni stated that Saeed had settled well into Elouera Ward, his psychiatric state remained unchanged and that overall he has been doing well.

### **ADJOURNMENT**

Brett raised the issue of calling for an adjournment under section 46(5) of the Mental Health (Forensic Provisions) Act 1990, requesting the Tribunal extend the review period for four weeks to allow legal representation to be present. However Mr Taylor determined that there was no need to adjourn the review as applications for review can be made at any time and, according to section 46(1) of the same act, Saeed, as a forensic patient, must be examined within a six month window which was about to expire.

### FITNESS TO PLEAD

Brett raised the issue of Saeed's fitness to plead which was to have been argued. Members of the Tribunal recessed for approximately 15 minutes and agreed to hear the matter at a later occasion. The MHRT acknowledged the right of Saeed to have legal representation and for a subsequent hearing be held once legal representation was in place so that the case may be properly presented, as in Saeed's best interests. Mr Taylor noted the intent to lodge applications and reserved a Thursday in November (tentatively 17/11/11) for the hearing. He advised that the appointed Justice Action solicitor should lodge the applications with the MHRT no less than seven days before the hearing date, identifying the orders, the basis for application and any supporting evidence so they may be properly addressed in the future.

### VISITS

Brett tabled the JA media release on visiting permission to Saeed, the visiting log, a report "Community Access to Mental Health Patients: the denial of visiting" and then asked for an order that Saeed would be permitted visits under s.47 (1) a of the Mental Health (Forensic Provisions) Act. The psychiatrist Mastroianni said that it was no longer an issue whilst he was in the Elouera Ward, but Brett observed that Saeed could be moved out arbitrarily and that nothing Saeed had done deserved having visits blocked. The Tribunal said there wasn't a problem and didn't make the order requested.

### SAEED'S CONDITIONS

Brett tabled a document that had been presented to Greg James following a review in August 2009, highlighting grievances that still have not been addressed in relation to the conditions of Saeed and that needed attention. These issues reflect the applications to be made to the MHRT and address:

- The continued enforcement of medication by injection and demands for it to cease
- The appointment of a selected external psychiatrist
- Access to the donated computer from the UNSW Law students for educational purposes and diversional therapy
- Continued access to visitors

The MHRT recorded that Saeed's medical treatment will continue without any changes.