

16th April 2016

Tanya Hunt

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Research Director

Queensland Parliament's Legal Affairs Community Safety Committee

Dear Sir/Madam

Thank you for this opportunity to put forward my personal view on the need for a Human Rights Act for the State of Queensland.

My reasons stem from personal experience as an advocate for my son who sustained acquired brain injury as a very young child, a result of a viral infection. My son's history through the various government systems and service providers is well documented as is my own reactions to the options we encountered over the years.

I personally have not been well regarded by some authorities at times when attempting to point out some obvious Human Rights abuses.

After many years attempting to navigate a very inflexible and broken care system where services were applied on an ad hoc principle and backed by poor evidence and very little factual data. I formed the opinion my son's care environment was harmful and that the care plans were causing immense emotional damage. I was vocal about my objections and became very unpopular with authorities and government officials at the time. Many attempts were made to undermine my integrity and paint me not quite right in the head.

After things deteriorated to a level no longer bearable we sought assistance from a range of people, legal advocates and university professors to review his care situations, assessments and environments.

To cut a long story short (20 year duration) after review by the various entities mentioned above, it was determined that my son's planned care and environment, which had been implemented and approved by government clinicians and QCAT was harmful.

His case was presented at the United Nations Convention on Torture where his situation in care was found to be inhumane on multiple levels. Principles of best practice had not been followed.

The complaints system is seriously flawed and is not independent of service organisations under

question. This necessitated the need for an independent and through review outside of the Queensland government authorities. There is no redress for him under Qld law. We will have to live with what has happened and try and deal with the consequences as they come up.

My son has been deeply traumatised by his years in care and the repercussions for him and us will be ongoing for a very long time. No doubt they will be far reaching and the story is far from over.

The medications he received in big doses and cocktails over the years, is causing serious damage to his health and has become a life threatening issue. This is due to the fact that tests that should have been done to safeguard toxicity levels in his body were not done until a couple of months ago, despite being under regular medical supervision. It comes almost too late and the consequences of this alone will add further serious setbacks in his life and ours too. He has PTSD and is now disconnecting from all social involvement because his trust in others has been decimated and is haunted constantly by his memories of the past.

We now have an excellent support group willing to assist us, something we have spent decades trying to achieve but despite this he is, at present too frightened to trust anyone identified with care organisations and has distanced himself from family as he thinks we allowed it to happen. He has no understanding of the things we had to do to get him out of that system. Concerns as to how we can undo the damage caused by his treatment and make his life worth living again continue.

My reason for making this submission is not to evoke sympathy but to bring to attention of your committee that government policy in a country as progressive as Australia can still cause enormous damage to its citizens if policy is not drafted with a human rights perspective as its first objective. Rushed legislation and hastily prepared policy to achieve political popularity can cause significant collateral damage, perhaps unintended.

What I hope to highlight by telling our story is that my son represents one of many. His experience is represented across many sectors where vulnerable people trust wellbeing to the experts and consequently slip through cracks in the system and then punished when the system designed to help them does not address their needs.

What I hope to highlight the most is how easily it is for anyone working in the system to become normalised to accept what is unacceptable treatment of others. They may not even understand that by following such care plans that they are wrong because that is what they always have been trained to do. Usually such systems punish whistleblowers and advocates from speaking out when alarms have been raised.

I believe if we have our basic human values clearly and articulately presented in a simple document we can kindly influence a change of culture in our society. One that recognises that at any given point of our individual lives or that of our loved ones can change dramatically and we may need help from a government department. When that time comes it would be nice to hope we would not be further harmed.

Sincerely

Tanya Hunt