



Speech by

Miss FIONA SIMPSON

MEMBER FOR MAROOCHYDORE

Hansard 19 June 2001

MENTAL HEALTH ACT

Miss SIMPSON (Maroochydore—NPA) (10.25 a.m.): This government is treating the victims of serious crimes committed by the mentally ill as second-class citizens. The new Mental Health Act, which is awaiting proclamation a year after the legislation was passed, does not fix serious inequities which mean that these victims are not entitled to criminal compensation and have to beg for years afterwards for ex gratia payments. These victims are not notified if the offender escapes from a secure treatment facility. These victims have no guarantee that their attacker will be accompanied by a security escort when they have leave. Worse still, these victims have no guarantee that their attacker, who had been determined mentally ill at the time of the offence, is not released back into the community after a relatively short period after being proclaimed healed by the Patient Review Tribunal and treating psychiatrists.

This new act does not provide for minimum times of detention in secure treatment facilities to be set by the Mental Health Court. In fact, the Beattie Labor government voted against these things when the opposition moved amendments in this House 12 months ago. Health Minister Edmond defended the ex gratia payment system, which has failed victims. The new Mental Health Act does not guarantee that the likes of Claude Jean Gabriel, who murdered Janaya Clarke in November 1998 but who was found mentally ill at the time of the offence, would still not be released from the John Oxley Hospital only two and a half years later. For the record, Claude Jean Gabriel escaped from John Oxley Hospital only about 12 months ago. The family of the victim was not formally notified then and, under the new provisions of the incoming act, would still not be notified of an escape.

That is archaic. The Health Minister and the government are hiding behind a system that lacks accountability and justice. The victims of mentally ill offenders are living in terror. They have no trust in the current system, or the new one, which also fails to address their very valid concerns.

The report in today's press about the tragic suicide of the son of Christine Nash, who was murdered by a person found to be mentally insane at the time of the attack on her, illustrates that the families of victims also suffer terribly, yet the system is failing them.

Time expired.
