



Speech by

Miss FIONA SIMPSON

MEMBER FOR MAROOCHYDORE

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Mental Health System

Miss SIMPSON (Maroochydore—NPA) (12.00 p.m.): The opposition shares the concern of the Health Minister at the unconfirmed reports of a plane crash that has apparently killed Queensland Health staff. This appears to be a terrible tragedy and we join with the parliament in expressing our condolences and heartfelt sorrow.

I wish to address an issue of grave public concern relating to the operation of the mental health system in Queensland. There are few things more tragic than listening to families of murder victims speak of their agony when they find that the killers of their children are walking free after only a few months or a few years. It is heart wrenching when we see their palpable fear when they have no right to know where the offenders are or whether the offender, who is a mental health forensic patient, has escaped.

Today, we read the media reports that Claude John Gabriel, the man who three years ago viciously murdered 17-year-old Gold Coast woman Janaya Clarke, has absconded from Queensland to Victoria. The new laws which have the power to see him returned have not been proclaimed 18 months after they were introduced and brought into operation under this Health Minister, and they are not likely to be proclaimed until February 2002—nearly two years after they were passed. The Health Minister has blamed the training and sourcing of staff, but we now find out that there are far more serious issues that relate to political interference by the Premier and his obsession with his media image getting in the way of good government.

An obsession with controlling the government's media image with pro-Beattie sympathisers is the reason behind a delay in enacting new mental health laws. The position for a Mental Health Court president has been advertised, applicants short-listed and recommendations made, only to be rejected by the Premier and his advisers after an electronic check on the applicants revealed whether they had ever made a comment about him or previous Labor governments. There were two suitable short-listed candidates but apparently they failed Premier Beattie's secret check list, which has nothing to do with their suitability but everything to do with the Premier's fanatical control of his image behind his smiling facade.

The Health Minister, Wendy Edmond, needs to explain why she has allowed this interference and what she is going to do to resolve an unsatisfactory delay in seeing these new laws come into place—an unsatisfactory delay that is affecting the optimum treatment of the mentally ill. Peggy Brown, who is the head of mental health in Queensland, implied that the Victorian laws currently before that state's parliament are going to fix this cross-border extradition situation. But that is not the case. The Victorian laws that are currently before that state's parliament relate to getting Victorian patients from other states. Queensland has passed laws to do this. They have just not been proclaimed. The other thing that Queensland has not done under this government has been to set in place the negotiations and an agreement with the other states to ensure that when the laws are proclaimed there is the ability to get patients back to their rightful state.

However, there are other issues that I must highlight in light of recent news about serial absconder Claude John Gabriel. Under Queensland's new Mental Health Act—even if it were in operation—Janaya Clarke's family would not have had to be notified if her killer had absconded. I understand that the media notified the family, which unfortunately seems to be par for the course because the Health Department is reluctant to inform victims. Last year, the National Party, as part of

the coalition opposition, voted to fix this situation by giving the victims of mentally ill offenders the right to be notified if a mentally ill offender escaped from statutory treatment. However, the Labor Party and Wendy Edmond used their numbers in this House to vote against that amendment.

The notification provisions of the new Mental Health Act do not come close to mirroring the provisions available to the victims of offenders who have proceeded through the normal criminal justice system—provisions that give those victims far more rights. This discrimination is unjust, and it is unfathomable why Minister Wendy Edmond and her Labor colleagues voted against our amendments to fix this last year. There are two classes of victims in this state.

I want to get the rest of the facts clearly on the public record. Labor members also voted against National Party moves to give the Mental Health Court the power to set minimum detention times in a secure treatment facility for serious mental health offenders. This would have given the judiciary the power to ensure that the likes of Claude Gabriel were not walking out of secure treatment facilities into the community within a matter of months or a few years. Labor members also voted against measures to ensure that classified patients charged with or convicted of indictable offences or forensic patients be accompanied by Health Department personnel while on leave.

The long-awaited Mental Health Act 2000 had the opportunity to get the injustices and inadequacies right and it failed, and attempts to fix the anomalies were voted down by Labor members during the debate. There are too many Queensland families living without justice who are treated like nuisances by the Health Department because they are the victims and not the mental health offenders.
