

Meg Hillier MP
House of Commons
London SW1A 0AA

16th November 2012

Dear Meg Hillier,

Re: Proposal for MPs to discuss the Criminalisation of Mental Health Patients

I was very glad to hear you speak at the Mental Health group meeting in Hackney on 4th October 2012 and advise that Members of Parliament can form a committee/group and ask for a debate in the House about issues they are concerned about. I am copying this letter to Diane Abbott as you will know that she has helped me greatly as my MP ever since my son Joe Paraskeva was sent to prison from a psychiatric ward in Hackney and a campaign was started to overturn his conviction and stop the criminalisation of mental health patients.

Thank you for saying that the issue was of concern to you and that it might be possible to set up a committee of MPs to discuss it and for taking the details of myself and another carer, Anna Kashdan, with a view to us contributing to such a committee.

I am writing to confirm that both Anna Kashdan and myself would be willing to talk to MPs about our experiences as mothers and carers of sons who have been subject to this practice in Hackney.

Firstly, we are very concerned that staff in the psychiatric wards (at the City and Hackney Centre for Mental Health, Homerton Row) do not implement the procedures in place to ensure the safety of patients, staff and visitors. There is a list of prohibited items which are banned on all psychiatric wards, eg. Cigarette lighters, aerosols, boxes of matches, scissors, plastic bags. My son made a flame using a cigarette lighter and deodorant aerosol when he tried to escape from his ward (2010). Anna's son had a box of matches which he used to burn some paper on the same ward (2012).

We believe that the NHS does have a duty of care to all patients and that our sons were not protected and kept safe while they were being detained under the Mental Health Act.

You may be aware that the local paper, the Hackney Gazette, recently published an article which states that the 'London Fire Brigade has rapped Homerton Hospital for being one of London's 10 worst offenders for false alarm call outs'. The report states that about a third of the false alarms (in Hackney) originate at the City and Hackney Centre for Mental Health, in the grounds of the Homerton Hospital (HG 11th October 2012). This must indicate that at very least, there are regular instances of potential fire risk in the psychiatric wards.

In The Guardian recently (7 November 2012), it was pointed out that psychiatric wards are no longer surveyed by the Quality Care Commission (CQC); they are no longer surveyed at all. Further, the article states that: 'The last CQC survey of psychiatric inpatients in 2009 found that fewer than half of them reported always feeling safe on psychiatric wards'.

I enclose copies of both articles, which are also available on the Press Articles page of the website (www.justiceforjoe.org.uk).

The public would expect, in 2012, that vulnerable patients deemed so mentally unwell that they are sectioned for assessment and/or treatment in secure psychiatric wards deserve compassionate care, in a safe and secure environment. They would not expect them to suffer mental distress and then be punished, sent to prison and given a criminal record for an offence which could have been prevented and which blights their future for ever. Common sense dictates that someone who is so mentally distressed they seek help by voluntarily admitting themselves into a psychiatric hospital is not well at the time and should be properly cared for in a hospital environment.

When I was on the streets of Hackney gathering signatures for the petition to the Prime Minister, the public response was overwhelming: disbelief that this could happen in this day and age, empathy and then fear that this could happen to someone they loved or to themselves and also anger that this practice has been allowed to continue for years. An example: A young man burst into tears in the street, he had just completed training as a doctor and could not believe that the NHS could allow such a thing to happen, he was completely stunned and very distressed.

My son is extremely lucky that I am able to fight on his behalf. I am lucky to have the resources to battle on his behalf. He is very lucky to have a family able to raise funds to pay for an independent psychiatric report which led to his being returned to a hospital setting after more than a year, without treatment, in prison. His mental

health deteriorated in prison to the extent that he stopped seeing all visitors for 8 ½ months and the independent psychiatrist who saw him in his cell got him moved to Healthcare the same day as a matter of urgency. I believe my son is lucky to have survived. Many people in prison commit suicide or self harm; how many had mental health issues prior to being incarcerated?

My son is lucky but many in an inner city borough such as Hackney are not.

I do not believe anyone would choose to have a mental health disorder or choose to become a mental health patient; both Anna's son and mine admitted themselves voluntarily and were then detained under section of the Mental Health Act when they wanted to leave; they and others like them deserve to be cared for with compassion and to feel safe in a secure hospital when they are suffering episodes of extreme mental distress.

Secondly, we would like MP's to consider how widespread this practice is within the UK and to what extent the police and the mental health services interact to perpetuate it.

I understand from the Scottish Parliament that there are safeguards in place in Scotland which would prevent this happening; I have been told that in the case of my son, for example, my son would not have been diverted to prison when he tried to escape from his ward.

The Department of Health has stated that there is no policy within the NHS which promotes the diversion of mental health patients into the criminal justice system. However, this has not stopped the local practice in Hackney, whereby mental health patients are criminalised with the apparent consent of the doctors who should be safeguarding them. The practice appears to be condoned and accepted within the judicial system, too. This doesn't make it right, just or fair.

We would like to know what justification is given by psychiatrists for this practice and how widespread it is across the country.

I have also copied in Catherine McKinnell MP, as Shadow Solicitor General she has been kind enough to ask questions about how the CPS deals with cases involving people with mental health issues. Clearly existing measures to divert people with mental health issues away from the criminal justice system are not working. The police interview mental health patients if they commit an offence on a psychiatric ward, in Hackney, either at or soon after the offence is committed or as soon as psychiatrists say they have capacity to be interviewed. This means that even if doctors agree someone is mentally unwell at the time of an offence, they still inform the police when they deem the patient can be interviewed with a view to charging them with a criminal offence.

How many mental health patients are charged with arson committed while they are in psychiatric wards? How many prisoners are, like my son, convicted of arson and denied assessment, treatment and compassionate care they deserve in a hospital environment? How many families suffer the trauma of such a Kafkaesque sequence of events?

Serious questions should be asked of both the mental health system and the judicial system where they have been shown to further stigmatise and increasingly criminalise the most vulnerable, those who are unable to control their behaviour due to their mental distress. We feel completely let down by both systems and ask MPs to address the issues and work towards ensuring proper safeguards are put in place to ensure the most distressed patients can feel safe and supported in hospital settings and are no longer diverted to prison.

With regard to the possible formation of a committee of MPs to discuss issues of concern around the criminalisation of mental health patients, I do feel that input from the major mental health and criminal justice organisations supporting the Justice for Joe campaign would be invaluable. I am therefore also copying them in to this letter.

Thank you again for your help and I look forward to hearing from you,

Yours sincerely,

Linda Morgan
(Mother of Joe Paraskeva)

cc. Diane Abbott MP; Catherine McKinnell MP;
Anna Kashdan

www.justiceforjoe.org.uk

Email: justiceforjoe@hotmail.co.uk

Copied to the following organisations who support the Campaign:

SANE, (National) Mind, Rethink Mental Illness, Time to Change, Bipolar UK (MDF/The Bipolar Organisation), YoungMinds, The Howard League for Penal Reform, The Prison Reform Trust.