

GOVERNMENT LEGISLATED EXPLOITATION CONCERNS

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RESEARCH WITHOUT CONSENT UNDER THE GUISE OF MEDICINE

Australian Government Legislation is enforcing exploitation for the purposes of Forced Human Experimentation, funding it, and running campaigns to cover-it-up as 'medicine'.

Victoria, Australia has policy that allows for Human Research without Consent to occur, if medical treatment is an 'emergency' and/ or the person is deemed to be an 'exception from informed consent.'

The definition of 'emergency' is systematically applied in psychiatry, when treatment is refused, while real medical emergencies are often ignored, social needs are ignored, and actual support denied by the Mental Health System.

Under the Victorian Mental Health Act (VMHA), well over 7000 people are forcibly treated every year (including those who on forced orders¹, there are many more who are subjected to the threat of forced orders.)

The history of psychiatry in Australia has been one of horrific Forced Human Experimentation via such Government Legislation that used terms such as 'Protectionism'. The exploitation under the guise 'care', is still very prevalent for persons with perceived or actual disability especially: women and girls, 1st Nations Peoples, refugees and socially/ financially disenfranchised groups of people, whose 'manner' or 'appearance' is subjected to judgements due to their cognitive or social diversity that gets them judged/ diagnosed as mentally ill.

The VMHA is nebulous, in that there is no way a person can foreseeably not break this law, which discriminates on the basis of perceived disability (judging a person's cognitive or social ability as needing to be subjected to 'restrictions' and 'treatment', when neither cognition or social ability are criminal activities, but rather human traits). The VMHA is Legislation designed for exploitation for the purpose of human research. The terms 'harm' are used in the sense that if a person is said to 'appear to be mentally ill' they can therefore be said to potentially be of harm to self or others. It is

¹ <http://www.abc.net.au/news/2016-11-20/patients-forced-to-have-ect-without-legal-representation/8030996>

outrageous prejudice to judge a person in this manner, and for a society to place upon psychiatrists an ability of 'prescience' that should be regarded as charlatanism. And, the whole diagnosis of a person is as 'mentally ill' is a judgement based on discrimination of social or cognitive diversity.

The medical treatment of psychiatrists in Victoria disables a person to the extent they cannot work, stay awake, are in constant, physical pain, unable to communicate, unable to be as physically able as they were previous to forced treatments.

The VMHA was updated in 2014, with very little changes that would mean Equality before the Law for persons with perceived disability, after the UN CRPD was signed and ratified in 2008. Victoria has not in any way stopped the exploitation of its citizens through Government Legislation, and those psychiatrists and legislators who torture and arbitrarily detain are exempt by the assumption that their violations are done 'in good faith' and said to be 'medicine'.

People sectioned under the VMHA do not even have the right to Advanced Directives, which are applicable in every other form of medical treatment in Government Legislation. Substituted Decision Making is the paradigm, across the board in Victoria in psychiatry, under the VMHA.

MEDICAL RESEARCH PRACTITIONER'S CERTIFICATE

Under The Medical Treatment Planning and Decisions Bill 2016 Part 5 (MEDICAL RESEARCH) Section 81 medicos applying for Research without Consent / Emergency Research/ Exception from Informed Consent Research are required to sign a certificate and renew it every 30 days. (There are also provisions for researchers outside a particular hospital to access files.)

Medical Research Practitioner's Certificate must be kept in the person's clinical file and with the Public Advocate's Office². Though, a person cannot find out if they were subjected to *Research without Consent*, because Freedom of Information has a clause to stop Certificates being available to the person who has been subjected to *Research without Consent*.

SUPPORT TO STOP FORCED TREATMENTS ARE UNDERFUNDED & CO-OPTED

The pathways to escaping a life-time of forced psychiatric treatments are predominantly overseen by organisations that are linked to medico personnel. These are not independent organisations and as a result they do very little to stop Forced Treatments. Most often people suffering under 24/7 indefinite torture and arbitrary detention under the VMHA are sent on pointless administrative loops, when attempting to complain, or have their human rights complaint turned into a 'medical complaint' or a 'negligence issue.'

² <http://www.publicadvocate.vic.gov.au/medical-consent/medical-research>

The MHA in Victoria is highly discriminatory and anybody who is just trying to escape its torture is deliberately labelled as aggressive and uncooperative, even if they are merely asserting their Human Rights under the UN CRPD.

People under Forced Psychiatry can really only escape prolonged and escalated forced treatment regimes by agreeing with most of what the psychiatrist demands, in effect endorsing the psychiatrist's violent treatment and derogatory labelling. This may result in the person being taken off the forced treatment and gaining the ability to be discharged to a General Practitioner, after 6 months or longer. Sometimes this does not happen; other times people become so afraid of being placed in arbitrary detention again, that even when off the Treatment Order, they fear if they stop doing as the psychiatrist or GP says, they will be placed back on the Treatment Order (and their fears are warranted because this regularly happens). Other people subjected to Forced Treatments are indoctrinated by the psychiatrist into being afraid of themselves fearing any kind of independence or empowerment that is not an endorsement of what the psychiatrist has forced and coerced them to agree with. (In many ways this State Legislated Violation, is not unlike Domestic Violence in the way it can break people into accepting that they deserve to be violated and that they deserve a lower-status in society. The trauma of escalating forced treatments, that occurred when they last attempted to speak out against the abuse, also re-traumatizes a person whenever they attempt to speak out against their abusers, or anyone else does. So those indoctrinated will shut others down, as well as themselves from speaking out against the Government Legislated violations of the psychiatrists.)

Very little funding is given to legally or socially aid those who support the rights of the financially and socially disenfranchised who are most vulnerable to the Legislated Violence, on primarily innocent civilians, in the form of:

- Arbitrary Detention
- 4-point fetters
- Forced Injections of chemicals that are known to cause harm and shut down cognition as well as motor-skills and cause irreversible damage
- Electrocutation under General Anaesthetic
- Surgery

These are cruel, inhuman, degrading punishments, that include a forced confession of compliance obtained under duress. There would not be anyone subjected to Forced Psychiatry in Australia that has not broken at some point, under these torturous dehumanising treatments. It is 24/ 7 indefinite torture, there is no point where the chemicals forced on the person stop shutting down the person's

ability to communicate, or stop physically hurting the person. It is an horrific experience, of which I can attest the truth of, because I have lived it. (I had 14 years of this from 1998 to 2012 and my Human Rights complaint and petition, though sent to the Australian Human Rights Commission, though not yet been acted on.)

Does Victoria, or Australia have any Commission acting entirely independently of Medico organisations or the Government to protect rights of Australian citizens that are victims of psychiatrists? There has been very little done to stop Forced Psychiatry, to implement the UN CRPD and repeal MHAs from the Australian Human Rights Commission, or any State/ Territory commissions that are given this task, so it doesn't seem likely that there is.

DISCRIMINATORY SILENCING OF THOSE WHO SPEAK OUT AGAINST FORCED TREATMENT

There is no doubt that the discrimination that occurs not only by the threat of further escalating psychiatrists' violations under Government Legislation, but through the victim-blaming that occurs in the community. This outrageous discrimination of people subjected to State Violence means people keep silence about being exploited, or they lose friends, promotions, or even get squeezed out of the workforce. This pressure financially/ socially may then result in them being subjected to Forced Psychiatry all over again.