Anne Greig

Mental Health Act (Scotland) 2003

I write concerning the circumstances of my sectioning on the 5 September 2000 during which a number of unlawful breaches of the various acts and codes of practice took place from 1 May 2000 onwards.

I was not detained as a result of an assessment as stated in my medical records. I was not offered an assessment before being detained. During this detention, based on false information without any evidence provided to Dr H by my ex-husband and our adult son, I was judged to be “paranoid against my husband.”

My mental condition was not assessed by any doctor or psychiatrist prior to my detention. I sincerely hope you will agree that the act of detaining me was unlawful, breaching all related codes of practice. I was subjected to a brutal abduction that falls within the definition of torture and inhumane degrading treatment.

Unbeknown to me, throughout the summer months preceding my sectioning on 5 September 2000, NHS staff, police and social workers had been alerted by Dr H who circulated, without evidence and without meeting me, my ex-husband’s and our adult son’s false allegations.

Under the 1984 Mental Health Emergency Act I was detained and drugged without examination or my consent.

On the 25 August 2000, 10 days prior to being sectioned, I accompanied our Down Syndrome daughter to the police station to make a complaint as she had just revealed to me further information relating to a serious complaint she had made on the 18 May 2000 concerning her brother (our son) and my ex-husband.

A section 117 was applied for and there is evidence in my medical records that the MHO SP met with a JP and made a Statement of Truth on the morning of 5 September 2000, and an order was granted. I have on several occasions since tried to obtain a copy of the Order and the said statement only to be ignored and refused on all occasions. I was detained under a section 24 emergency certificate issued by a GP who had never examined me, neither had the MHO SP, whom I had never even met. The same MHO gave a sworn statement on the 5 September at 12 noon to the JP, JL this led to a section 117 Order being issued. This Order authorises a mental health officer or a medical commissioner or a constable to enter a premises and remove the individual named in the Order. I have to date, not been permitted a copy of the said 117 Order and hope that The Committee will agree that this is also an unsatisfactory situation which subverts all human rights.

The way in which I was detained was completely criminal. I hope that the Committee will see that it is unacceptable to forcibly inject a person with
excessive drugs namely 5mg of Droperidol AND 2mg of Lorazepan, one of which was double the recommended dose and dangerous impacting on the cardiac system. As a result it was withdrawn in January 2001 by the manufacturer and black listed by the FDA because it had caused the deaths of many people. I was treated as though I was a wild animal.

The drugs used to sedate me posed grave risks to my health and I hope that the Committee will agree that I should not have been injected with the said drugs because of their inherent risks. (Please see attachments with a copied extract of my hospital notes specifying the drugs used. In these attachments are also two articles describing the dangerous effects of Droperidol as well as information relating to effects of Lorazapan.)

After 3 DAYS detention (the maximum time authorised by a 117 Order and section 24 Order) I was released from Cornhill Hospital having had advice from my solicitor. However, the consultant, Dr P, had during my detainment personally threatened me, informing me that I would be brought back into Cornhill Hospital if I did not take the drug Respiredol which he had prescribed upon my release. I hope that the Committee will agree that a consultant psychiatrist should not be allowed to issue such threats.

As a consequence of having been sectioned I have been, and still am being, seriously stigmatised and defamed. This stigmatisation continues to be used in attempts to deprive me of my liberty and to silence me to this day. I hope that the Committee will agree that the greater care should be taken before either a GP, or a psychiatrist, is allowed to decide to section an individual, to prevent the risk that individuals are often wrongly stigmatised by unproven false allegations. No one person should be permitted such powers.

With reference Article 5 ECHR. My detention was unlawful because I was not detained in accordance with the procedure prescribed by the Mental Health Act and Human Rights Act: there was a failure to consult my nearest named relative, my cousin, named by me, although it would have been quite possible for them to have done so, instead of maintaining contact with my ex-husband and our adult son who were both the initiators of false information leading to my sectioning. The nearest relative is the named person unless someone different has been named which my cousin was.

The Law Society, by drawing attention to Article 8 ECHR, helpfully pointed out that "a patient can only be treated involuntarily provided there is a lawful and proportionate justification for this (namely, protection of health) under article 8(2) ECHR, failing which there is a violation of the individual's right to private life/autonomy under article 8(1) ECHR. If a patient is treated in violation of article 8(1) it might amount to inhuman or degrading treatment."

Although I was sectioned before the passage of the Mental Health Act 2003, nothing has changed in the way a person is sectioned. In fact, it is now worse, it amounts to inhumane and degrading treatment allowing for abuse within the system.
I therefore urge the Committee to pay serious attention to the Human Rights Act and change the current 2003 Mental Health Act (Scotland), to make stringent amendments to prevent such abuse and criminal treatment as I have experienced.

Whilst some health professionals adhere to the regulations it would appear from my experience that not one of them, under the present law, is accountable for their OPINION based actions, making it possible for the first unsuspecting, perhaps gullible, health professional in receipt of false information, accepted without evidence, to pass on as fact forever as truth, down endless years to a limitless circle of national health professionals and others in authority.

The public needs to be protected from the covert actions of some unscrupulous professionals and others, who may have ulterior motives. I want to ensure that what happened to me can be permanently prevented from ever happening to others. The criminal abusers of the Mental Health Act must be held to account and the victims of such abuse must be afforded redress in a court of law. Unless the Committee can see its way to making the necessary critical changes to the Mental Act, tyranny will continue to be enacted with impunity.

I hope and trust that the Health and Safety Committee will accept my plea.

Anne Greig
October 2014