

Mad and/or Bad?

Structural violence and the experiences of forensic mental health patients in NSW

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STATEMENT OF ORIGINALITY

Student Declaration

I Karen Louise Daniels declare that this thesis entitled ‘Mad and/or Bad? Structural violence and the experiences of forensic mental health patients in NSW’ contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text. I give consent to this copy of my thesis, when deposited in the School of Humanities and Social Science Thesis Library being made available for loan and photocopying subject to the provisions of the Copyright Act 1968.

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It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.

To my four case studies Mike, Farsad, Tarni, may Scott R.I.P and your families, I analysed your stories by way of data, you will not be muted, you will be heard with my voice. I hope that I have done your traumatic experiences justice, and by sharing your stories it brings change for your futures and for all forensic mental health patients.

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ABSTRACT

Forensic mental health patients detained within the New South Wales, Australia prison system are a marginalised sector of society. Issues of disempowerment increase as they progress through the criminal justice and medical systems. People in these prison systems are excluded, ignored and largely voiceless, and the dearth of research in this field is evidence of this. People who are cast into the criminal justice and medical systems and who have a serious mental illness form a unique sociological group. The experiences of forensic patients are hidden from the public gaze and the prison experience has been found to exacerbate mental illness. This exploratory study analyses four case studies to show how system failures impact forensic patients. Policy and legislation are found to have gaps and contradictions between what is written and how it is implemented. These were found to have significant implications for forensic patients' wellbeing. Documents from court cases, coronial inquests, parliamentary investigations, personal correspondence with state departments and official reports were analysed. Analysis uncovered how structures within the system violate forensic patients. Power is held and used within the systems that surround forensic patients in ways that further punish them. It is crucial to understand how these violations are affecting those within the prison systems if violations are to be addressed. This study examines the experiences of people held within the criminal justice and medical systems and how structural and symbolic violations are occurring. This is important for improving services towards reform.