

David A.S.Crofts

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Monday 26<sup>th</sup> September, 2011

Barbara Shalit  
Solicitor

Mental Health Legal Centre Inc.  
9<sup>th</sup> floor, 10 - 16 Queen Street  
MELBOURNE Victoria 3000

Dear Madam,

There are two reasons for this correspondence.

Firstly, I wish to thank you for the accurate and ultimately successful representation of my arguments before the "Mental Health Review Board" many, many years ago with the pleasing result that I was spared any further legal penalty.

Secondly, I want to try and inspire more tolerance of the distress of the mentally ill by those in society who currently feel it to be intolerable. My hope is that the provision of a summary of my analysis of the "Mental Health Act", from the viewpoint of someone who has had firsthand experience of it, will achieve this goal. I want to emphasize the injustice, felt by those labeled mentally ill, which has resulted from the treatment, previously considered as compulsory, by those who feel they have no alternative but to bend all those who they disagree with.

I find two glaring flaws in the "Mental Health Act" as described below :-

- 1/ The issue is "Are you able to consent?" so please do not simply consider the criterion "are you able to consent?"
- 2/ The criterion "do you appear to be mentally ill?" is being used to punish the individual as how they appear is your problem. You should develop more tolerance for the distress of the mentally ill.

Yours sincerely,

David Crofts.

P.S. There does not exist an ideal mental health act as we must all simply admit we are at the mercy of the medical profession. However, I have provided a tongue in cheek version for your amusement.

## SCHEDULE 1

MENTAL HEALTH ACT 1990  
Mental Health Regulations 1990

(Regulation 1)

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IF
  you want to abide by legislation
  AND
  you are EITHER
    (stupider than the legislator's legislating frame of mind)
    OR
    (as clever as the legislator's legislating frame of mind)
    OR
    (cleverer than the legislator's legislating frame of mind)
THEN
  you are sane.

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((and so is the legislator))

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IF
  you don't want to abide by legislation
  AND
  you are
    (stupider than the legislator's legislating frame of mind)
THEN
  you are insane.

```

```

IF
  you don't want to abide by legislation
  AND
  you are EITHER
    (as clever as the legislator's legislating frame of mind)
    OR
    (cleverer than the legislator's legislating frame of mind)
THEN
  you are sane.

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IF you want to abide by legislation WHEN YOU ARE THE LEGISLATOR THEN
you are insane.           -----

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WHEN YOU ARE THE LEGISLATOR, YOU DON'T WANT TO ABIDE BY LEGISLATION.
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NOTE: A copy of this order should be given to CARLYLE PERERA.

## THE CERTIFICATION SCENARIO

Certifier to Victim :- Do you want to abide by legislation?

Victim to Certifier :- Yes.

Certifier to Victim :- I don't believe you.  
You're certified.

Certifier to Victim :- Do you want to abide by legislation?

Victim to Certifier :- No.

Certifier to Victim :- I believe you are stupid.  
You're certified.

Certifier to Victim :- Do you want to abide by legislation?

Victim to Certifier :- Yes.

Certifier to Victim :- I believe you are sane.

Certifier to Legislator :- Do you want to abide by legislation?

Legislator to Certifier :- No.

(That's why I'm the legislator.)

Certifier to Legislator :- I believe you are the legislator, BUT  
I believe you are stupider.  
You're certified.

Certifier to Legislator :- Do you want to abide by legislation?

Legislator to Certifier :- Yes.

(That's why I'm NOT the legislator.)

((HE IS AS CLEVER OR CLEVERER.))

Certifier to Legislator :- I believe you are the legislator, BUT  
I believe you are stupid.  
You're certified.

Certifier to Legislator :- Do you want to abide by legislation?

Legislator to Certifier :- No.

(That's why I'm the LEGISLATOR.)

Certifier to Legislator :- I believe you are the LEGISLATOR,  
(and very clever.)  
You're UN certified.