



22 February 2012

Our ref: 200309037

Mr David Crofts
23 Brisbane St
BERWICK VIC 3806

Dear Mr Crofts

Re: Your complaint about Southern Health (Associate Professor Saji Damodaran) under the *Health Records Act 2003*

Thank you for your letter of complaint dated 30 January 2012 and the attached documents.

You lodged a complaint in regard to this same issue with our office on 17 September 2003. Your complaint was sent to Monash Medical Centre, Southern Health where Associate Professor Damodaran was employed. A response was received and forwarded to you on 2 December 2003.

You remained dissatisfied with the response received and your complaint was referred for Conciliation on 29 December 2003.

On 3 March 2004 you spoke with the Conciliator and confirmed that you no longer wished to proceed with your complaint in Conciliation. A further reply to your complaint was received by our office from Professor Damodaran dated 24 March 2004. Your decision not to proceed in Conciliation was confirmed in writing to you on 29 March 2004, accompanied by the further reply from Associate Professor Damodaran. You were advised the file would be closed.

There have been no further communications in relation to this complaint since 29 March 2004. Your complaint lodged on 30 January 2012 is about the same matter as your earlier complaint, namely that Dr Damodaran allegedly disclosed your health information when writing to Peninsula Health on 2 July 2003. You have not provided any new information in regard to your complaint. Therefore under Section 51 of the *Health Records Act 2001*, I am unable to reopen your complaint.

If you prefer, I am able to formally decline your complaint under section 51, and you will then have the right to seek referral to VCAT for a determination. Please contact Ms Angela Palombo, Legal Officer, on 8601 5209 if you wish to take this course. Ms Palombo is available on Monday, Tuesday, Wednesday and Friday.

Yours sincerely

Beth Wilson
Health Services Commissioner

David A.S. Crofts

23 Brisbane Street
BERWICK Victoria 3806

Saturday, 24th January 2004

Professor Saji Damodoran

Dandenong Area Mental Health Service
P.O. Box 956
DANDENONG Victoria 3175

Dear Saji,

I seem to have you nailed in law but as I can't be bothered pursuing this I will let you be.

A letter of thanks would be appreciated.

Yours sincerely,

A handwritten signature in cursive script that reads "D.A. Crofts".

David Crofts.

Encl.



Peninsula Health

PO Box 52
Frankston Victoria 3199 Australia
Telephone 03 9784 7777

Service

**PENINSULA
HEALTH
PSYCHIATRIC
SERVICES**

Frankston Hospital
Hastings Road
Frankston 3199

Tel: 9784 7105
Fax: 9784 7192

Frankston
Hospital

Rosebud
Hospital

Psychiatric
Services

Rehabilitation, Aged
& Palliative Care
Service

Primary and
Community Health

13th June 2003

Dandenong Area Mental Health Service
David Street
Dandenong 3175

Dear Saji,

**Re: David Crofts
23 Brisbane Street, Berwick 3806**

I am writing to you in regard to Mr David Crofts since he has been corresponding with me intermittently since his admission to Peninsula Health in February 2000. During his admission we treated him as an out of area patient and made a report to VicRoads that we believed he was not safe to drive. On discharge from our Service in 2000 he was on a Community Treatment Order to Dandenong Area Mental Health Service and I have no knowledge of his further treatment there.

He wrote to me for some months after the admission regarding his capacity to drive. In recent months, he is again conducting a correspondence with me. My concern is that this correspondence is becoming increasingly bizarre, with unusual objects, false Peninsula Health letterheads.

It is clearly consistent with a relapse of his chronic schizophrenia and suggests that he may again pose a potential risk both to himself and to other people.

Yours faithfully

Director of Psychiatry

Encl.

SOUTHERN HEALTH
Freedom of Information Act 9859
This copy is released under the
Regulations of the above Act.

See the correspondence
plan above that David is reviewed
and in light of this information
advise me the outcome

18/06/03

SOUTHERN ADULT MENTAL HEALTH SERVICE

SD:JD

2 July 2003

Frankston Peninsula Hospital
PO Box 52
FRANKSTON VIC 3199

Dear John,

RE: DAVID CROFT

Thank you for forwarding the copy of the correspondence by David. I have forwarded it to Dr the Consultant Psychiatrist who reviewed the letter at the treatment of David.

David is currently case managed by our Casey/Cardinia team and is a voluntary patient, as the Board discharged him off his Section. He is showing some early signs of TD. The management plan include :

- close follow up
- increase the antipsychotic
- to engage him in a trial of clozapine
- consider involuntary treatment if the symptoms get worse or risks increase
- upon risk assessment, there was no specific thoughts, ideas or plans to harm anyone including you. He wants to convince you that his driver's licence was wrongly cancelled but does not express any specific threats of any kind.

The team has strongly advised him to communicate to them about any concerns regarding his treatment.

Thank you again for raising this issue with us.

Yours sincerely

SOUTHERN HEALTH
Freedom of Information Act 1985
This copy is released under the
Regulations of the above Act.

DANDENONG AREA MENTAL HEALTH SERVICE

Sd/sm

24 March 2004

Ms Beth Wilson
Health Service Commission
Level 30
570 Bourke Street
Melbourne Vic 3000

Dear Ms Wilson,

**Re: Complaint to HSC
200309037 / HRA 15 : AB**

Thank you for forwarding the complaint made by Mr David Crofts regarding the allegation of breaching his privacy.

Mr Croft was previously a patient of Dandenong Area Mental Health Service and had an admission in Peninsula Health for a short period of time.

On 13th June 2003, Dr John Riley, the Director and Authorised Psychiatrist of Peninsula Health wrote to Assoc. Prof. Damodaran about Mr Croft's intermittent correspondence to him and raised concerns that the "correspondence is becoming increasingly bizarre with unusual objects, false Peninsula Health Letterheads" and he noted that "it is clearly consistent with a relapse of his chronic schizophrenia and suggests that he may again pose a potential risk both to himself and to other people".

Upon receipt of this letter Assoc. Professor Damodaran considered the matter as a serious one which has implications on the patient's well being and the safety of others. He requested a review of Mr Croft's psychiatric status in view of the recent correspondence from Dr Riley.

Upon review, the consultant psychiatrist informed Assoc. Professor Damodaran that Mr Croft was being managed by the Casey / Cardinia team, and was closely followed up by them.

As concerns were raised by Dr Riley which were communicated to us with copies of letters which he felt as "clear signs of relapse of schizophrenia", it was felt that it was important to inform him about our review and also to reassure him about the risk of harm to self and others.

Communication of such information to Dr Riley who was his previous psychiatrist who also had ongoing contact with him (Mr Croft) by unsolicited correspondence (from Mr Croft) was considered important as a feedback to a concerned mental health clinician and also within the scope of the Mental Health Act - section 120A.

The communication and was considered to be an important part of a feedback to a psychiatrist who raised serious concerns about the mental status of a patient who had communicated with him.

Assoc. Prof. Damodaran regrets any distress which may have been caused to Mr Croft and wishes to reassure him that the communication was to ensure that the best possible care was provided to Mr Croft at all times.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'PP Saji Damodaran', with a large, stylized flourish at the end.

**A/ Professor Saji Damodaran
Clinical Director
Mental Health
Southern Health**

David A.S. Crofts

23 Brisbane Street
BERWICK Victoria 3806

Telephone: 9707 4594

Friday, 27th June 2003

The Consultant Psychiatrist

Dandenong Hospital
P.O. Box 956
DANDENONG Victoria 3175

Dear Sir/Madam,

I write to inform you that I choose not to attend the appointment you have made for me at Dandenong Hospital on Monday, 30th June 2003 at 1:30 PM and will instead attempt to defuse the situation with this document.

I understand that your concerns are based on a private letter I sent to Dr. John Reilly on Friday, 30th May 2003. As this is one month ago I hope you can appreciate the situation is not urgent. I currently receive an injection of Fluanxol fortnightly from Laurie Disting and see no need to alter my treatment in any way. He detected no change in me when he saw me last (one week ago) and as he knows me quite well I think you should respect his judgment. From my point of view, my state of mind is the same as it always been since I accepted treatment with Fluanxol.

Anyway, I will attempt to address your concerns.

As the covering letter to Dr. Reilly only makes oblique references to matters addressed in the main document you can dismiss it and concentrate only on "David Crofts' Personal Reality". Since I first detected this reality in 1984, I have had over 10 Hospital admissions and my belief in it has never been changed. I have also been tried on multiple medications and their effect has in no way changed my beliefs. Hence, there seems to be no way you altering my treatment will change my views on reality.

Please Note :- My personal reality should only become a concern of yours when it means that I am a danger to myself or other people. Quite clearly, if I choose to deport myself in accordance with my personal reality as I have described it, it means I'm a danger to no one.

When I wrote this document in 1997, I thought it was forbidden to have a personal reality. If you have a personal reality please grant me mine.

Yours sincerely,

David Crofts.

P.S. If you are not prepared to accept Laurie Disting's documented opinion that I was well one week ago, please feel free to visit me at my home. Just be sure to telephone for an appointment first.

Hello Dorrie,

I suspect that the in-pregnating bitter reference in the attached documents will only make sense to you with the below elaboration.

Saje Damodaran dragged me into Dandenong Hospital in 2003 to turn my victory over Dr. Reilly of Franston Hospital into a defeat from which I am yet to recover. I will not be satisfied by anything medical which does not involve Saje before a Standards Panel...

..... Saje is Indian, I'm the dirt dog && the English colonial invader is going to @#\$\$% him big time for /& in his Indian colonially expanded, psychiatrically tight ARSE!

I am feeling relatively happy with life and have a good plan for the rest of my life.

The attached documents should keep you & I on the same page. Regards from David.