Why the Diagnoses and Risk Assessments are Wrong

Diagnosis

1. The following is the definition of a delusional disorder: *A false belief based on an incorrect inference about external reality that is firmly sustained despite what almost everyone else believes and despite what constitutes incontrovertible and obvious proof or evidence to the contrary. The belief is not one ordinarily accepted by other members of the person's culture or subculture (e.g. not an article of religious faith).* This is the definition provided by The Diagnostic and Statistical Manual of Mental Disorders, fourth edition or DSMIV)

2. By law, and also according to the definition of the disorder, the onus is on those who say that I am delusional to prove that I am indeed delusional, it is not for me to prove that I am not.

(i) One does not prove something simply by making unsupported declarative statements. The definition also makes it clear that, in order for a diagnosis properly to be made, I must first of all be provided with clear proof (in fact it says *"incontrovertible and obvious proof or evidence"*) that I am wrong, there are important reasons for this stipulation, but I shall not go into them now. In my case this has not happened; no one has been able to show that my interpretation of events was wrong, let alone wrong to the point of insanity (see pages 1 to 16 of Sentencing Assessment document).

(ii) The letters exchanged with Dr P and the documents by Drs B and S, which purport but clearly fail to answer the questions relating to my interpretation of events, which I laid out at Nos.12 to 47 of Sentencing Assessment document, are incontrovertible proof that these practitioners have not shown me why my beliefs are wrong and therefore have not diagnosed me properly.

(iii) From pages 32 to 63 of Docuemnt2, I explain why the diagnoses by the other practitioners are deficient. If other practitioners had explained to me why the conclusions I drew were wrong, would those explanations not be in the documents by Drs S, B and P or in my medical notes? If such evidence exists, I challenge you to produce it. If you think it may exist in my medical records or other documents, you need only ask to see them and I should be glad to make them available to you in their entirety. **In addition, if you approach the hospital or NHS and request that information, I shall authorise them to furnish you with such information. This should establish, beyond any question, whether my claims have any validity or not.**

Why I am not a Danger

3. The judgment of whether I would be a threat to the public, were I to be discharged, is necessarily an inductive probability analysis. Definitions matter, I shall therefore define inductive probability: *It is the degree of belief which it is reasonable to place in a hypothesis or proposition, on given evidence*. The more data we have the more accurately and confidently we can make that judgement.

(i) When determining whether I pose a risk of violence, It is useful to consider the numerous incidents and situations from over the years as each being a discrete event or series of discrete events, each with a binary outcome: violent or non-violent. This way, we can have a reliable quantitative assessment of the risk of violence that I present.

(ii) When we carry out such an assessment, it quickly becomes clear that:

(a) the violent incident that led to my being sectioned is an anomaly: there are literally thousands of incidents and only one violent incident. The Law of Large Numbers says that I do not pose a significant risk of violence.

4. As a further illustration:

(i) if the possible results of experiment **X** are binary (**A** and **B**) and you conduct that experiment four thousand times. If in only one of those experiments the result is **B** and the result of all the other experiments was **A**,

(ii) If it is clear that, on the occasion that **B** was the result, there were certain unusual conditions that easily explain the aberrant result (**B**), and these conditions are extremely unlikely to obtain in the future,

(a) how reasonable would it be to then say that the result of carrying out experiment **X** is likely to be **B**? Of course it would be an absurd statement to make. It is equally absurd to say that I present a threat of violence.

(b) I should add that a way has been found to negate the factors in the unusual condition described at No.4 (ii) above which caused the aberrant result (see Nos.62 to 65 of Sentencing Assessment document), meaning that, in future, even in those unusual conditions which are unlikely to obtain, the result would still be **A**.

5. In my case, there is a wealth of data to show that I would not be a danger to the public, if allowed to return to the community today. There are literally thousands of events, over the more than five and half years that I have been the target of the persecution I have described, which would have caused me to violent, were it true that I pose a real threat of violence. But I have only been violent on one of those occasions.

(i) How do I arrive at the figure of *"literally thousands of events"*, cited above? It's fairly simple: I take all of the incidents since the start of the campaign against me that would be likely to have caused a person who is likely to be violent to behave violently.

(ii) At Nos.9 and 10, below, I have set out some incidents. These are only a few examples out of innumerable incidents. It is important to understand that some of the points made are in fact a series of discrete events and would, for the purpose of carrying out the calculations in question, form several discrete events. For example: point (d) says:
"If, as a direct and intended consequence of this campaign against him, that person becomes homeless and, daily, that person sees people who are involved in the campaign against him. Yet still he does nothing. Is that person dangerous?"
If the incidents over the three months that I was homeless and faced this situation are considered, for the purpose of making such a calculation, they will easily number in the hundreds.

(iii) Such operations of course produce the value which is the probability that I would be violent and, in this case (my case), the value or probability is miniscule (I would even go as far as to say negligible). Two important uses of probability are:

(a) to discover how likely it is some thing will happen (quantify risk), allowing us to make reasonable decisions (to price financial products such as insurance or options, to allow someone to return to the community or detain them, to know whether we should bear the cost of taking certain actions or 'run the risk' etc) and

(b) to be enable us to discover assignable causes to conspicuous departures from models and, if the departure is undesirable, to take measures to prevent such departures in the future. If the departure is desirable, to see to it that such departures become the norm. When the model employed is good, it will allow the discovery of assignable causes for flagrant discrepancies. In my case the model indubitably does so.

6. The low probability in my case is quantitative and unquestionable proof that the likelihood of my being violent, were I to be allowed to return to the community, is miniscule. This is important and bears rears repeating: in the presence of reasonable people, to say that I present a negligible risk of violence, is to make an uncontroversial statement:

(i) we happily send men to the moon on the basis of higher probabilities that they will not survive,

(ii) we feed our babies formula and other foods on higher probabilities that that food may harm them,

(iii) as Lord Sumption explained, in the first of his Reith Lectures this year, we allow the current laws on motor vehicle speeds on significantly higher probabilities of fatal accidents.
Why do we not, in the face of such evidence, allow [me] to return to the community?

(i) One thing we can confidently and sensibly describe, when we know the probability of violence, is a person's ability to cope with stressful situations without being violent (if the experiments considered involved situations that could be described as stressful, which in my case they indubitably have). When we do so, we quickly realise that we have to say I have a high tolerance to stress and am extremely unlikely to be violent in stressful situations.

(ii) It should also be remembered that, in reality, these are not discreet probabilities, similar to coin tosses, where there is no memory between events and the last toss has no bearing on subsequent tosses. In this case, the cumulative effect should also be considered (events are happening on top of other events and there is memory between events, for the purpose of properly observing effects, they cannot be said to be unrelated). This is important because, if we consider these incidents as I have here suggested, we should have to say that my resistance to stress and my ability to handle pressure without being violent is significantly higher than would be suggested by calculating the probability as discreet probability (fair-coin-toss-type calculations), which in any case also shows the probability of not being violent to be high and the risk of being violent to be negligible.

7. We are also able to look at the anomalous incident (violence) and assign a cause or causes. When we attempt to do so, we quickly realise that the anomalous incident occurred in very exceptional circumstances that are extremely unlikely to obtain in the future and which, were they to occur, would not lead to violence, for a reliable remedy has already been provided (see Nos.62 to 65 of Sentencing Assessment document). When the facts are considered rationally, one cannot reasonably arrive at any other conclusion than that I am not a danger.

(i) The decision not to allow me to return to the community is exposed as unjust, it is illogical and completely without merit.

8. It is by this process (Nos.3 to 7, above) that I arrive at the conclusion that the danger that I pose to the public is negligible. May the process by which it is decided that I am dangerous be described?

(i) Why is it reasonable to place more faith in that method than in mine?

9. Let us consider the facts and try to understand why I am said to be dangerous:

(a) If a person, quietly going about his life, suddenly becomes the target of a sustained and illegal campaign that breaches his privacy and sees numerous crimes committed against him, and that person regularly sees people who are involved in the campaign against him. Yet he does nothing, is that person dangerous?

(b) If the campaign described makes it impossible for that person to do the work on which his livelihood depends and, daily, that person sees people who are involved in the campaign against him, but still that person does nothing, is he dangerous?

(c) If, as a consequence of the campaign, the project on which this person's livelihood depends is destroyed, and he may never have another opportunity to attempt that project again, and, daily, that person sees people who are involved in the campaign against him. Yet still he does nothing, is that person dangerous?

(d) If, as a direct and intended consequence of this campaign against him, that person becomes homeless and, daily, that person sees people who are involved in the campaign against him. Yet still he does nothing. Is that person dangerous?

(e) If that person then flees the country but is pursued by his persecutors so that he returns and continues, daily, to suffer this persecution and, daily, that person sees people who are involved in the campaign against him. Yet he does nothing, is that person dangerous?

(f) If that person spends three months sleeping in Endcliffe Park, on the bare earth, with no shelter from the rain, the wind or anything else the weather throws at him. If for those three months, he sleeps in the mud when it rains, without a blanket or any sort of covers, simply covered by the clothes he wears, and throughout this, daily, that person sees people who are involved in the campaign against him. But still that person does nothing. Is that person dangerous?

(g) If, for weeks, that person is so cold that his very bones ache from the cold and, at night, he shivers so much he literally bounces off the cold earth on which he lies, and, daily, that person sees people who are involved in the campaign against him. But still he does nothing, is that person dangerous?

(h) If, realising that he will soon die of exposure, that person returns to the police, who have previously refused even to report as crimes, reports that he made and that were backed with incontrovertible evidence, is that person dangerous?

(i) If, when he goes to report the matter to the police, the police meets him with hostility, humiliates him and showers him with abuse, and the campaign against him continues and, daily, that person sees people who are involved in the campaign against him. Yet still he does nothing, is that person dangerous?

(j) If, rather than resort to violence, that person again returns to the police, again explains that such a campaign is being conducted against him, has made him homeless, that he is in danger of death from exposure and that, if the police takes no action, he will be forced to employ violence against his persecutors, and again the police insults him and, daily, that person sees people who are involved in the campaign against him. But still he does nothing, is that person dangerous?

(k) If, finally having exhausted all of the options available to him and facing certain death, as a direct consequence of the campaign against him, which still continues, that person finally resorts to violence, to try and end the campaign against him, is that person dangerous? If you say he is, what would a person who is not dangerous do? I should remind you that **there are instances where a person is forced to resort to violence and his violence is not proof that he is dangerous or that he should not be in the community. Rather, that person has been failed by organisations that neglected their. The solution is not to deprive him of his liberty, but instead to ensure that, should he find himself in such a position again, he can approach the services that exist for such purposes (as he has proven he is inclined to do) and those services can carry out their function as they should. The solution cannot be to deprive that person of his liberty because others have failed to carry out their duty. This is one such instance.**

(l) Before that person struck one of his persecutors, the campaign against him had continued incessantly for ten months. In all of that time he was never once violent. During those ten months, that person regularly saw people who are involved in the campaign against him. On numerous occasions, he was threatened and provoked by his persecutors and they took actions that were clearly intended to intimidate him. He did nothing. Is that person dangerous?

(m) If, throughout those ten months, that person was constantly mocked, ridiculed and insulted by his persecutors and was subjected to innumerable indignities, and yet he did nothing, is that person dangerous?

(n) If that person is then diagnosed as being delusional by practitioners who are unable to explain why his interpretation of events was wrong and, on the basis of such diagnoses, some of the strongest powers at the disposal of the state (including to deprive him of his

liberty for an indeterminate period of time) are invoked against him, but that person is not violent, is that person dangerous?

(o) If, repeatedly, he is maliciously and falsely declared to lack capacity, to be egocentric and grandiose and to be unsuitable to be in less restrictive conditions. But still he is not violent, is that person dangerous?

(p) If numerous false reports are filed against him, including that the has been aggressive to visiting psychiatrists from the tribunal and that he has threatened staff with knife, when in fact it was he who faced abuse from staff and he is, in what is clearly a very serious stitch-up involving psychiatrists, nurses and other staff in the hospital, subjected to more restrictions. And that person is not violent. Is that person dangerous?

(q) If a psychiatrist who declared that person to be delusional, without being able to show why his interpretation of events was wrong and who made misrepresentations in his report to the Court, clearly told him, at the end of the interview and before he wrote that report, that, since he had refused to say that what had happened to him was a delusion, he (the psychiatrist) would ruin his life and would do menial jobs for the rest of his life (Dr K did this. If you have doubts about this, we can call him as a witness at my Tribunal Hearing). But that person is still not violent, is that person dangerous?

(r) If psychiatrists routinely perjure themselves, file false statements in his reports, lie to tribunals and to the NHS Trust and others, in order to secure unfavourable outcomes for him, and are successful in their attempts. If the NHS, when informed of this, insults him by making claims that are demonstrably untrue and completely unsubstantiated. If that person regularly sees these psychiatrists but does nothing (Drs S, M, B, etc). Is that person dangerous?

(s) If that person is not allowed to learn skills that will help him, when he returns to the community, to be a useful member of society and obtain employment that he would find satisfying and the reasons that are given make no sense (refusal to allow software). If that person realises that, given that it is hard for people who have been in prison and mental hospitals to gain employment afterwards, these decisions not to allow him to gain these new skills are likely to have very serious and negative effects on his life. And that person is not violent, is that person dangerous?

(t) If the judiciary repeatedly makes unlawful decisions and even employs lies, in order to continue his detention, but that person is not violent, is that person dangerous?

(u) If practitioners are unable to explain why he would be a danger to the public, if allowed to return to the community and they cannot say why his risk management plan would not work, but still they refuse to allow him to return to the community. And yet that person is still not violent, is he dangerous?

(v) If practitioners cannot identify anything that could go wrong, were he to be granted leave or moved to a less restrictive environment. If there is proof that he could safely be granted leave and be in a less restrictive environment (these things were safely done before and there has been no deterioration in his condition to suggest they cannot now safely be done) but still they refuse to grant leave and move him to a less restrictive environment. But still that person is not violent, is that person dangerous?

(w) If the Hospital and NHS Trust, despite being aware that he has been misrepresented by staff and psychiatrists and that practitioners have perjured themselves and told lies in order to secure unfavourable outcomes for him, refuse to allow him to record meetings, interviews and ward rounds, thus placing him in a vulnerable position and enabling those who are unjustly continuing his detention and, as a reason for their refusal to allow the recordings, they insultingly say that they are not important. And the misrepresentations and lies continue. But still he is not violent, is that person dangerous?

(x) If a practitioner (Dr P) has never interviewed him but lies that that he has and then makes a diagnosis that he is delusional and offers an opinion that he cannot be in a less restrictive hospital. If this psychiatrist is unable to defend both the diagnosis and the opinion and is unable to answer simple questions to show that he did in fact carry out the interview. If, because the psychiatrist fears his deception will be exposed under cross-examination by that person in court, and he consequently does not wish to be called as a witness, the practitioner tells the Court that he cannot offer evidence because he does not know enough about that person to offer evidence that would be useful to the Court and the Court agrees, and yet that practitioner still feels confident to provide diagnoses and opinions to the Hospital that have serious and negative consequences for that person. If the Hospital and the Trust, despite knowing all of these facts, continue to cite that practitioner's opinion and diagnosis, in order to support restrictions. And that person is not violent. Is that person dangerous?

(y) If, when his case is returned to trial and he has the opportunity to apply for bail, a practitioner at the hospital (Dr B) sabotages his attempt to gain bail by not only refusing to provide questions to answers relating to risk, that would assist in strengthening that person's application for bail (I did not tell him what answers to offer, simply to offer his opinion) but even going so far as to instruct other practitioners not to answer those questions (see Sentencing Assessment document, No.57 (xvi)). And yet this person still is not violent, is that person dangerous?

(z) I have here only set out a small number of the injustices I have endured. Bear in mind that all of this has happened to one person and that, for more than five-and-a-half years now, I have, without let-up, been subjected to these pressures and injustices. And yet there has only been one incident of violence. That incident occurred when I faced a clear existential threat, and only after the authorities had failed me (I did seek their assistance). Beyond question, the single crucial factor in my decision to resort to violence was the clear threat of death that I faced. Without that threat I would not have resorted to violence and, even then, had I had another choice, it is clear that I would have taken it, rather than resort to violence. This is why I continued to return to the police, even after they humiliated, abused and insulted me. It is also clear that such a situation is unlikely to obtain in the future.

10. But people say that they have considered the facts and the facts show that I am a dangerous person.