

Mental Health PC

ADDENDUM

1. BANKRUPTCY, LEGAL AID
2. DISCRIMINATION, LEGAL AID

Mr. Salsano | 23rd July 2019

MENTAL HEALTH SYSTEM

Aged 37, diagnosed ADHD, PTSD, Anxiety and Chronic Fatigue & bankrupt, as a capable citizen of Australia wanting to live a normal standards of life and achieve those standards of normality, unfortunately I am disabled not only in my own personal mental health capacity, I have also been disabled by the external ramifications.

Areas below that are in urgent need of attention as the ramifications are incoherently obvious in my personal experiences as an astute Australian.

1. BANKRUPTCY

LEGAL REPRESENTATION, MENTAL ILLNESS AND BANKRUPTCY

Whilst in therapy in 2017 for ADHD, I was made bankrupt by default. The creditor had full knowledge of my therapy though sort immediate action for a fictitious debt. Without funds or assistance to afford legal representation I applied my time to fight the claim in local court. The application administrative process was fraught thus the presiding member of the court denied my ability to have my case heard. I suffered then and continue to suffer the remanence of failed legal assistance within bankruptcy legislative law.

POST RESULTING ISSUES – BANKRUPTCY

1. The creditor made traction during which at the time I had been seeking therapy
2. Due to failure of legal representation or procedures I succumbed to involuntary bankruptcy
3. Seven days after, the creditor whom engaged bankruptcy action and success made contact.
4. I was then ambushed, by two men in balaclavas and beaten viciously whereby resulting in nine days hospitalization with further injuries

5. Further Mental Health conditions now added in addition to my mental health ADHD disability.
6. Further issues arising the conditions of bankruptcy is the continued contact with the trustee on behalf of my creditor whom is yet to be charged accordingly.
7. Further issues with standards of living affected in all areas of credit, employment, mental health and travel restrictions.
8. Having to be placed in a position of nominating “current address” details to the trustee whom has a duty to the creditor.
9. Failure to study certain academia as requirements for becoming a financier, banker, legal persons, real estate, psychologist, doctor or similar academically aspired achievement are now hindered by my current bankruptcy conditions.

IF LEGAL SUPPORT HAD BEEN OBTAINED

Should there have been an online “admin submission and drafting portal” available for self-representative litigants whom fail to gain legal support and are subjected to the limited advice of “Justice Connect”, whereby are discouraged and further impacted resulting orders without being present so that persons can continue to have a chance at normality of life would be helpful.

Idea one

1. State or federal public accessed online website that caters for mental health, disability persons in accessing drafting of administration processes that can generate or supply a formatted statement of claim instantly
2. The court document can be filed via the online gateway and submitted to the nominated court for action.
3. Understanding that the costs for legal representation would have no merit in government subsidy.

4. A system that would provide a self-representative litigant the fundamental administrative service so that they may have a writ of justice without having a matter ordered upon their absence.
5. The time constraints in applying for aid are not warranted for persons that may be suffering with mental health, care, therapy, hospitalization and so on.

Idea two

1. In the absence of a pending bankruptcy matter if a defendant is not present for an involuntary claim by an individual seeking orders then the member may make those orders attached to those conditions are;
2. Should the court receive notice within 30 days of orders such that the defendant was ill, disabled or in any way affected mentally and suffered discouragement by failure to obtain legal aid can reapply to the courts upon proven evidence as such will then representation be given before any formal orders being made on that person.

SUMMARY

- A) Special attention to Mental Health affliction in the area of bankruptcy law on debtor's post livelihood during litigation
- B) Error in the writing of legislative components in bankruptcy if the legislative constituent cannot be achieved in real life circumstances.

3. Anti-Discrimination Board (ADB)

LEGAL REPRESENTATION DURING ADB ACCEPTANCE HEARING

Having made successful application to the ADB for ADHD discrimination and having had the inability to be supported legally during this hearing had been yet another mental strenuous outcome causing added issues. I had cancelled all proceedings as I was mentally unable to cope with the demands of legal action, thus essentially missing out of justice.

MENTAL HEALTH IMPLICATIONS DURING ADB PRE HEARING

1. A claim had been submitted to the ADB for review of treatment by matter that transpired where I had been treated unfairly and unable to obtain urgent ADHD medication
2. Due to lack of knowledge of medicinal requirements I had been restrained and implicated under duress
3. ADB was notified of discrimination
4. The discrimination required the assistance to make a summons on the case by the judicial courts
5. I was unable to obtain that representation as my mental health was impacted from the breach and treatment
6. I had terminated the court proceedings

IF LEGAL SUPPORT HAD BEEN OBTAINED OR ADVISED

Due to not being informed, I was subjected to take on an ADB case against a party of nine plus legal counsel.

I forfeited the proceedings as I was unable to cope with the demands thus the time that I had spent up to the date of hearings I had been exhausted and mentally fatigued.

Should legal support had been in reach in guidance not representation I may have been able to proceed at the time.

If I had been advised at the very beginning by the ADB that no legal support or representation is offered I would have refrained from making a claim in the first instance.

SUMMARY

- A) Special attention to Mental Health harm in the area of anti-discrimination claims should persons that have suffered take the initiative to seek justice
- B) Whereby the initiative in seeking that justice is then too far to reach for the claimant whom then suffers the lack of assistance by not being able to obtain that legal support in the case of a discrimination claim for the purposes of achieving justice where justice need be sort.

As there are many more areas that I see large gaps in, its without any doubt imperative that future of this country restore balance in all areas of "Cause and Affect". Whereby areas that have been legislated do not appear to be practical in real life situations causing high levels of implicated stresses.

No doubt these implications would impact the working labor force of Australia and thus heavily impacting on revenue to the Australian government, there is urgency requirement in legal support and legal understanding in Australia to all those that are being subjected in seeking injustice, thus, causing a domino affect with personal lives and spread of mental health conditions of those that whom are initially implicated.

In helping make Australia a better place.

Regards,

P. Salsano