

Broadmoor patient becomes first to have his appeal heard in public

Albert Haines, who has been held under compulsion for 25 years, insists he is not mentally ill or dangerous

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Albert Haines has been held at Broadmoor and one other secure mental health unit for the last 25 years. Photograph: Rex Features

A man detained at Broadmoor high-security hospital has spoken of his "determination to get heard" ahead of becoming the first psychiatric patient to have an appeal against detention open to the public.

Albert Haines, 52, has been held under compulsion in Broadmoor and one other secure mental health unit for a total of 25 years. Psychiatrists argue he poses a danger to himself or others.

In a landmark ruling, his case will be discussed on Tuesday at a mental health tribunal open to the public and media.

Speaking from inside Broadmoor, Haines insists he is not mentally ill or dangerous and is in despair about the failure to be released from detention after more than two decades.

Haines, currently in a personality disorder unit, said: "Yes, I do have problems – but I do not have a mental illness. And I am not a danger to anyone."

"I have no faith in the mental health [services] and I have a determination to get heard. Some staff have been supportive of what I am doing and have wished me luck."

Haines was detained in Broadmoor in 1986 following two convictions of attempted wounding.

"I accept what I did was not right," said Haines, adding he would have "preferred to go to prison" rather than being detained as long as he has in Broadmoor, home to some of Britain's most notorious criminals such as Peter Sutcliffe, and St Bernard's Hospital, in Southall, west London.

He says he is willing to comply with conditions to be released from his mental health section, including residency in specialist 24-hour supported accommodation and adherence to medical and social supervision.

Haines argues that the effects of sexual and physical abuse were at the root of his earlier criminal behaviour. But, in a written statement, he argues that such trauma has gone "unrecognised and reported by professionals for the past 25 years".

"Counselling has just not been offered to me. I have asked for it ever since I can remember," he said.

Until now, mental health tribunals have been held in private and usually in hospital.

Psychiatrists consider them to be in the best clinical interests of patients, and ensure that confidentiality and medical details are protected. About 25,000 private tribunals are held in England and Wales each year.

A first-tier tribunal in 2009 had refused Haines's appeal on the basis that his intention was to air "subjective grievances".

But at an upper tribunal in February three judges ruled that under Section 6 of the European convention of human rights, psychiatric patients deprived of their liberty have the same right as a non-disabled person to have their case heard in public.

One of the judges said there was particular public interest in Haines's case due to the length of his detention and a change in his psychiatric diagnosis in 2008.

Haines's solicitor, Kate Luscombe, said: "My client has been detained for 25 years and has lost confidence in the system. He hopes this hearing shall allow an opportunity for public scrutiny of his case."

Terry Simpson, chair of the UK Advocacy Network, an organisation of mental health self-help and support groups, said: "Deprivation of liberty is a serious matter, and decision makers ought to be happy about public scrutiny. If a person is happy to go public then they should have that right."

Haines's sister, Denise, said the public hearing has "been a long time coming".

"My brother should never have been put in Broadmoor, and definitely not for so long," she said.

"Last Christmas he phoned me in tears because he was refused dinner as he did not want to sit with the other patients. He is just not in the same category as the other patients."

In a written court statement, Dr Kevin Murray, clinical director at Broadmoor and a former psychiatrist of Haines, expressed concerns that the public hearing – scheduled to start on Tuesday, 27 September at Field House immigration and asylum court in London – would set a precedent for other patients. A West London Mental Health Trust spokesperson said that, due to patient confidentiality, any discussion of Haines's case was "best left to the tribunal room".

She added: "Having said that, it's important to understand that the risk patients pose will typically vary over time and it's very unusual for patients to remain in a high-secure hospital for so long – only one in 20 patients remain in Broadmoor over 20 years.

"Patients with complex mental health problems often find it difficult to engage in the kinds of treatment that clinicians believe is likely to be most helpful; it can be painful and difficult work."

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