

Retaliatory Mental Health Referral to Queensland Health Containing Fabricated Clinical History — 26 June 2025

Field	Detail
Complainant	Anthony Lawrence Smith
Contact	als1969@me.com
Referring officer	Officer 'Brendan', Kings Cross Proactive Crime Team, Kings Cross Police Area Command
Referral date	26 June 2025 (follow-up email 27 June 2025)
Recipient	Redcliffe-Caboolture Crisis Assessment & Treatment Community MHS, Queensland Health
QLD Health RTI reference	JIAU25/13749
GIPA denial reference	GIPAA-2025-0834658 (original) / REV-2025-0858528 (internal review)
Trigger event	Ministerial complaint forwarded to Kings Cross PAC by Federal MP Tanya Plibersek's office, approximately 6 hours before referral
Submitted to	LECC CASE20237645/RT

1. Purpose of This Exhibit

This exhibit documents a retaliatory mental health referral made to Queensland Health on 26 June 2025 by a NSW Police officer from the same Proactive Crime Team as OIC Constable Claudine Dellenty. The referral was made six days after the complainant sent a formal demand for accountability to NSW Police Command, and approximately six hours after a ministerial complaint was forwarded to Kings Cross Police Area Command. It contained multiple provably false statements about the complainant's clinical history. NSW Police subsequently denied under GIPA that any such referral had been made, or that any records relating to it were held. Queensland Health's own RTI release proves the referral occurred and discloses its contents.

This exhibit is self-contained. It does not depend on court transcripts, outstanding GIPA requests, or any other pending material. Every finding is established by documents already in the complainant's possession: the Queensland Health RTI release (JIAU25/13749), the NSW Police GIPA decisions (GIPAA-2025-0834658 and REV-2025-0858528), and the complainant's own medical history.

2. Timeline — The Six-Day and Six-Hour Sequences

The retaliatory nature of the referral is established by two distinct timing sequences, both documentable from records already held.

2.1 The Six-Day Sequence

Date	Event
16 June 2025	Complainant sends formal email to NSW Police Command Customer Assistance Unit demanding written response on H81615839 dismissal, Cybertrace Report, Telstra nil result, bjow_ett entrapment, and barriers to defending himself. Email closes: 'I urge your command to respond with transparency and integrity.'
22 June 2025 (approx)	No response received from NSW Police Command.
26 June 2025	Officer 'Brendan', Kings Cross Proactive Crime Team, contacts Queensland Health Redcliffe-Caboolture Crisis Assessment Team requesting mental health assessment of complainant.
27 June 2025	Officer 'Brendan' sends follow-up email to Queensland Health explicitly stating: 'The reason why I ask... is the gentleman... has made further complaints to a Federal Ministers Office and I need to respond to them.'

2.2 The Six-Hour Sequence

Inspector Plumber's transcript (annotated, 15 March 2026) records the complainant's account: the ministerial complaint was forwarded by the Police Minister to the Commissioner, who referred it to Kings Cross Command for response. Approximately six hours after that referral arrived at Kings Cross, Officer Brendan contacted Queensland Health.

The officer's own follow-up email the next day confirms that responding to the ministerial complaint was the stated reason for the intervention. The referral was not initiated by a welfare concern. It was initiated by institutional pressure and executed as a mechanism to respond to that pressure.

3. The Referral's False Statements — Each Disprovable From Records Already Held

The Queensland Health RTI release (JIAU25/13749) discloses the content of Officer Brendan's referral. It contains the following statements, each of which is false and each of which is disprovable from existing records.

3.1 False Statement: Triple Zero Suicidal Threats

'The gentleman made 000 calls expressing suicidal thoughts about jumping in front of a train.'

NSW Police's own GIPA response GIPAA-2025-0834658 states that police hold no record of any triple zero call matching this description. The reviewer searched COPS and CAD for the relevant period and found nothing. NSW Police fabricated a clinical emergency to justify the referral and then separately confirmed under their own GIPA process that the emergency they described does not exist in their records.

These two NSW Police documents — the referral and the GIPA denial — cannot both be true. One of them is false. The referral was authored by an @police.nsw.gov.au email address on 26 June 2025. The GIPA denial was issued on 29 July 2025. NSW Police authored both.

3.2 False Statement: 2021 Hospital Presentation for Mental Health

'He last presented to St Vincent's Hospital in Darlinghurst in 2021 [for mental health issues].'

The complainant did present to St Vincent's Hospital in 2021. That presentation was for a colonoscopy — a routine gastrointestinal procedure. It was not a psychiatric admission, not a mental health presentation, and not a crisis intervention. The characterisation of a colonoscopy as a mental health hospital visit, provided to a mental health authority to establish clinical history, is a fabrication.

The complainant holds his own medical records confirming the nature of that admission. He had no psychiatric hospital admissions in 2021 or in the year prior.

3.3 False Statement: Charged for Various DV Offences

'He has been charged for various DV offences and on the 10th of June his latest matter was dismissed at court as the victim did not show up.'

The complainant was not charged with 'various DV offences.' He was charged with one offence: s474.17(1) Criminal Code, use of carriage service to menace, harass or offend, under charge reference H81615839. That charge was dismissed on 10 June 2025 when the complainant (Rushton) refused to testify.

The 2022 charges (H85611724) were intimate image offences. Five of seven counts were dismissed. Two resulted in minor fines. The complainant considers those charges entirely fabricated and that matter is the subject of a separate complaint track. Neither prosecution resulted in any finding of 'various DV offences.'

The plural 'various' and the DV framing were designed to present the complainant to a clinical team as a persistent domestic violence offender — a characterisation directly contrary to the documented record.

3.4 False Statement: Complaints Targeted at the Victim

'These complaints seem to be targeted at the victim in his various DV offences and he complains nothing is being done to arrest the victim and that Smith himself is the victim and not the offender.'

Every complaint the complainant made was directed at NSW Police oversight bodies, the LECC, the Customer Assistance Unit, and ministerial offices. Rushton was not the recipient of a single complaint. The complainant's email of 16 June 2025 — which directly preceded this referral — was addressed to customerassistance@police.nsw.gov.au and concerned policing conduct, not Rushton.

The legalabuse Instagram account — the basis of the dismissed charge — was tagged at @nswpolice, @nswpoliceminister, @humanrightslawcentre, @legalaidnsw, @amnestyaustralia, and other accountability bodies. Rushton appears in that account as the subject of documented criminal conduct. He was not the audience. The characterisation of those posts as targeted at a victim is false.

3.5 False Statement: LECC About to Block Complainant From Server

'He has emailed LECC who have told him he will soon be blocked from their server.'

The complainant has received no communication from the LECC threatening to block him from their email system. The LECC case reference CASE20237645/RT remains active. The

complainant continues to correspond with the LECC under that reference. This statement appears to have been fabricated to characterise the complainant's legitimate oversight correspondence as behaviour so extreme that even the oversight body has threatened to exclude him.

3.6 False Statement: Evidence Should Have Been Presented at Court

'Using the complaint process to inform any government agency as to his innocence rather than presenting this evidence at court, as he has been informed.'

The complainant was structurally denied the ability to present evidence at court. OIC Dellenty refused to accept written representations. She refused to confirm the identity of the account central to the charge. She told the complainant she would no longer reply to emails. Inspector Winch and Commander El-Badawi closed all further correspondence channels. The prosecutor's brief was not ready for service when Inspector Winch told the complainant it had already been served.

The complainant was not warned away from presenting evidence to oversight bodies. He was warned that he would not be able to present it through the OIC. Going to oversight bodies was his only remaining option, and he documented that fact in his LECC email of 8 November 2023.

4. The GIPA Hall of Mirrors — NSW Police Denied the Referral Existed

Following the referral, the complainant submitted GIPA applications seeking records of the welfare check. NSW Police issued formal decisions denying that any records were held.

4.1 Original Decision: GIPAA-2025-0834658 (29 July 2025)

NSW Police formally determined under s58(1)(b) GIPA Act that they did not hold any information relating to a mental health referral or the June 26 incident. They stated they held no record of a triple zero call involving the complainant.

4.2 Internal Review: REV-2025-0858528 (8 August 2025)

Senior Advisory Officer Ian Steptoe upheld the original finding. He disclosed that the searches conducted were:

- Person search of COPS using complainant's name
- CAD search for 'Concern for Welfare' messages in the Sydney City/Kings Cross area for 48 hours around 26 June 2025

He added: 'It would be very unusual for the agency to contact interstate agencies directly.'

That statement is directly contradicted by the Queensland Health RTI release, which shows that is precisely what happened — from an @police.nsw.gov.au email address to a Queensland Health community mental health team.

4.3 Why the Search Was Designed to Fail

The searches conducted by NSW Police systematically excluded every channel through which the referral was actually made:

Search conducted	Why it failed to find the referral
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COPS person search — 'Anthony Smith'	The referral was sent by email, not entered into COPS
CAD search — Sydney City area	The referral was sent to QLD, not dispatched within Sydney City CAD
48-hour window around 26 June 2025	The referral was an outgoing email, not an inbound dispatch event
'Concern for Welfare' CAD category	An email referral to another state's health authority would not generate a CAD event

No search of officer email inboxes was conducted. No search for outgoing correspondence to Queensland agencies was conducted. No search under the name 'Tony Smith' (the name used in the referral itself) was conducted. The GIPA review declared the search adequate and the referral non-existent.

Queensland Health's RTI release then produced the referral — from an @police.nsw.gov.au address, sent on 26 June 2025, addressed to Queensland Health, naming Anthony Smith of 1A Roma Street Scarborough QLD. The document NSW Police said did not exist is a Queensland Government clinical record bearing the complainant's full name, date of birth, and Queensland address.

5. The Admitted Motive

Officer Brendan's follow-up email to Queensland Health on 27 June 2025 contains the following statement:

'The reason why I ask... is the gentleman... has made further complaints to a Federal Ministers Office and I need to respond to them.'

This is not a welfare follow-up. It is an admission that the referral was made as a response to ministerial complaints. A police officer contacting a mental health authority and requesting an assessment of a complainant, for the stated purpose of responding to that complainant's ministerial correspondence, is not a welfare intervention. It is a retaliatory act using clinical infrastructure as its mechanism.

The officer identified the subject by name and address, provided fabricated clinical history to make the referral credible, and then disclosed the actual motive in writing the following day. He appears to have been unaware that his follow-up email would be producible under RTI.

6. The Pattern — This Is Not an Isolated Incident

The 26 June 2025 referral follows an identical structural pattern to a welfare check conducted on 25 February 2025, documented in COPS Event E102149788:

Element	February 2025 Incident
Trigger	Crime reports to QPS/AFP/NSWPF (Bcc LECC), 24 February 2025
Response	Welfare check at vacated Sydney address, E102149788, 25 February 2025
Delay	Approximately 28 hours

False content	Address known vacated; phone triangulation had placed complainant in QLD 18 months earlier
Admission	Not yet obtained
GIPA result	Withheld under LECC excluded information

Two welfare checks. Two complaint events immediately preceding them. Two incidents where police action was directed at the complainant's residence jurisdiction rather than at any actual welfare concern. The pattern is not coincidence. It is a tactic.

7. Contraindications for Involuntary Assessment

The clinical record produced by Queensland Health (JIAU25/13749) shows the Redcliffe-Caboolture Crisis Assessment and Treatment Community MHS received the referral and logged it. The complainant was not in psychiatric crisis on 26 June 2025. He was documenting police misconduct, corresponding with oversight bodies, and had just filed a formal demand for accountability six days earlier.

The referral sought to have a person who was functioning as a complainant assessed as a mental health risk, using fabricated clinical history as the basis. If that assessment had proceeded to an involuntary order, it would have had the practical effect of removing the complainant's capacity to continue pursuing his complaints — an outcome that would have served the interests of Kings Cross Police Area Command directly.

8. Relief Sought

The complainant requests that the LECC:

1. Identify Officer 'Brendan' by full name and badge number from Kings Cross Proactive Crime Team records for June 2025.
2. Investigate whether the referral to Queensland Health was authorised by a supervisor at Kings Cross PAC, and if so, who authorised it.
3. Investigate the source of each false statement in the referral — specifically who provided the false triple zero claim, the false clinical history, and the false charge description.
4. Investigate the GIPA searches conducted under GIPAA-2025-0834658 and REV-2025-0858528 as inadequate searches designed to exclude the channel through which the referral was made.
5. Investigate the February 2025 welfare check (COPS Event E102149788) as part of the same pattern, noting it followed a complaint submission by approximately 28 hours and was conducted at an address police records showed had been vacated 18 months earlier.
6. Consider referral to the relevant prosecuting authority for investigation of whether the false statements made to Queensland Health constitute an offence under s249 Crimes Act NSW (making false accusation) or s314 (false accusation) or constitute misconduct under the Police Act 1990.

Schedule of Supporting Documents

Document	Description
Queensland Health RTI JIAU25/13749	Official RTI release containing Officer Brendan's email referral dated 26 June 2025 and follow-up dated 27 June 2025 from @police.nsw.gov.au
GIPAA-2025-0834658	NSW Police original GIPA decision: 'Not Held' — no record of welfare check or 000 call
REV-2025-0858528	NSW Police internal review: upheld 'Not Held'; stated it would be 'very unusual' to contact interstate agencies
Complainant email 16 June 2025	Formal demand to NSW Police Command — the trigger event six days before the referral
Inspector Plumber transcript (annotated)	Records complainant's account of six-hour sequence from ministerial referral to QLD Health contact
COPS Event E102149788	February 2025 welfare check at vacated address — establishing the pattern
H81615839 Brief of Evidence	Confirms one charge only; no 'various DV offences'
Complainant medical records	Confirm 2021 St Vincent's admission was for colonoscopy, not psychiatric presentation

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All correspondence by email only. No telephone contact.