Health Minister Kon Vatskalis’ assertion during yesterday’s Question Time that he had legal advice defending his Government’s position over the unlawful holding of voluntary patients at Royal Darwin Hospital doesn’t stack up.

"Mr Vatskalis said he had legal opinions that suggested the detention of voluntary patients was done in accordance with the law," says Shadow Attorney General, John Elferink.

"However, the Principle Community Advisor to the Community Visitor Program, Mr Eddie Cubillo, has accused the Government of acting outside of the law – and took aim in his annual report at a Government policy that lets the hospital hold voluntary patients for 24 hours after admission.

"Notwithstanding Government policy, I know of no law that allows for the detention of voluntary patients for 24 hours against their will. There is a law that may allow for detention for up to six hours – but even then strict conditions must apply.

"The Health Minister promised to explain the content of the legal opinions but has said nothing to address Mr Cubillo’s and my concerns and did not even refer to them in debate.

"The Health Minister must make the legal advice public or his credibility will be brought into question.

"It is fine to make promises in the media, but then you have to produce the goods.

"Kon Vatskalis’ failure to justify the holding of voluntary patients means Mr Cubillo has even more reason to be concerned than he did before."