

The GM on Ten



As most of us know, Schapelle Corby is serving a 20-year sentence in Bali's Kerobokan prison for attempting to smuggle more than 4kg of marijuana into Bali in October 2005.

The Schapelle Corby case is like the Lindy Chamberlain case. We all had an opinion about whether Lindy was guilty or not. And we all seem to have an opinion about whether Schapelle's guilty or not.

I recall having animated conversations with just about everyone about whether Lindy killed Azaria. Lindy eventually went to jail for murder but the conviction was later overturned and Lindy was freed. In spite of her exoneration, there are still people today who will not be moved from their conviction that Lindy killed her baby.

I came to the conclusion very early in the Schapelle Corby case that Schapelle was innocent of the smuggling charge. I concluded she didn't put the drugs in her boogie board bag and had no knowledge of the smuggling attempt. I know there are many who think I'm naïve and gullible, and are just as convinced that Schapelle is guilty and deserves to rot in a Bali jail.

Like many others, I've read just about everything that's written about Schapelle Corby – about the discovery of the marijuana in Schapelle's boogie bag, the malfunctioning airport cameras, the deleted video recordings, the unavailability of closed circuit camera tapes, the inadequacy of X-ray equipment at Denpasar airport, the failure to fingerprint the evidence, the failure to weigh Schapelle's baggage at Denpasar airport and compare it with pre-flight weight, the inadequacy of the English language skills of the Balinese customs officer, the contamination of evidence, the lack of due process in the collection and protection of evidence, the failure to test the marijuana to determine its origin, the trial, the appeals, the lawyers, the failings in the defense case, and her life in Kerobokan. And I've read about the alleged corruption in the Balinese justice system, that guilty pleas are the best way out, that sentences are bought, and that the quality of prison life depends on bribery and the dispositions of prison guards.

I have also watched with dismay as Schapelle Corby's mental health has rapidly deteriorated over the past five years. First depression, and now psychosis.

In June 2008 and again in May 2009, Schapelle was hospitalised in Bali for depression. Schapelle's treating psychiatrist, Dr Denny Thong, concluded that Schapelle was suffering depression with psychotic symptoms and recommended she be moved to an environment where she could be medically supervised.

In August 2009, Associate Professor Jonathan Phillips, a psychiatrist and former president of the Royal Australian and New Zealand College of Psychiatrists, spent time talking to Schapelle at Kerobokan. The visit was arranged by Schapelle's family with the assistance of Sane Australia and backing from the magazine New Idea. Professor Phillips expressed the view that Schapelle was "delusional and paranoid" and that by any normal definition of insane, Schapelle was sadly in that category. Professor Phillips had no doubt Schapelle's condition was genuine. He expressed concerns Schapelle might kill herself, and recommended that Schapelle be transferred as a prisoner to Australia and be treated in a secure hospital. Schapelle's sister Mercedes said that it no longer mattered if Schapelle was innocent or guilty. "This is about basic humanity. It's a matter of life and death."

That was a year ago.

Schapelle Corby has now applied for presidential clemency, saying she is suffering from depression that could endanger her life. Recently, Australian Robert McJannett spent five months at Kerobokan for smuggling 1.7 gms of marijuana in his luggage. Like Schapelle Corby, Robert McJannett claims he is innocent of the offence. Since arriving back in Australia, Robert McJannett has confirmed Schapelle Corby's precarious mental state and has called on the Prime Minister and the Foreign Minister to bring Schapelle Corby home.

I have no doubt that Schapelle Corby is seriously mentally ill. The wonder for me is that she's still alive. The conditions in Kerobokan are horrendous. I know my own mental health would fail if I had to live day in day out in Kerobokan, knowing that I faced 20 years of unrelenting misery.

There are now two issues for me. One is Schapelle's innocence and her incarceration for a crime I don't believe she committed. But the second is that of incarcerating someone whose mental health has collapsed and who faces an ever-spiralling descent into insanity while ever her incarceration in Kerobokan continues.

The second issue is critical for all of us who work in mental health. Irrespective of their guilt or innocence, should someone who has serious

and life-threatening mental illness be kept in the environment that's causing their mental illness?

We don't let someone die from pneumonia or cancer or any other physical disorder in a prison cell. As a civilised society, we remove them from prison and treat them in hospital until they are well enough to return. Prison is not meant to be another method of killing someone. Nor is it meant to be physical or mental torture with the objective of maiming and destroying. A civilised society does not treat prison as a place for someone to rot. So why would we let someone with deteriorating mental illness remain in prison without appropriate treatment?

Schapelle Corby needs to be out of Kerobokan and in a suitable medical facility. Whether that's in Australia or Bali is up to the Indonesian authorities. But from the perspective of humane treatment of someone with serious mental illness, Schapelle needs to be out of Kerobokan and she needs to be out now. To do otherwise is criminal neglect.

Schapelle's release date, with remissions, is now early 2024. She probably won't make it if nothing changes. That mightn't worry the many Australians who think Schapelle is feigning mental illness, but it worries me.

The GM on Ten is an opinion piece by Dr Gaye Emily Keir, Acting Chief Executive Officer of the Mental Illness Fellowship of Qld. Gaye Emily Keir is a psychologist.

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