

Assange faces “very high risk of suicide,” medical expert tells court

By Thomas Scripps and Laura Tiernan
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Medical evidence was produced in Julian Assange’s extradition hearing yesterday detailing the terrible harm done to the heroic journalist by a decade of state-orchestrated persecution.

The day was given over to the examination of Professor Michael Kopelman who testified to Assange’s mental health. Kopelman is a psychiatrist and Emeritus Professor of Neuropsychiatry at Kings College London. He has given expert evidence in multiple extradition cases on behalf of both the defence and the prosecution. In assessing Assange, he conducted seventeen visits in 2019 and additional visits in 2020, constructed a “full family history” and a “full personal psychiatric history,” and carried out “interviews with his family and lifelong friends.” His findings constitute a clear bar to Assange’s extradition to the United States. Under Section 91 of the UK Extradition Act (2003), extradition is prohibited if “the physical or mental condition of the person is such that it would be unjust or oppressive to extradite him.”

Under Section 87, extradition is prohibited if it is incompatible with the European Convention on Human Rights (ECHR). Article 3 of the ECHR states, “No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

Medical evidence speaking to these bars has played a critical role in previous US-UK extradition hearings, for example in the case of Lauri Love. The risk of notoriously poor conditions in US prisons exacerbating mental illness is an important factor.

Assange’s case meets these criteria. The details in today’s WSWW coverage are being reported consistent with the “sensitivity” called for by defence lawyer Edward Fitzgerald QC, on behalf of his client. Nonetheless they make overwhelmingly clear the “unjust and oppressive” treatment to which Assange has already been subjected.

Assange, Kopelman told the court, has experienced periods of serious mental illness in his earlier life. Since being confined to the Ecuadorian Embassy and then Belmarsh maximum security prison, these issues have

resurfaced and worsened. Assange has suffered symptoms of severe and recurrent depression. Those symptoms have included “loss of sleep, loss of weight, a sense of pre-occupation and helplessness” and auditory hallucinations which Kopelman summarised as “derogatory and persecutory.”

They have also included “suicidal preoccupations.” Kopelman told the court, “There are... an abundance of known risk factors in Mr Assange’s case” and that Assange has “made various plans and undergone various preparations.” He gave his opinion that there was a “very high risk of suicide.” These symptoms and risks, Kopelman explained, are exacerbated by an anxiety disorder and Post Traumatic Stress Disorder (PTSD) and by a diagnosis of Asperger’s syndrome. Kopelman cited a paper by world-leading autism expert Dr Simon Baron-Cohen which found that the lifetime experience of suicidal thoughts in those with Asperger’s “was more than nine times higher than in the general population in England.”

Explaining the impact of the US government’s persecution, Kopelman said, “The risk of suicide arises out of the clinical factors of depression and the other diagnoses, but it is the imminence of extradition and/or an actual extradition that will trigger the attempt, in my opinion.”

If Assange were to be incarcerated in the US and segregated from other prisoners, Kopelman gave his opinion that the WikiLeaks founder would “deteriorate substantially” and see an “exacerbation” of his “suicidal ideas.” This would “amount to psychological harm and severe psychological suffering.”

Kopelman’s evidence confirms the warnings made since November 2019 by Doctors for Assange, representing hundreds of medical professionals from around the world, that Assange is suffering “psychological torture” and “could die in prison.” It underlines in distressing detail UN Special Rapporteur on Torture Nils Melzer’s comment regarding Assange’s treatment that “psychological torture is not torture-lite. Psychological torture aims to wreck and destroy the person’s personality and identity... to make them break.”

Assange's year-and-a-half long incarceration at Belmarsh has been designed to achieve this objective. It has profoundly undermined, in numerous ways, his legal right to prepare his defence against extradition. Kopelman reported yesterday that Assange has repeatedly complained that the medication taken for his mental health has caused him "difficulty in thinking, in memorising [and] in concentration." During the morning's cross examination, Kopelman forcefully rebuffed prosecution lawyer James Lewis QC's challenge to his credentials. He said solicitors had called him several times in recent years saying that Lewis himself was "keen to have your services" in an extradition case.

In the afternoon, cross-examination continued, with Lewis challenging the veracity of Kopelman's diagnosis, and claiming that Assange's appearance was "wholly inconsistent with someone who is severely or moderately-severely depressed and with psychotic symptoms."

Kopelman replied, "Could we go back a step?" Having seen Assange between May 30 and December [2019], "I thought he was severely depressed, suicidal and was experiencing hallucinations."

"He's much better now then?" Lewis interjected.

Kopelman continued, "I have said that in February and March [2020] he had moderately severe depression." Moreover, three eminent psychiatrists who had visited Assange since September 2019—Professor Paul Mullin, Dr Quinton Deeley and Professor Seena Fazel—had diagnosed Assange with severe and currently moderate-severe depression.

Responding to Lewis's argument that Assange appeared "fully aware of what was going on in court," Kopelman said, "Could I say as a professor of neuropsychiatry that I cannot evaluate his mental and cognitive state from what's in here [i.e., in court]." While Assange had interjected at various points during the hearing, "that doesn't mean that his cognitive state is normal."

Lewis challenged Kopelman's opinion that Assange was at high risk from suicide if he were imprisoned in the US, asking, "if the medical care in the United States of America is sufficient, then the risks you have opined about are greatly reduced if not eliminated?"

Kopelman cited reports from the US Department of Justice's Inspector General in 2017, the Commission on Constitutional Rights in 2017, and the Marshall Project in 2018, adding, "There are many people who say that care is very much sub-optimal, there is a lack of staffing, there are misdiagnoses and a lack of treatment facilities."

Lewis's reply, "So, you're now an expert on America's prisons?" captures the tone of the cross-examination.

During re-examination by Edward Fitzgerald QC for the defence, Kopelman said his evaluation of suicide risk was based on the impact of extradition and did not rely on the conditions of detention. "The depression, mixing with his anxiety and agitation, predisposes him strongly... If extradition were to be imminent or were to happen, that would be the trigger to a suicide attempt."

Fitzgerald asked whether the conditions of isolation in US detention, predicted by many observers, would *exacerbate* the risk of suicide, with Kopelman replying, "It certainly would."

Kopelman said, "I have seen him in just relative isolation in Belmarsh—that was when he deteriorated... I think it was Mr Sickler who says that the isolation he would experience in North America would be far worse than anything he has experienced in the Embassy or in Belmarsh."

Kopelman explained that previous extradition cases, such as Lauri Love's, had heard similar assurances that US prisons were safe. "The last case I spoke in, we were being reassured... about conditions in the MCC [Metropolitan Correctional Centre]. I gave evidence on about July 25 and about August 25, that was when Jeffrey Epstein hanged himself. So, it just showed that those reassurances were not terribly assuring."

Chelsea Manning had attempted suicide in the very detention centre that Assange would be held, Fitzgerald noted, with Kopelman replying, "And that is something that Julian Assange is very aware of. It's something that concerns him a lot... He said to me, 'If Chelsea Manning did this just a few days before a potential release on bail, it just shows how awful the conditions must be.'"

The hearing continues today.

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