

Experts at Odds Over Ieng Thirith

Bridget DiCerto

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Flying in the face of a seeming mountain of expert conclusions to the contrary, the personal psychiatrist for former Khmer Rouge minister for social action Ieng Thirith testified yesterday that her patient exhibited no signs of mental illness or cognitive impairment.

Chak Thida, treating psychiatrist of the one-time “first lady” of the Khmer Rouge, was at odds with the conclusion of the court-appointed expert panel that Ieng Thirith suffers from a moderate to severe form of dementia, most likely Alzheimer’s disease.

Thida instead testified that her patient was a “polite and neat” lady who spoke and read perfect French and engaged in all the usual, pleasant social interaction.

“I have not found any sign of mental illness in Ms Ieng Thirith,” Thida told the court, qualifying her faith in the mental fitness of Pol Pot’s sister-in-law with: “Although she has experienced some loss in memory.”

The panel of three court-appointed experts said they found that the crimes against humanity suspect’s mental health had not improved, and her alleged dementia had shown signs of deterioration since judges last year ordered additional medical treatment they hoped might improve her cognitive abilities.

The Khmer-Soviet Friendship Hospital general psychiatry deputy director was a strong voice of dissent, telling the court that as a Cambodian female, she had worked on fostering a close personal relationship with Ieng Thirith in order to maximise the often-combative former minister’s responsiveness to tests.

Thida gave an example of the effectiveness of her strategy when she was in a joint testing situation earlier this year with New Zealand geriatrician John Campbell, one of the court-appointed experts who attended the hearing yesterday.

“Mr Campbell handed Ieng Thirith a pen and asked her whether she recognised the pen and knew how to use it, and she said she did not know what it was,” Thida said, describing Campbell’s attempt to put co-accused Ieng Sary’s wife through the Mini-Mental State Examination – a popular tool for identifying dementia tendencies.

“Five minutes later, I held the same pen, and I told her that I saw her use a pen before to write French, and I asked her whether she wrote English too and then she took the pen

and wrote: ‘I go to school’,” Thida said.

In November, Trial Chamber judges found the Case 002 suspect unfit to stand trial, based on expert conclusions that she suffered from dementia, and ordered her unconditional release from detention.

On appeal, the Supreme Court Chamber overturned this decision and directed the Trial Chamber judges to request additional medical treatment in an attempt to improve the 80-year-old’s fitness to stand trial for crimes against humanity, genocide and war crimes.

Thida’s diagnosis was in sharp juxtaposition to the consensus of the experts. The Cambodian professor was adamant in her conclusion that her patient had no, or minimal, cognitive impairment, and attributed much of Ieng Thirith’s worrying behaviour to the suspect’s displeasure with incarceration and the court proceedings against her.

Judge Cartwright devoted much of her questioning to testing the strength of Thida’s conclusions.

“You say she has good judgment and insight, but when she speaks loudly to the [detention centre] staff and hits the cell door with her crutch, do you consider that to be good judgment and insight on Ieng Thirith’s part?” Cartwright quizzed the Cambodia-trained psychiatrist.

“Hitting the door with her crutch is not a habitual practice. It only started to happen when she learned she was about to be released,” Thida said. “And from the staff as well, I knew that she wanted to get out of this detention facility . . . She was excited when she thought she was leaving.”

Ieng Thirith’s combative and obstinate behaviour first drew her mental fitness into question with her notorious 2009 rant in which she “cursed to the seventh circle of hell” those who accused her of murder.

“I am now very angry, because I have done my best for the nation,” Ieng Thirith said at the time, decrying the injustice done to her.

“I don’t know why a good person is accused of such crimes, and I have suffered a great deal and I cannot really be patient, because I have been wrongly accused,” she said, later apologising to the court for her “extreme” behaviour.

In hearings to support her continued pre-trial detention, prosecutors called her “aggressive to say the least”.

Thida maintained that as she had fostered a positive relationship with Ieng Thirith, her patient was more relaxed, open and calm around her.

Ieng Thirith’s lawyers appeared incredulous at Thida’s unwavering conviction of mental

fitness.

“She does not even recognise her husband,” Ieng Thirith’s Cambodian defence counsel, Phat Pouv Seang, said.

“I meet her often, and sometimes she did not want to see me or recognise me, and she did not remember my name. But she remembers your name, so it is really strange,” Pouv Seang said, also highlighting that Thida had made no mention of the “stinky” squalor of Ieng Thirith’s detention cell where she allegedly had suffered from incontinence.

Judge Cartwright and Ieng Thirith’s lawyers, who have long maintained that their client is unfit to stand trial, also picked at Thida’s medical training and qualifications.

The panel of three court-appointed experts told the Trial Chamber that Ieng Thirith, who was not present in the courtroom during yesterday’s proceedings, has not responded well to trial treatment administered over the course of 2012.

“We felt there was no evidence of any improvement,” British doctor Seena Fazel said.

“We actually felt there was a deterioration over this period of time,” Fazel said, adding that the three court-appointed experts were unanimous in their conclusions and felt they had exhausted all treatment options.

The hearings will continue today.