

Harry Nicolaides

The King & I

Life in a Bangkok Prison

The article was published in the 'Monthly' magazine in April 2009. Harry Nicolaides speaks about the unexpected turn in his life after he was arrested in Thailand for writing a book insulting their royal family.

[part B']

To learn more about lese-majeste I did not need to go further than the compound library. Among the handful of English-language books, between *Treasure Island* and *Great Expectations*, was a copy of William Stevenson's *The Revolutionary King* - a work officially banned in Thailand. Ironically, it was written with the generous cooperation of King Bhumibol Adulyadej. It contains many details of the nation's political intrigues, its crises and coups, and a history of abuses of the lese-majeste law. It also mentions the personal life of the Crown Prince, quoting a public statement he made about his former partner and her lover. Reading this, in a book published with the permission of the King, I was flabbergasted. Here were explicit details of an episode I had believed to be no more than a rumour among the Thai people - which is how I referred to it in my novel.

The cell I had been placed in was filled with heavy smokers. At night I wore a facemask, sleeping only fitfully, waking each morning with eyes and throat burning. I was staggered to learn that all prison cells are non-smoking and that to complain was to suggest the prison officers were not doing their job properly.

I was transferred, and for almost four months shared a cell with an international drug lord described by Australian newspapers as a very big fish and the kingpin of the largest drug cartel in the northern hemisphere. I was characterised as a very small fish caught in the crossfire of Thailand's domestic politics. When we weren't discussing legal strategies he would have me spellbound with his anecdotes about his career as an armed robber, drug trafficker and money launderer. His experiences - from Britain to Portugal, Amsterdam to Sydney - would be grist to the mill for the likes of Quentin

Tarantino, whom he said he had met. He spent hours describing his trade secrets, from making and using false passports to techniques for avoiding electronic surveillance by the many law-enforcement agencies pursuing him, including the Australian Federal Police.

Such banter was a welcome diversion from the uncertainty of my own case, and it was not until later that I discovered I was part of his effort to thwart an attempt to extradite him to Australia. When he learnt that the Australian ambassador in Bangkok had visited me at the prison for a clandestine meeting in the director's office, he saw an opportunity to drive a wedge between the judge in his case and the Australian authorities. He instructed his Thai lawyer to subpoena the ambassador to appear in a Thai court and force him to acknowledge that the Australian government was making special visits to a man accused of denouncing the King.

The months passed, the visits continued and, just when I thought time was standing still, one of the other extradition cases in Compound Five - a British national charged by the FBI for trafficking steroids - was released into the custody of US marshals, who came to transport him to Washington. It was cathartic to see him leave after his eight months on remand, for I had come to like him, and his new situation gave me hope.

One morning we woke to learn that an escape attempt had been foiled. Several prisoners had planned to kidnap the compound chief and force guards to open the doors, and to that end had fashioned bolt cutters and knives from a workshop's scrap metal. The building chief made a speech, telling us that it would be a waste of time kidnapping a prison officer to aid an escape - the armed guards in the towers that overlook the compound were under instruction

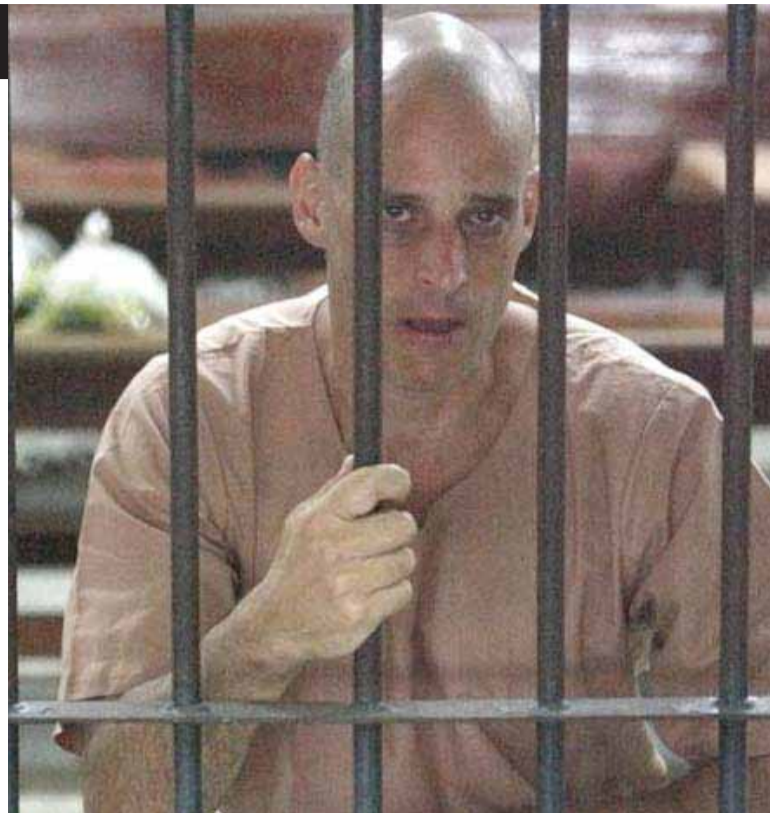
to shoot to kill, no matter what.

Prison discipline was tough and very few inmates took risks. Those who transgressed were stripped and taken to a small room behind the building chief's office, where several guards struck them repeatedly with heavy wooden clubs. The thumping and groans could be heard some distance away. Sometimes these beatings were the result of guards' anger towards prisoners; other times, they were simply sadism. Many of the victims were hospitalised with broken and fractured bones, cuts and bruising. Those uninjured were shackled with heavy leg irons for months.

The relationship between prisoners and commodores was curiously symbiotic. The latter behaved like feudal lords, seldom doing any work and delegating most responsibilities to their trustees, the privileged prisoners. It was a common sight to see prisoners prostrating themselves, or on their hands and knees massaging the legs of reclining officers. The officers showed little interest in serious fights or the constant flouting of prison regulations.

News of a prisoner's death would spread quickly through the prison. Once, I saw the emaciated body of a man carried through the compound and left on the steps of the building chief's office. The commodores eventually stepped outside to leer indifferently at the body, before motioning to Thai prisoners to remove the body. On another occasion a man was stabbed to death in a dispute over a carton of cigarettes. On yet another, the body of a young man who had hanged himself in the hospital dangled from the rafters for hours before it was removed.

The cycle of hope turning to despair became shorter and more intense as the months dragged on. When my food parcels were stolen, leaving me without anything but the prison rice to eat for days, I felt more alone than ever.



Turning to my rickety footlocker for old food, I found only an infestation of cockroaches.

When the 84-day investigation period was over I began to experience delusions of reprieve. My first formal court hearing was set for 21 November. How to plead? My Australian lawyer, Mark Dean, SC, had written to me explaining the difficulty of contesting a charge of lese-majeste in a Thai court, before a Thai judge. He recommended I plead guilty and allow diplomatic negotiations - always my best hope - to begin. However, my Thai lawyer informed me that I should plead not guilty at the first hearing, to ensure the matter went to a higher court where the presiding judges could consider a statement of mitigation.

On the morning of the hearing I woke feeling nauseated. I was given ten minutes to prepare myself to leave the compound. I started to retch and hyperventilate; I could not eat anything and was not permitted to take any food or drink with me. I joined a dozen prisoners in orange uniform and stood barefoot before the building chief's office. I had concealed some biscuits and a small carton of milk, but these were found and confiscated. We were searched and then marched to an area known as Central Control, where they fingerprinted us and restrained us for transportation.

Nothing can prepare a person for the experience of being shackled. In front of us was a giant iron pincer bolted onto a slab of wood the size of a sleeper. Each of us selected a pair of heavy, rusted leg chains. Two brackets of curled iron were fitted around each ankle; each leg was then

placed on an anvil beneath the giant clamp, before the long handle was pressed down like a guillotine to squeeze the iron brackets around the ankles. While skin scrapes were common, my real fear was that with a slip of the wrist my ankles could be crushed like walnuts in a nutcracker. The chains remained on all day - from 6.30, when we were crowded onto a prison bus, until our return from court, at eight in the evening.

Inside the courtroom I stood alone, facing a glass panel that separated me from the judge and several legal clerks. The clerk presented me with a charge sheet written in Thai and asked me how I intended to plead. She explained that if I pleaded guilty immediately I would have my sentence halved, but if I pleaded not guilty the hearing would be adjourned to 19 January, with no reduction in sentence if I was found guilty.

I had no access to a phone or an English-speaking official, but managed to persuade the clerk that I was expecting my Thai lawyer, embassy staff and friends, and would enter a plea after seeing them. I was sent to the courtroom holding cell with some 30 other prisoners. By mid morning my friends and lawyer arrived and persuaded me to plead not guilty, despite my misgivings about serving a further two months in limbo.

Following the hearing I was sick for days with a fever. Requests for hospital visits had to be made at least 24 hours prior to admission and on weekends there were no admissions at all. When finally I got to the hospital I asked for antibiotics, to be paid for by a visitor. It took two weeks before I was called back to be given the drugs. By then the worst of the illness was over.

Continued in Friday's edition