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Mentally ill Brazilian prisoner's sentence is adjourned to six months by the High Court

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JMSC Reporter
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HONG KONG - The High Court adjourned sentence Monday for a Brazilian detainee suffering with mental illness for at least six months, requiring psychiatrist detailed examination.

"I'm concerned that you might not be as well as you think," said the judge. "I don't want you to be punished more than what you served."

De Paula Oliveira Lucas, 28 at the time arrested for drug trafficking in Jan. 2020, was diagnosed with psychosis in his psychiatrist reports.

He was now remanded in custody at Lai Chi Kok Reception Centre. His sentence was set to be passed on Monday at the High Court.

But, the judge said to the barrister that obtained information didn't help in making sentencing decisions.

The detainee was then asked several questions by the judge to find out if he is a person who can hardly deal with difficulties.

"I lost my mother when I was six years old, and this disappointed me a lot. However, I could keep going with my life," said De Paula Oliveira. "I believe I was making an effort to be a normal person."

When asked if he remembered talking away nonsense to himself, he said it was not nonsense because he was thinking a lot about his family in Brazil.

"People whom I talked to, they don't understand me. And people who talked to me, they don't understand me," said De Paula Oliveira about his life in prison.

He said he was scared when first detained in prison, but now already got used to it.

De Paula Oliveira pleaded in Aug. 2020 and was transferred to Stanley Prison in Oct. 2020, where he was found mentally "struggling."

He was referred for treatment at Siu Lam Psychiatric Centre and came back to Stanley Prison in Nov. 2020, before being transferred to serve at Lai Chi Kok Reception Centre in 2021 until now.

He was reported as refusing to take medication pills, therefore, his psychiatrist prescribed injection once every four week instead since June 2021.

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“I don’t used to taking medicine and I knew that I didn’t need medicine,” said De Paula Oliveira.

He said injections helped him to go through reality day by day, and made him more calm.

The judge said to the barrister that the detainee seems to be “more capable to speak for himself” from the questioning session, which was different from his psychiatrist’s report.

Therefore, they both agreed to adjourn the sentence. It will be held after six to nine months from now.

The judge enquired the barrister for “a full psychiatric report from face-to-face observations with the defendant,” and required a mental health expert to be present on next sentence trail.

The judge said to De Paula Oliveira that if he behaved well, his sentence could be reduced by a third to about nine years, from 14 years and 10 months.