

# MURDER CHARGE

## Hearing Of Evidence Completed

### ADDRESSES TO JURY TODAY

The trial of Pauline Yvonne Parker, aged 16, and Juliet Marion Hulme, aged 15 years and 10 months, was continued in the Supreme Court yesterday before Mr Justice Adams and the jury.

The Crown called medical evidence in rebuttal of that brought by the defence in support of its plea of insanity, and all the evidence was completed by 4.40 p.m.

After discussion with the foreman of the jury and counsel, his Honour adjourned the hearing until 9.30 a.m. today.

Counsel for the defence and the Crown Prosecutor will address the jury this morning and his Honour will sum up.

The accused have pleaded not guilty to a charge that they murdered Honora Mary Parker, mother of the accused Parker, on June 22 at Christchurch.

The Crown Prosecutor (Mr A. W. Brown), and with him Mr P. T. Mahon, is appearing for the Crown. Parker is represented by Dr. A. L. Haslam and Mr J. A. Wicks, and Hulme by Mr T. A. Gresson and Mr B. McClelland.

Seating accommodation in the Court was again packed out yesterday and many persons could not get in. Several elderly women were in the gallery seats they have occupied each day throughout the trial, though one woman, who apparently arrived later than usual, complained to a man that he had her seat.

The three medical witnesses called by the Crown were only briefly cross-examined by the defence counsel and the evidence was completed much sooner than seemed probable earlier in the day, most of the morning having been taken up with the cross-examination of a defence witness by the Crown Prosecutor.

When the hearing was resumed yesterday morning Dr. F. O. Bennett, of Christchurch, was in the witness-box for the continuation of his cross-examination by Mr Brown.

Mr Brown: I was questioning you concerning entries in the diary but we will leave that for a moment. You referred to the poem "Those That I Worship." Why was that one selected?

Dr. Bennett: Because it, more than any other, illustrated the extravagant mood of the author.

They are not two beautiful daughters, are they?—No. They are not the daughters of one father. That is poetical licence.

Have other poets written grandiose poetry of the height of this?—Not of the height of this, and I am conversant with English poetry.

Do you know these lines in English poetry:

Not marble, nor the gilded monuments  
Of princes shall outlive this powerful line.

Mr Brown: Isn't that grandeur?—Not in the sense we are using it here, not the grandeur of a person.

But it is the writer's poem?—I suppose so.

And doesn't he consider his poem will outlive marble?—That is so. May I ask you if you have heard of the Immortal Shakespeare?

Yes. I have and I have read quite a lot of him. The quotation I have given you is from Shakespeare.

Mr Brown: Shakespeare wrote a number of tragedies and they were full of bloodshed, murder, and sudden death?—Yes.

And he wrote of sexual love?—Yes. Have you read "The Rape of Lucretia"?—Yes.

That deals with the expulsion of the Tarquins from Rome because of their sexual aberrations?—Yes. It is a poetical description of a historical fact.

These girls wrote a lot about sex?—Yes.

They play acted?—Yes. And they enacted a real killing?—Yes.

Might they not have had some foundation for thinking they were geniuses?—Because they had a slight similarity to Shakespeare?

They did a lot of the things he did, didn't they?—I must reject that comparison. But I agree their ideas had a little foundation in fact.

#### Accused's Friends

You said they had no friends?—Yes. But they did have friends of their own?—Very few. They had an extraordinarily small circle of friends.

But what you said was wrong?—It depends what you mean by friends.

What about Nicholas?—Nicholas was not a friend. He was an experience.

You said: "They went to dances with the exception of one" and so on. That referred to the general period did it not?—Yes. I am trying to give the Court a general idea of the mental state of the girls. I did not subject it to a time analysis.

But you changed it to "a short time before the murder." Would not that give a wrong impression?—I doubt it.

Is it insane to think all people go to Heaven?—No.

Is it insane to think people will go to paradise?—These girls grade heaven and paradise into two different planets.

Haven't some famous churchmen believed there were two or three places after death?—Yes. But not on different planets.

Why are these girls mad in thinking there are two?—They are not mad in thinking that, and I have never said it. It is part of a number of things, including the murder.

At the same interview with you one of them expressed the view the Bible was bunkum?—Yes.

Have not many sane people made similar comment?—I am not aware of any girl of 16 making it.

But many grown up people have said it?—Yes.

And their minds would be better developed?—Yes.

And they have been sane?—Some would be sane, but others probably would not be.

We come now to your reference to the game of monopoly, from the sublime to the ridiculous, as it were. Why did you mention it?—To show their attitude to cheating and their lack of moral code.

Why emphasise that when you had a clear illustration of lack of moral code in the murder itself?—Just another point to illustrate the case.

Many young people have cheated in a game?—Possibly.

Would they be depraved?—They would be getting on to it.

You said "contempt for the moral code." Aren't they strong words in that context?—Yes.

Why did you use them?—To show how little compunction they had in doing these things. You'll remember the diary entry ends with the words: "it was screamingly funny."

And wasn't it?—No. It was dirty. You will agree they had many of the characteristics of a fairly bad criminal?—Yes. They were not good girls.

That is rather an understatement, is it not?—No. It is a plain statement of fact.

You say it was the murder itself that was the final proof of the diagnosis. That is right, is it not?—Yes. That is accepted for the purposes of

17

the cross-examination.  
Is it right?—May I explain. A doctor is trying to make a diagnosis. He has a number of signs, symptoms and facts. None of them completely proves the diagnosis, though he is nearly sure of it. He wants some further information. It may come in a form disproving his theory, or it may come convincingly proving it. In this case there was a mass of evidence, and this was the matter of the murder. To me that was the final thing that was confirmatory of the diagnosis of paranoia. But I do not suggest there was no evidence of paranoia before that.

You said: "It was the actual murder that was the proof of the diagnosis."—No, not that.  
That is what is in the notes taken by his Honour's associate and she is very exact. It is what you said, is it not?—I think I have been mis-quoting.

You read it from your notes. What are the words there?  
His Honour: Doctor, I think you have been correctly reported by my associate. I also took a note of your words and it is: "It was the actual murder that was the final proof of the diagnosis."

Mr Brown: You will now agree these were your words?

Dr. Bennett: I came into this Court to give a diagnosis and to show how I reached it. I said the final proof of the murder was the actual murder and the jury can accept it or not. My statement is correct but, as his Honour pointed out, it is not a mathematical matter.

Mr Brown: Do you not think they are insane because they committed the murder and not that they committed the murder because they are insane?—They murdered because they were insane.

If they had been arrested for shop-lifting in Woolworths would you have said they were insane?—No, I had known as much as I know now, I might. They did not need the articles.

Why did they do it?—They were acquiring experience for the fictional characters in their novels. They set out to break the Ten Commandments for the sake of experience.

Would you say they dabbled in crime for the sake of experience?—Yes, for the sake of experience in creating characters of fiction.

Mother was in the way of their being together?—Yes. But a certain restraint is needed in the 'yes.' She was an indulgent woman and allowed them to be together a great deal in the final stages, but she was not an insurmountable obstacle.

But she was an obstacle?—Yes.

And tried to break the association?—Yes and then gave it up.

Is not that a half truth?—On my information, no.

Didn't they deceive mother into thinking they were resigned to Juliet leaving New Zealand without Pauline?—Do you mean a deliberate act of deceit?

I do?—What is it?  
I will give it to you in your own words. You said they were happy and bright before going to Victoria Park. Did you mean they did that to deceive her into thinking they were resigned to Juliet leaving New Zealand without Pauline?—No. They deceived her so that they could entice her to Victoria Park to murder her.

A delusion is a belief that has no foundation in fact?—Yes.

This belief that Mrs Parker was an obstacle was correct?—Yes.

And that was the main foundation of their desire to remove her?—Yes.

So their desire to remove her was founded on fact?—Partly.

So their desire was not a delusion?—It was part of a delusion. They gave no thought to the larger number of obstacles.

Mrs Parker was an obstacle in their path?—One of many.

If they removed her they removed one obstacle?—Yes.

Their belief in that was founded on fact? Surely that is logic?—No. It is not logic. It is far from it.

"Delusion of Motive"  
His Honour: Was there any delusion, as to any matter of fact directly leading to the murder?

Dr. Bennett: No, your Honour. It was a delusion of motive, not of fact.

Mr Brown: Doctor, later you say you asked Juliet if she felt justified in killing her, and she said: Yes, if the mother was a threat to their being together. Is that not so?—Yes.

The mother was a threat?—Yes.

So there is no delusion about that?—No.

You came to the view that these girls were putting on an act when they ran to the tearooms after the murder?—I said that was my personal feeling.

And the girls told you that?—Yes.

You know they are liars?—Yes.

You believed them in this?—Yes.

Because of long experience in the taking of statements.  
Mrs Ritchie described them as agitated, breathless and gasping. Was the restlessness and gasping part of it putting on an act?—Yes. If it was good acting it could be.

You know they came up a steep path and would be breathless and gasping after that? So were the breath-

less and gasping portions of it putting on an act?—It could be. It could be a dozen things. I could give you a list of possibilities.

If they ran 420 yards up a steep path would they not be breathless and gasping?—Yes, if they ran continuously.

May I suggest to you Landy and Bannister would be?—I don't think Bannister would be. (This reply brought spontaneous laughter from counsel and the public.)

When Parker worked about the house and mother was charmed with her, was that an act?—Yes it was. It was deceit. It had an element of Judas Iscariot in it.

We will come to that shortly. You spoke of the turmoil in the mind of the person who planned a violent crime. Have not many persons been calm and callous right up to committing the crime?—On the surface, yes. But not in their own minds. I doubt if any sane person would approach murder with a completely calm mind.

Reference to Judas Iscariot  
Was not Judas Iscariot cool and calm when he took bread and wine with our Lord?

His Honour: Mr Brown, Mr Brown. Whatever the temptation, I think it would be advisable not to continue that topic.

Mr Brown: I will not take it further, your Honour.

Dr. Bennett: I am sorry we did not continue with it, for it would lead us to where Judas hanged himself.

Mr Brown: Let us take other figures of history, doctor. Did not Macbeth murder Duncan at the instigation of Lady Macbeth?—Yes.

Was she mad?—No.

Did she not act before and after the murder exactly as these girls did?—No. These girls have no contrition, Lady Macbeth was stricken with remorse.

Was it not fear?—Well, fear. But there is not fear here.

Was not Lady Macbeth calm before the murder?—Yes. Macbeth was the jittery one. But it was he who committed the murder. It was not Lady Macbeth. These girls committed the murder.

Was she not a party to the killing, apart from striking the actual blow?—No. She was out of the room.

Mr Gresson: What is the medical question arising out of Lady Macbeth and her activities?

Mr Brown: I'm surprised that Mr Gresson does not see the point of this.

Mr Gresson: I'd be surprised if anyone could.

Mr Brown: I am trying to draw a parallel.

Dr. Bennett: I was drawing the parallel and you went off it.

Mr Brown: I am anxious the jury should understand clearly another statement of yours. There are the words in the diary for June 16 "We didn't misbehave." They told you the words meant that they didn't go down and raid the pantry?—Yes.

You believed that?—Yes.

Now as to the word moider. You said they told you they often did that with funny words, that they often altered them round for whim and fancy. You said it was a word that had none of the ugly significance for them?—I wanted to show they regarded murder far less seriously than sane people.

By using the word moider?—Yes.

But isn't it well known in American crime books? Isn't it a slang term?—Well, you are informing me.

You said they had never spoken of Parkway to you except in the kindest terms. His initial was normally B. Bill, and they explained that in the same way as they changed murder to moider they changed B to Bloody?—Yes.

Do you believe that?—Yes.

There is an ugly significance about bloody, isn't there?—Is there in New Zealand and Australia. What I intended to convey was that the girls often altered the words in their spelling. Just that.

You use these terms: "In that moment she (Parker) revealed to me most convincingly the profound compulsive force of the delusion." You said she was distressed?—Yes.

Because she could not get to Juliet so soon enough?—Yes.

That was her desire?—Yes.

Why do you use the word delusion?—Because their delusion was fed by their being together and if they were to be separated for any length of time it was a disadvantageous state of things so far as the delusion was concerned.

Her desire to get to Juliet was very real?—Yes.

So where is the delusion?—It is one aspect of the delusion. I said she showed some distress and it revealed to me something of the compulsive delusion.

Her distress was obviously caused by something real?—Yes.

So there was no delusion about her distress?—There was nothing unreal about her desire to get to Juliet. It is that itself there is no delusion. Still it emphasises the nature of the delusion.

Do not some young children fly into a rage if prevented from going to the pictures?—Yes.

"Profound Attachment!"  
Do they not show more distress than Parker did?—No. You were not there, so you do not know.

Did she cry?—No. It was a psychological distress.

Is it natural for a child to act so if it does not get its desire?—Yes.

Why is it Parker's distress was unnatural and evidence of insanity?—It was unnatural in that it revealed how desperate was her desire to prevent the separation from being prolonged for another two or three hours, which was evidence of the profound attachment of these two, which was evidence of a state necessary for the preservation of a delusion and that all convinced me how profound was the delusion.

Mr Brown: We won't take that any further. You said the obeying of the law of a country is a purely intellectual thing. Is that correct?—In itself, yes.

Then the average member of the community obeys the law simply because it is the law and not for moral reasons?—No. The great majority obey the law because they approve of the law but nevertheless it is an intellectual procedure.

The law, you will agree, tries to stride with morality?—Yes.

Do not a great many people obey the law because they are the law but because they are good?—Yes.

Does any intellectuality come into that at all?—No.

Yet, doctor, for the benefit of the jury, you say the obeying of the law is not a purely intellectual thing. Is that correct?—It differs in different individuals. If a person tends to disobey the law the fact that they do not is a purely intellectual function. But a great many obey the law because of the general standard and because they approve of that particular type of morality that happens to be expressed in the law.

Do you now maintain it is a purely intellectual thing?—Yes, the obeying of it is.

His Honour: Doctor, I think you had better concede there are other parts of the human mind than the intellect.

Mr Brown: Your statement, doctor, that the obeying of the law is a purely intellectual thing is false. That is so, is it not?—I was using it in reference to these girls.

Pardon me you did not.

Dr. Haslam: Read the preceding sentence. My friend tears the statement from its context.

Mr Brown: It is a general statement?—Yes.

And it is untrue?—If you insist it is a general statement, then I am wrong.

Definition of Dominant  
Which is the dominant personality of these two?—Would you define dominant?

The one with the stronger mind. May I suggest it is Juliet Hulme?—I am not sure and I doubt if it ever could be decided. It is folie a deux they suffer from.

The girl Parker was prepared to take the blame and the girl Hulme was prepared to lie her way out of it?—Yes.

Doesn't that suggest that Hulme is the dominant personality?—No.

You are not a psychiatrist?—Not a pure psychiatrist.

You have had infinitely less experience in psychiatry than Doctors Hunter, Saville and Stallworthy?—Correct.

Have you had to do with medico-legal questions?—Many times.

Have you ever been called in where there has been an alleged murder?—This is the first time.

May I suggest without giving offence that you have read no psychiatric literature where crime is related to insanity?—That is not so. I have read a great deal on the question of insanity and I am here to give evidence on insanity.

But this case deals with insanity and crime?—Yes. If a person is insane he does all sorts of silly things. These girls did all sorts of things which by their nature became crimes. It is not my main concern that these acts became crimes. I am a witness on insanity.

Is not this case one of crime and insanity?—Yes. It was not the crime and the legal procedure that suggested they are insane. It is the nature of the act.

You don't suggest all criminals are insane?—No.

But a criminal act like murder is a very extraordinary act?—Yes.

And sane people commit that act?—Yes.

Have you ever heard of two insane people combining to commit a crime?—Not to my knowledge. But there always has to be a first time. Nor to my knowledge is there any record of two adolescents combining to kill a woman. And these two certainly did.

"Incurably Insane"  
Dr. Medlicott said they are grossly insane and certifiable?—Yes.

Do you agree with that?—Absolutely. And that they are incurable?—Yes. That means any competent psychiatrist would be prepared to certify them?—I am not going to comment on my colleagues.

Does it disconcert you that three experienced psychiatrists disagree with you?—No. I have held different opinions many times with colleagues, and sometimes I have been right. It is one of the fundamentals of medical practice that a medical man makes a diagnosis and gives an opinion to the best of his ability without any part of his opinion being influenced by someone else.

His Honour: Are we clearly to understand that, in your opinion, at the time they committed the murder the two accused knew it was contrary to the ordinary moral standards of the community?

Dr. Bennett: Yes. They knew it was contrary to the law of the land. They knew the law was based on a moral stand, so, by implication, they knew their act was against the moral standard of the community, but not against their own moral standards.

His Honour: Then may your view be summarised thus: in your opinion they knew the act was contrary to the law and contrary to the ordinary standards of the community, but nevertheless it was not contrary to their own moral standards?

Dr. Bennett: That is so, your Honour. You have exactly summarised it.

Dr. Haslam: You said you had the highest opinion of the standing of Dr. Hunter, Dr. Saville, and Dr. Stallworthy as psychiatrists and as members of the medical profession?—Yes.

Do you hold a similar opinion about Dr. Medlicott?—Yes.

"That concludes the evidence for the defence, your Honour," said Dr. Haslam.

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16 18