## Crown Evidence In Rebuttal

Mr Brown said that as the defence, and the only defence, raised was insanity, the Crown had the right to call evidence in rebuttal. He had three psychiatrists in Court to give evidence.

Kenneth Robert Stallworthy, senior medical adviser at the Avondale Mental Hospital, Auckland, said he had been attached to mental institutions for 15 years. Thousands of patients had come under his care.

'In all my experience and reading I have no knowledge of two insane persons combining to commit a crin.:' said the witness. 'The services of my sty the Guren was a subject of the defence in several cases. Psychiatrists of the Mental Hygiene Division are always work within the walls of the mental hospital. We have out-of-hospital clinics,' he said.

'I have examined the two accused on more than one occasion," said Dr. Stallworthy. 'It is the practice in this country that every person arrested on a charge of murder be examined by a psychiatrist, partly as a protection to the accused and partly as a protection to a charge of murder be examined by a psychiatrist, partly as a protection to the accused and partly as a protection to a charge of murder be examined by a psychiatrist, partly as a protection to the accused and partly as a protection to the accused and partly as a protection to a charge of murder be examined by a psychiatrist, partly as a protection to the accused and partly as a protection to the accused on protection the accused on partly as a protection to the accused on partly as a protectio

## "No Disease of the Mind"

"No Disease of the Mind"

"I examined the accused Parker at
Paparua Prison and at Mount Eden
Prison, and Hulme at Paparua Prison.
Parker was moved from Paparua
Prison to Mount Eden Prison for over
a week, and there was a complete
separation of the two girls. In Paparua Prison they were together all day.
As a result of my examination, I do
not consider that either has any disease of the mind. I have read both
of Parker's diaries and various writings. The evidence in the diary is
that they had written down what they
intended to do, and that they were
able to give a clear account of what
they did made it clear to me they well
knew the nature and quality of their
act."

intended to do, and that they were able to give a clear account of what they diverged to give a clear account of what they did made it clear to me they well knew the nature and quality of their act."

Mr Brown: Do you consider them sane or insane?

Dr. Stallworthy: I consider them sane medically because I did not consider either certifiable, and I considered them sane in the legal sense.

Mr Brown: Have you consider them sane medically because I did not considered them sane in the legal sense.

Mr Brown: Have you for the death of th

Dr. Stallworthy, continuing his evidence, said that from his various interviews with the accused, his questions and their answers, he had no doubt whatever that they knew what they were doing when they killed Mrs Parker; they knew it was against the law; and they knew it was against the moral code of the community. Mr Brown: Do you consider both or either insane in a medical sense at the time of the killing of Mrs Parker?—No. His Honour: Please do not use the term "insane in a medical sense."

Mr Brown: Wer there any matters or things in this case which impressed you whether the killing was the act of a sane or insane person?

Dr. Stallworthy: There were a number of experiences which were contrary to the act being committed by an insane person. There was an intelligible motive, and the careful planning, the careful meditation over the chances of concealing the crime. They weighed up the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the consequences of failure for them would be very different from the cytes we was a clear appreciation of their predicament and a very sane desire to get out of it in the way that would be easiest for them would be very sane desire to get out of it in the way that would be easiest of them way that would be easiest they wanted to be found insane if

clear appreciation of their predicament and a very sane desire to get out of it in the way that would be easiest for them.

"I gained a very definite impression they wanted to be found insane if in that way they could regain their liberty at an earlier stage than if they were convicted," said Dr. Stallworthy. "Persons in my experience most anxious to be found sane. It is part of their insanity.

"Paramola is a relatively rare form of disease of the mind but I have dealt with paranoics in mental host with the considered insane. That is part of their insanity.

"Paramola is a relatively rare form of disease of the mind but I have dealt with paranoics in mental host with the presence of the mind but I have how my paranoics charged with crime the heaviour was entirely different from that displayed by these two girls. In these other cases their clusions and they no longer appreciated they were acting contrary to the law. Further they were more indignant at being considered insane in the crime.

"Some paranoics think they are being "Some paranoics think they are being contrary to the law were at being charged with crime."

the law. Further they were more indignant at being considered insane than they were at being charged with crime.

"Some paranoics think they are being persecuted by members of the public and that leads them to taking steps to stop that supposed persecution, by damaging the persons themselves or their properties. In those cases there was no foundation in fact or reality for the idea of persecution.

\*\*Delusion Not Admitted\*\*

"I do not consider either of the two accused is a paranoic. Delusion is part of paranoia and I do not admit the presence of a delusion in either of the accused," said Dr. Stallworthy. "I can see no delusions of grandeur in either. The presence of an overwhelming conceit does not constitute a delusion of grandeur comes from Parker's diary. I have some experience of adolescents diaries. Adolescence is a conceited age and in their diaries are recorded the most conceited opinions without the adolescents having any firm belief in what they have written. I have seen many criminals with such a profound conceit in themselves that they thought themselves above the law. If have never considered they showed any signs of insanity.

"The accused had some justification for their conceit," said Dr. Stallworthy. "Hulme displayed a shrewdness in appreciating difficult questions and a shrewdness in answering them more like that of an older, sophisticated person. Parker is well above average intelligence and is able to write. I do not think their views about life amount to a delusion. There are many people who hold views which by orthodox standards are peculiar but that does not place them in the category of the insane. Adolescence is for many people a time of intense questioning of beliefs and I see nothing insane in two shighly intelligent adolescents being proceeding with a religion of their own that they did have delusions abasis whatever in the motivation of their own the place of the crime. These two girls were very very fond of each other, according to the crime. These two girls were very very fond of

"Intelligible Motive"

Homosexuality and Insanity

"I have had experience of hundreds of homosexuals. There is no relationship between active, expressed homosexuality and paranoia. I do not know of any practising homosexual who is paranoic. The kind of homosexuality that is related to paranoia is the kind commonly called repressed homosexuality. There is clear evidence in this case that there was no repressed homosexuality is any indication of insanity whatever, or that it has any relationship with insanity. I think there is no doubt the two accused have been engaged in homosexual practices with each other. It is common for adolescents to go through a stage where they have emotional or physical relations with a person of the same sex but they grow out of it.

"Parker was sufficiently interested in the opposite sex to allow members of it to make love to her in one way or another." said witness. "In my experience it is usual for homosexuals to be reluctant to have relations with the opposite sex. When the true composexual has sexual dreams sex. These girls sexual dreams sex. I repears to the homosexuality in this situation has been rather overstressed. There are between me that in their various fictional characters the Opposite sex. When the true homosexuality in this situation has been rather overstressed. There are been capable of obtaining sexual astisfaction with members of either sexual relationships with Nicholas unsatisfactory but, in my opinion, that is no indication of homosexuality. It is a common thing indeed for early sexual experience. But it has no bearing on homosexuality or insanity.

"The two accused play acted and had fantasies but I do not think they are any evidence of insanity. I see nothing insane in having a vivid imagination and using it at every opportunity. These girls were always well aware of the differences between their fantasies and reality. They assured me they were always able to orwented to.

Reasons for Shopiliting
"I would not agree that their shopilifing was part of their delusional system."

come back to earth when they had to or wanted to.

Reasons for Shoplifting
"I would not agree that their shop-lifting was part of their delusional system," said Dr. Stallworthy. "There is no relation between shoplifting and insanity. These girls shoplifted because of the thrill of it as, in the words of one, 'an intellectual exercise.' They did not make any profit or attempt to make a profit out of what they stole. One of them told me she 'delighted the hearts of other people by giving them unexpected presents.' I disagree emphatically with the statement that paranoics are devoid of moral sense paranoics have broken the law, but only when they have no longer beaution when they have no longer beaution when they have no longer beautions and the same of a paranoic with though the phases of lying, their word through the phases of lying, their word.

able to appreciate the law. I know of no instance of a paranoic who went through the phases of lying, thieving, or blackmailing that these girls went through.

"When I interviewed the girls there were emotional reactions to my visits, but these reactions did not suggest insanity," said witness. "Their reactions were always very much in keeping with the way the conversation was going; with the possible exception that they did not show the remorse and regret one would imagine normal in the circumstances. With prisoners, it is my experience that it is extremely unusual for criminals to show any regret except at being caught. I have seen murderers whose sanity was not doubted, who showed the same coldness and callousness as has been mentioned in the present case.

"I have heard Dr. Bennett speak of the agonies of doubt of a person about commit a violent crime," said Dr. Stallworthy. "I would agree with him that the average person would have those agonies, but I doubt very much if you would find the average person in that situation. But I have known in that situation and commission there was the same lack of doubts and indeering and commission there was the same lack of doubts and indeering highly pleased with them-selves, but that was not elation as the psychiatrist understands the term. There is plenty of evidence of the girls being highly pleased with them-selves, but that was not elation as the psychiatrist understands the term. There is plenty of evidence of the girls being highly pleased with them-selves, but that was not elation as the psychiatrist understands the term. There is plenty of evidence of the girls being highly pleased with them-selves, but that was not elation as the psychiatrist understands the term. There is no elation to such a degree death it amounts to insanity. The type of literature in demand and between the second of the girls being the proper of

Witness Cross-examined
Mr Gresson: You would agree that
Dr. Medlicott is a man of integrity and
a capable psychiatrist—I would.
Do you agree that the question before us is one on which medical men
can disagree?—I do.
No doubt you have diagnosed persons insane and another psychiatrist
has diagnosed them as sane?—There
has been one instance in my experience
where a colleague and I have disagreed
on whether a person was insane or not
and the opinion of my colleague was
accepted. But I am not prepared to
say my opinion was wrong for I have
had that person under my care since.
You are speaking of a particular
case, but in general terms have there
not been differences of opinion on diagnosis?—Yes.
To decide
To decide whether a person is sane
or insane is often a difficult question?
—It is.
Paranoia is often difficult to diagnose?—Yes.
Particularly in the early stages of the

or insane is often a difficult question? —It is a present is often difficult to diagnose?—Yes. There are various types of paranoia?—That is largely a matter of nomenclature. Psychiatry is not an exact science and some the react science and some the reach science and science and

Pres Sahr. Lay

August 28

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Folie simultanee is a recognised ental condition, but it is rare, is it

Folie ... mental condition not?—Yes, In that condition bility of one agg the mental

In that condition the mental instability of one aggravates the mental instability of the other?—That is true. And you get an acceleration of the mental illness?—Yes.
Would it not have assisted your diagnosis if you had seen the accused earlier than you did?—It would have been preferable. In certain circumstances the delay of a month in seeing them would be a handicap, but I do not feel in this particular instance that it has been a handicap. My colleagues saw her very much earlier than I did.

Study of Dlary

leagues saw ner very
than I did.

Study of Diary
When did you see the 1953 diary?—
Comparatively recently.
You had formed an opinion on the
girls and reported on it before you
read that 1953 diary?—That is so.
What is kleptomania?—It is a disease alleged by counsel for the defence
but rarely accepted by the psychiatrist. I have had kleptomanias under
my care. But it is not insanity. It is
a neurotic desire to steal.
It could be broadly described as a
form of mental disorder?—Yes,

oroady,

If a person has paranoia the disease
will taint the whole of his reason and
effect his judgment?—Yes.

It was referred to yesterday to be
like a cancer in the body. Do you
accept that metaphor?—Yes.

accept that metaphor?—Yes.
This paranoia involves persistent de-lusion?—Yes.
And the delusion is coupled with lucid thinking in other directions?—

And that is why paranoia is such a difficult thing to pick?—Yes.

Yes.

And that is why paranoia is such a difficult thing to pick?—Yes.

Changed Attitude

James Edwin Saville, medical officer at the Sunnyside Mental Hospital, said he had examined thousands of mental patients in England and New Zealand. While he was in the prisons service in England his work was medico-legal in connexion with insanity. No instance of two insane persons combining to commit a crime was known to him. He examined the accused on June 24 at the police station, at Paparua Prison on July 12 and 26 and August 13 and 20. He had heard the prisons of the same of the sa

Saville. "I and I have cuseds' wri

law and wrong as to morals," said Dr. Saville. "I have read Parker's diaries and I have skipped through both accuseds' writings. There was nothing in them to cause me to change my opinion about their mental condition. I would not certify either of them." Mr Brown: What is your opinion as to whether they are sane or insane?—I think they are sane. At the time of the killing of Mr Gresson: Have you conferred with Drs. Stallworthy and Hunter about this case?—Yes.—And you are three Crown servants?—Servants of the country. James Dewar Hunter, superintendent of Mental Hunter of Mental hospital in Scotland. Thousands of mental patients had come under his care.

"Would Not Certify Accused"
"In my experience I have had no knowledge of two insane persons comparing together of commit a crime, and I have read of only mit a crime, and I have read of only me instance, said Dr. Hunter. "Medical and are mental hospitals in New Zealand are always called in to examine a person charged with murder. The purpose of the primary examination is to determine whether they are capable of appreciating their legal responsibilities.

appreciating their legal responsibilities.

'I have examined the accused on a number of occasions, sometimes by number of occasions, sometimes by myself and sometimes with Dr. Saville. I have read Parker's diaries and read some of the literature; and I have questioned the girls.'' said Dr. Hunter. 'As a result of all those things my considered opinion is they are not suffering from any disease of the mind nor were they at the time of the crime. The sum of the crime of the crime of the crime of the crime of the crime. I consider they are sane.

And you agree this a question on which medical opinion may differ?—I do.

That concluded the evidence in the

uo. That concluded the evidence in the

case. His case.

His Honour asked the foreman of
the jury to consult the jurors on
whether they would like to continue
in the morning. The foreman said
they would prefer to sit today (Saturday).

His Honour said to counsel he was

His Honour said to counsel he was inclined to think, unless there were strong views to the contrary, the Court must sit in the morning.

Counsel said they would suit his

must sit in the morning.

Counsel said they would suit his
Honour's convenience.