

MR GRESSON'S ADDRESS

Announcing his intention of keeping his address short, Mr Gresson began by expressing his agreement with everything that had been said by Dr. Haslam.

"As I said in my opening, the fact that Parker and Hulme assaulted Mrs Rieper cannot be denied and neither Dr. Haslam nor I denied it. The vital, all-important question is the sanity or otherwise of the two accused when they committed this brutal and unjustified assault," Mr Gresson said.

"If, after hearing the evidence, you are satisfied that when the two accused committed this attack they were sane, knew what was right and knew that what they were doing was wrong, then it is your duty to convict them and let them suffer the penalty which the law imposes. But if the evidence you have heard convinces you that they were insane to the extent that they did not know it was wrong, then your duty is to find them not guilty on the ground of insanity.

"The extent of their insanity is to a large extent a medical question," said counsel. "The diagnosis of the exact nature of a mental illness is a matter for competent psychiatrists or doctors and is not one for laymen to decide. It has been emphasised by the witnesses for the defence that it is the cumulative effect of the symptoms that justifies the diagnosis of paranoia in these two girls. No single hair constitutes a beard, but if there are sufficient hairs on a person's chin neither you nor I can have any difficulty in deciding that person has a beard.

"Dr. Medlicott told you that his considered opinion was that the two accused suffer from a paranoia of the exalted type in a setting of folie a deux," said Mr Gresson. "In other words, his considered medical opinion, given to you on oath, is that the two accused are insane. They were two unusual girls, of unusual personality and their association was, in his opinion, tragic for them. I think we can all agree on that.

"Homosexuality and paranoia are frequently related, he told us. But he did not make his diagnosis for the reasons the girls gave him; he was convinced they were deliriously insane because they were harbouring delusional ideas," said counsel.

"He gave you the grounds for that statement; they had their own religion, their own god, their own morality. They were outstanding geniuses, with their own special para-

dis, for which only 10 people can qualify. It is Dr. Medlicott's considered opinion that these are delusions. Paranoia of the exalted type is usually accompanied by an exaltation of mood and a delusion of grandeur, a conceit which has to be fed continually," Mr Gresson said. "In this case the mental instability of one accused affected the instability of the other. They act as resonators, Dr. Medlicott said, each increasing the pitch of the other's insanity.

Judgment Affected

"Paranoia is difficult to diagnose because of the apparent lucidity in other directions shown by the affected person. That is why laymen did not pick the disease. They were insane at the time they killed Mrs Rieper, but notwithstanding their insanity they would know they were killing Mrs Rieper. Their capacity to form a judgment as to the rightness or wrongness was affected. They knew, in the sense of being aware at times of rightness or wrongness, but in their interviews with him they would switch between what they knew of the law and their own fantastic notions at a moment's notice. Dr. Medlicott said he would not have the slightest hesitation in certifying both the accused as insane," said Mr Gresson.

"Dr. Medlicott was cross-examined for something like five hours and in the course of that cross examination, it is assumed, he did not retract one word of his evidence. To my mind, they are insane, from a legal point of view," he said. Even if the killing had not occurred he would say these two girls were insane; in other words, he did not make his opinion as a result of his murder. The killing, Dr. Medlicott said, was indirectly the result of their delusions."

The integrity of Dr. Medlicott as a witness, said Mr Gresson, could be gauged from one incident during his long stay in the box, when he was "courtious under extraordinary pressure, and, above all, mentally honest." Mr Gresson recalled that Dr. Medlicott had said the girl Parker had told him she had had a period of religious mania. To his Honour, Dr. Medlicott said these were her own words. "One night Dr. Medlicott turned his notes—and I assure you they are voluminous—and ascertained that those words were his own, and not Parker's. He told you that the next morning."

The jury could accept the view, then, that a man of such integrity would give evidence in this trial, even if he was convinced that these two girls were mentally sick. He had reached this conclusion only after observing the facts dispassionately, and after discounting their own "pathetic" evidence of their insanity. Dr. Bennett had confirmed the evidence of Dr. Medlicott and had arrived independently at the same conclusion. "You have two competent, reliable doctors telling you that Parker and Hulme are insane and that they were so afflicted when they took the unfortunate Mrs Rieper that they were unable to judge properly the moral quality of their action," said Mr Gresson. "I ask you to accept that evidence. There were three doctors called to say otherwise, but they all agree to emphasize they were out of a genuine difference of medical opinion.

"They were all Crown doctors, holding salaried positions in Government institutions," said counsel. "I do not suggest for a moment they were dishonest in their evidence, but I would emphasize they all come from the same stable. If they were out at Addington this afternoon they would have to be bracketed. It does tend to create an identity of view among them.

"They see a number of criminals whose only hope of salvation is to convince a panel of Crown doctors they are insane. I ask you to accept by contrast what Dr. Medlicott and Dr. Bennett have said."

Correspondence and Actions

Mr Gresson, after referring to the medical history of the two accused, discussed their correspondence with each other under imaginary names; they had built a "Temple of Minerva" and had erected crosses to "dead ideas." "They are going to rewrite the Bible and it is going to be on vellum parchment, and Parker is to illustrate it. They are going to Paradise and they have a fourth part of their brain. They are goddesses on high they are going to have their books filmed; they show an intense and gross homosexuality. They even set out to break all the Ten Commandments; they have committed blackmail, cheating, theft, and murder.

"All this happened in this vital period between Christmas, 1953, and June, 1954," said Mr Gresson. "The recital of that is not to show that they are like dishonest, nasty little girls, but that they were ill, and that as their alliance continued their illness progressed."

Further incidents were quoted by Mr Gresson in support of this contention: their dressing up in black and eating birthday cake "in honour of Him's birthday"; their writing poems at Lancaster Park during the inter-school sports; their writing operas and singing songs; and their plan for a masked ball for their plasticine characters.

Their "gods" included Rupert Brooke, Caruso, Julius Caesar, and Charles II. "You will agree they are a curiously ill-assorted group," said counsel. The girls were in the diary their intention to murder Mrs Parker. June 22 was referred to as "the day of the happy event."

"Some of you will have—as I have—daughters of your own," said Mr Gresson. "Suppose one of them showed even half the symptoms of these two girls. Do you mean to tell me you would not get the doctor in to her? Isn't it plain, and wouldn't anybody say, that if these facts were proved about a girl she is—in common language—crackers?"

"They are both incapable of forming a rational judgment about the moral nature of their act. All the circumstances surrounding the deed suggest the same theory: their lack of remorse, their lack of contact with reality. They are simply delusional, insane girls."

"These were 'problem children,' adolescents whom competent medical opinion considered insane; two mentally ill adolescents, not brutal criminals. At the time they committed the crime they were ill and not criminally responsible for their actions," Mr Gresson concluded.

CROWN'S FINAL SUBMISSIONS

"Your duty is to consider the evidence and judge it fairly and properly, honestly and in accordance with the oath you have taken. All the Crown asks is that you return a true and honest verdict," said Mr Brown, addressing the jury. "In the dock are two young girls charged with what can only be described as a very dreadful crime.

"Before you can convict them of murder—apart from the question of sanity or insanity—you must be satisfied that they intended to kill Mrs Parker and in fact did kill her," said Mr Brown. "If you are satisfied, after

a close and conscientious examination of the evidence, that they did kill Mrs Parker you must go where the evidence leads and you must give a conscientious decision no matter what the result to the accused may be.

"As the defence has admitted, it is impossible for you to bring in a verdict of guilty with a finding that it is apart altogether from the question of sanity or insanity," said Mr Brown. "You should not be swayed by counsel on either side but should judge the matter solely on the evidence you have heard in Court.

"The onus of proof is on the Crown and I submit that onus has been discharged. It has never been disputed that these girls murdered Mrs Parker. So the only question you have to deal with is their sanity or insanity, and the burden of proving that is on the accused. You must not let your feelings enter into it. Sentiment has no part in British justice.

"I agree that the girls in the dock are in a dreadful position and in the course of the trial many nasty things have been said about them," said Mr Brown. "I submit that the only person one may be one can not but help pity them. But you must not allow that to sway your judgment. On the other hand, you may feel pity for Mr Rieper—he is one in this case who does deserve sympathy—but you must not let that influence you against the accused.

"Girls are Sane"

"I tell you, and I submit that it has not, been contradicted, that both doctors for the defence have said these girls are sane and not insane," said Mr Brown. "No matter how hard-headed the defence witnesses and made slightly disparaging remarks about the Crown medical witnesses. Mr Gresson referred to Dr. Medlicott's mental honesty and referred to his doubt about a statement until after he had gone back to his voluminous notes. Mr Gresson said that Dr. Medlicott did not retract anything. But Dr. Medlicott did in fact retract that statement. He did not say he was mistaken though until I questioned him. His retraction was not a withdrawal of opinion."

"Mr Gresson said that Doctors Stallworthy, Hunter and Saville were servants of the Crown and the inference is that they would not be so independent as the defence doctors," said Mr Brown. "It is a half truth, in this respect, that the Crown doctors said that when they went into the witness box they swore to tell the truth and when they examine an accused they do so not for the purpose of giving evidence at a trial but because they wish to satisfy themselves of the mental condition of the accused. Indeed, the very fact that they are employed by the Crown gives them an opportunity no other psychiatrist has of gaining the maximum experience in mental disease. I submit that their evidence is of greater weight and more worthy of acceptance than that of any other psychiatric evidence that can be brought by the defence.

"I examined the two doctors for the defence in a way that has been termed relentless," said Mr Brown. "But it was my duty to do so for I have got to find the truth. And the truth of the matter is that these girls are sane, and sane by all standards."

His Honour: That is not quite right. Dr. Medlicott and Dr. Bennett adhered to the view that there was disease of the mind by medical standards.

"That is so, your Honour," said Mr Brown.

Continuing his address to the jury, Mr Brown said: "Did these two doctors not wriggle, overstate and understate over and over again under cross-examination? One example was the extraordinary statement by Dr. Bennett about the girls' use of the word 'moider' instead of murder. He did not know that moider is a slang term for murder. He said they used it for a fancy name and it had not the ugly significance of murder. I asked him about another play on words. The girls called Mr Henry 'Bloody Perry' and the doctor said it was a change of Perry's christian name, Bill. But he did not seem to realise that it was the substitution of an ordinary, decent word by an ugly one.

"I submit, Mr Foreman and gentlemen of the jury, that you will say yourself that it is the use of the doctor's reasoning we must be very doubtful if his opinions are entitled to very great weight." Dr. Bennett did not give his evidence in the way evidence is usually given in a Court of law," said Mr Brown. "He appears to have used his speech as if written out and seemed to refer to it. He was corrected on one occasion on his use of the word 'final'. He said the murder was final proof of insanity. When cross-examined he said he had not used the word. But he had used it, as the record showed, and as his Honour's own note showed. I leave it to you, the jury, to judge. You are men of the world and of common sense.