

# TRUE CRIME NEW ZEALAND



## the cases: volume one

*"An accurate and gripping history of true crime  
in New Zealand"* - **Appbull**



**SIRIUS RUST**

# **TRUE CRIME NEW ZEALAND**

## **THE CASES: VOLUME ONE**

**SIRIUS RUST**

**SIRIUS PUBLISHING**

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## ***Introduction***

**I met my husband in 2012.** I was a lonely, insecure young woman. I thought it was just another date, that it would turn out to be either just another uncomfortable night or just another rejection. I didn't know that night how much my life would change, how much I would change.

**My husband is by far** the most challenging, infuriating, exciting, intelligent, humorous, loving human being I have ever met. My life was so quiet and grey before he came in and splashed colour into in. Meeting him was like **Dorothy stepping into Oz!**

**My husband** likes to say that we do the podcast together, a husband and wife team, but to be honest that is not quite true. I record the narration and that is really the extent of it, he is perhaps a bit too generous to say it is a team effort. Because it is all him. I have been amazed at how much hard work, passion and time he has put into this. He really cares deeply about what he does. He dreams that one day **True Crime NZ** becomes a source for anybody wanting to learn more about the history of **New Zealand**. Over the last few months he has given up his social life and almost all his free time in pursuit of this passion and **I could not be more proud**.

**When he came to me** to say he wanted to do a podcast on crimes in New Zealand I thought, '*well that will be a short series*'. I am not exactly sure why but I just always thought

these types of things just don't happen in New Zealand. **But sadly they do.** I realised, reading the scripts for each episode, how little I truly know about my own country. There are so many of these stories I had never even heard about. **Heidi Paakkonen** and **Urban Hoglin** mean so much to me now but a couple of months ago I had never even heard the names. I thought I knew all about the **Rainbow Warrior** and **Arthur Allen Thomas** but I really knew so little. I have learnt so much more throughout this series.

**Some people may question** why someone would choose a subject like crime to focus a podcast on. Heck sometimes I even think, *well why can't we just tell nice stories?* Stories about puppies and babies and kittens stealing milk off people's doorstops. But the reality is life is more complex than that.

**My history teacher once said** "*we need to know the past to avoid repeating it*", and I truly believe that. It is so easy and nice to think that New Zealand isn't a place where bad things happen but it just isn't true. It is so easy to write people off as inhuman monsters but without understanding the human condition and what causes people to behave the way they do **there is no way to truly reach them.** This podcast hasn't just given my husband meaning in his life it has helped him **explore the meaning in all life.**

**I have edited this book** using a long dormant **English degree** (*finally in use!*) and I hope I have done an okay job. The reasoning for turning this podcast into a book is that we know podcasts are not for everyone. My father still doesn't quite understand it, I have tried explaining that it is like a radio show. My mother asked why the picture wasn't moving, not realising she wasn't watching a video. Also some people would prefer to

read than listen to my high pitched voice I am sure. We would love for this to reach as many people as it can **so please feel free to share it with anyone you think may enjoy it.**

**Thank you to everyone** who has listened to the podcast or reads this book. *You have no idea how much your time and your kind words mean to my husband and to me.*

**Honey**, I love you more than you will ever know. I am so proud of all you have done and all I know you will do. When we are blessed enough to finally start our family (*and once our child is at least 18*), I cannot wait to share this with them. **I know they will be as proud of you as I am.**

**I look forward to editing Volume II.**

**Jessica**

# *History of True Crime New Zealand*

**On the 6th of April 2019**, the **New Jersey Devils** played the last game of their season – beating the **Florida Panthers** in overtime. As I cheered for the win of my favourite team and watched the team disembark the ice, I realised how much free time I now had on my hands. Downtime and I did not get along too well – it was in these moments I was most vulnerable to bouts of depression. Distractions were always desirable in my last decade and a half dealing with ‘*the blues*’ -- alcohol, drugs, video games, pornography and most recently sport. *None fulfilled the empty feeling I had inside.*

**In my other ‘real’ job**, one of the small freedoms I have is the ability to listen to my bluetooth speaker that I bought from my good friend for **\$30**. I’ve been a podcast listener for many years -- the podcast **Tell em Steve Dave** being one of my favourites and getting me through some dark times. But after listening to the complete Coheed and Cambria discography about four times, and exhausting the back catalogue of all the podcasts I subscribed to on my app, *I went on the hunt for new podcasts.*

**One day I was browsing Reddit**, in particular the **r/Podcast** subreddit. One of the ‘*hot posts*’ was one patron of the subreddit gushing about how fantastic the ‘**Silk Road**’ episodes of some show called ‘**Casefile**’ was. I checked it out.

**I had no idea** ‘true crime podcasts’ existed. Always having been a person interested in the macabre and morbid, obviously the concept interested me. What I wasn’t expecting -- how much I would learn; about history, about psychology, about law. I loved it, **not for the gore but for storytelling.**

**I went back through** the back catalogue of Casefile episodes; starting at one. It took me a couple of weeks, maybe a month to get to **episode 19 -- Snowtown**. I was already somewhat familiar with this case as I had watched the **Aussie** film based on the murders. As I listened to the episode I found myself with a feeling of wanting to learn even more about the case and the people involved. I ended up reading a book, rewatching the movie and finding some documentaries on youtube about the ‘**Bodies in Barrels**’ murders.

**It was in this process** of researching the ‘**Snowtown Murders**’ the seed for ‘**True Crime New Zealand**’ was planted. The seed would not sprout until I discovered another true crime podcast -- **Canadian True Crime**; hosted by **Kristi Lee**. I was listening to the introduction episode of her podcast when Kristi mentioned she was recording the podcast in her closet. “*I have a closet*” I thought.

**I came home** from work that day and told my lovely wife **Jessica**, “*I’m going to make my own true crime podcast about New Zealand crimes*”. She was encouraging, but she is used to me starting things that never go anywhere.

**On the 23rd of May 2019**, I began writing the first script for **TCNZ -- Ben Smart** and **Olivia Hope**. Anyone who is familiar with the podcast knows that never got made. I began researching the case and got intimidated by how much

information I was presented with. I decided to choose something I thought would be simpler; simplicity was decided by how much information I could find on the internet by the way, the less info -- the easier my job would be of researching (*that was the thinking*).

**I chose the case of Delcelia Witika.** I finished the script the next morning about **4am**. I took a couple of hour nap and went to work the next day. I recorded the script that night with my old **Rock Band** microphone. I put some music behind it, and thought, “*I would listen to this*”.

**But more than that**, that empty feeling felt less so. I felt like I had accomplished something. Reproducing that feeling became my new addiction.

**I set a ‘*launch date*’** and created a website (*also something I had never done before*). The launch was set for the **17th of June 2019**. In the interim four new episodes were created: two **Graeme Burton** episodes, **Minnie Dean** and **Schlaepfer family murders**. It was at this point I thought “*I wonder what other people think of my little show*”. I posted it on the **r/NewZealand** subreddit, soon somehow my podcast I thought maybe a couple of people from my family might listen to peaked at **number three on the NZ Apple Podcast charts**.

**It was kind of crazy**, then the first reviews started coming in. The first handful were really positive, then “*Interesting stories but the narrator has an awful pace. He tries to sound dramatic and create a sense of doom but it’s almost unbearable*”, “*The narrator is terrible!!!! Change him! I’m sorry but is this a joke?*” **and** “*I really hope you’ve warned those involved about these... I know for fact that some of the people involved in the*

*more recent ones are still traumatised by events and if they didn't know this was coming that would be so disrespectful".*

**I was about half way** through my most recent script, the first part of the **Parker-Hulme murders** when I first saw this. **It was heartbreaking**, furthermore I had never given thought to the idea of whether I was being respectful to the victims; I just wrote and imitated what I had heard in the podcasts I enjoyed.

**Then came the review** that almost made me quit, "*Art & media is influenced by what has gone before, which is a natural part of the process. Homages are great (& respectful) when skillfully executed. However THIS is a complete lift of every aspect of Casefile... the tone, the pace, the score... even being an anonymous host! I kind of can't get past this issue to take in the stories. At least inject one thing you thought up yourself dude. Or better, get the blessing of the Casefile producers*".

**They were right**, that's what hurt the most. I didn't do it on purpose, but I had just mimicked what I enjoyed but put it in a NZ context. **I felt really depressed**, now I'm not saying this to make any of those people who wrote those reviews feel bad. **They were right**, but after putting so much hard work in I was just so disappointed in myself. I wanted to just crawl into a corner and go back to watching ice hockey; **why did you even try?**

**It was during this time**, Richard Scott from the **Radio New Zealand** podcast series **The Podcast Hour** was the first person to ever email me through the website. He asked me to do an interview on his show. *Do I tell him I've quit?* It was so flattering that I decided to continue.

**But I had to address this criticism.** I released an ‘Announcement’ episode explaining that we have heard the criticism and we are working hard to address it. I decided that the new episode coinciding with launch was going to address as much of that criticism as possible.

**I worked hard** trying to make the show my own thing. Try different things, experiment -- ***be different***. I began thinking about being respectful to the people involved with these crimes; writing with this same philosophy.

**The biggest criticism** by far was my narration. The entire recording of part one the Parker-Hulme episode I gave it my best shot. ***I still wasn't very good***, luckily it was during this record that I discovered how good my wife Jessica was at narrating. I finally asked her if she would like to take over narrating and the rest is history as they say. ***True Crime New Zealand as we know it today was born***.

**This introduction** is really an overly long explanation of how important True Crime New Zealand is to me. It’s crucial to me that TCNZ isn’t about exploiting victims and glorifying murderers, but about learning about history, people, psychology and how law works in NZ.

**Through this whole journey** there has been incredibly supportive people out there; **you**. Anyone reading this. Anyone who listened to the podcast. Anyone who reached out and said anything supportive; ***it made all the hard times, less so***.

**If you made it this far** with all the growing pains TCNZ has gone through; **thank you**. I think about TCNZ almost every waking minute, **it's my baby**. Everyday it gets older, I look

back on everything we have gone through together and that empty feeling inside me is slowly becoming something new; **pride.**

## **Sirius**



*For Jessica; the person I do everything for. I hope I can  
make you proud.*

*For the real Sirius; my beautiful boy. I miss you everyday.*

## Case 1:

# Parker-Hulme Murder, 1957, Christchurch



## **PART I:**

### **EVENTS LEADING UP TO MURDER**

## CHRISTCHURCH, NEW ZEALAND.

**22nd June 1954.** The body of forty-five year old **Honora Parker** was discovered in **Victoria Park**, in Christchurch, New Zealand. That morning Honora had gone for a walk through Victoria Park with her daughter **Pauline Parker** and Pauline's best friend, **Juliet Hulme**. Approximately **130m** down the path, in a wooded area of the park near a small wooden bridge, Juliet and Pauline bludgeoned Honora Parker to death with half a brick enclosed in an old stocking.

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## INTRODUCTION

**This shocking murder** became the basis for **Peter Jackson's** Oscar nominated film '***Heavenly Creatures***.' The film is a remarkably honest and true portrayal of the events leading up to the murder of Honora Parker that winter afternoon in **1954**. Pauline Parker's diary is a major focus of the film, with Jackson quoted as saying, '*The diaries provided a spellbinding, day-by-day account of the girls' desperation, and of Pauline's escalating hatred for her mother. They chronicle the pair's darkening fantasies, and the contempt in which they held nearly everyone around them.*' According to **NZ law enforcement and Department of Justice** officials, Pauline Parker's diaries do not

exist anymore and haven't for many years. What we are left with are the diary transcripts from the trial. **These transcripts** tell a story of a young girl struggling to find her place in the world. But when Pauline met Juliet Hulme, an **English** immigrant of wealthy status, their friendship blossomed into something more intense. We will be visiting relevant diary entries as we make our way through the timeline of events. These entries give an insight into the thinking and motivation that led to the case of matricide in **June 1954**.

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## PAULINE YVONNE PARKER

**Pauline Yvonne Parker** was born on **May 26th, 1938**, in **Christchurch, New Zealand**. She was the second daughter of **Honora Mary Parker (28)** and **Herbert Rieper (42)**. Herbet Rieper had been married to another woman prior, a woman he had met when he was serving in **World War I**. When his service ended in **1918**, Rieper returned to New Zealand with his new wife and they ended up living in **Raetihi**. By **1924**, the marriage had produced two children. Rieper was working at a firm in Raetihi at this time.

**Honora Mary Parker** was born in **1909** in **Birmington, England**. When Parker was eighteen, she emigrated to New Zealand. She ended up working at a firm in Raetihi; the same firm Herbert Rieper was working for. This is how they first met, in **1927**.

**Approximately two years after meeting, in 1929.** Herbert Rieper and Honora Parker begin living together in Raetihi. Rieper and his wife never divorced so Parker and Rieper could never marry. Rieper paid some support to his former family but apparently had no further contact with them.

**In 1936,** the twosome of Rieper and Parker moved to Christchurch. They settled in **Phillipstown**; a modest residential neighbourhood. Herbert Reiper got a job managing a Fish and Chips restaurant. Later in **1936**, the couple had their first child. Unfortunately, the baby was born with cardio-pulmonary birth defects and died shortly after. Although one year later Honora successfully gave birth to a daughter, **Wendy Patricia Parker**.

**In March 1938.** Pauline Parker was born. In **1943**, Pauline, **now aged 5**, was hospitalized with severe **osteomyelitis** for nine months. Osteomyelitis is an infection of the bone and can be life-threatening in acute stages. She underwent a painful surgical procedure. This resulted in permanent physical disability, chronic discomfort, and pain as a child. **Two years later**, Pauline endured another painful surgery to drain the infection from her leg.

**In March 1949.** Rosemary Parker was born. Rieper and Parker's third daughter. She was born with '*down's syndrome*' and was institutionalised at two-years-old. The parents reportedly visited Rosemary regularly and had taken her home on occasion. Pauline was said to be very fond of Rosemary.

**2nd February 1952.** The first day of third form. Pauline, now **13**, was attending **Christchurch Girls High School**, in the top academic stream. Feeling isolated and alone, her family seemingly misunderstanding her, Pauline was in search of

somebody to bond with. She sat in **French** class. This is where she was introduced to a new student. Thirteen year old, **Juliet Marion Hulme**.

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## JULIET MARION HULME

**Juliet Marion Hulme** was born **October 28, 1938**, in **London, England**. She was the firstborn of **Henry Rainsford Hulme (30)** and **Hilda Marion Hulme (26)**. Dr. Henry Hulme was a respected mathematical physicist. He met his wife Hilda the year before lecturing at the University of Liverpool. They had then moved to London in 1938 when Henry assumed the position of **Chief Assistant** at the **Royal Observatory** in **Greenwich, London**.

**In the early months** of 1941, a two year old Juliet Hulme suffered '*bomb shock*' in the **London** blitz, where she was caught out during an air raid with her mother. '*Bomb shock*' would be known today as '*Post traumatic stress disorder*.' She suffered from chronic screaming, nightmares, and insomnia for many weeks following.

**22nd March 1944.** Hilda gave birth to a son, Jonathon Hulme. **In the subsequent weeks**, Hilda suffered from serious post-partum medical problems and was hospitalized for an extended period. This condition was statistically most likely to be post-partum depression. **In August** of the same year, Dr. Hulme travelled to **America** on War work. Juliet was sent away to live

in **Liverpool** at this time. Reasons for this parental separation were given as such; to escape war conditions, and the severity of her mother's illness.

**Months later** Juliet, now six, contracted bronchitis and then, near-fatal pneumonia. She was withdrawn from school and remained ill for two years. **However later in 1946**, Juliet contracted pneumonia once more. She was sent alone to the Bahamas by her parents on medical advice from her Doctors. She lived there with another family for thirteen months. Then she was sent to the **Bay of Islands**, New Zealand, to stay with another family. **One year later**, Juliet was sent to a sanatorium somewhere in the North Island, due to a breakdown in her health. Juliet was evidently traumatised by the accumulation of repeated separations from her family.

**22nd October 1948.** Dr Hulme assumed the post of **Rector**; a senior role at **Canterbury University** in Christchurch. Here, he moved with his wife and four year old son, **Johnathan**. Juliet then joined them. Juliet was described by her mother as extremely clingy and difficult to discipline in the months after being reunited with her family. **She lived with them for three months.** In early **1949**, Juliet was sent away to a private boarding school in **Hastings**; apparently for her health once more. Severely unhappy there, she returned to her family within the year. From the years, **1950 to 1951**, Juliet **attended Ilam School**. She reportedly enjoyed her time attending the small school.

**In 1952**, Juliet measured an **IQ of 170**. Her mother, **Hilda Hulme** decided that Juliet would be more suited to the stimulation of a larger and more diverse public school environment. She was sent to **Christchurch Girls High**

## School.

**2nd February 1952.** Juliet was running late for her first day of school. She walked into class late. This is where she was introduced to the third form class, Pauline Parker among them.

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## FRIENDSHIP

**The two teenagers** first met in **February 1952**. However, the relationship did not start in earnest until the second term of school, beginning in **May**. In **June**, Juliet came home from school and told her mother, *"Mummy, I've met someone at last with a will as strong as my own."* Juliet and Pauline initially bonded over their shared experiences of childhood illness. The girls then grew closer and closer. Pauline's mother told Juliet's mother that she was pleased at the friendship because Pauline had been a lonely child with difficulty in making friends. This apparently normal friendship lasted only a month or two before giving way to something much more intense.

**In August 1952**, the two girls went for a bicycle ride into the country where they stopped by some light bush, removed their outer clothing, and ran among the bushes ecstatically. They were so ecstatic that they went home leaving their clothes behind them. When referencing this episode, Pauline said that previously they had just been friends, but after this there was an indissoluble bond between them. It would seem that two unusual kindred spirits had come together. From then on they

began to build up and share a rich fantasy life.

**By the end of 1952** they developed an increasing urge to write; they had their own fictional characters and they would creep out at nights for midnight sprees in which they would act out these fictional characters until the early hours of the morning. **For Christmas** that same year, Pauline Parker received a '*Whitcombe's New Zealand Handy Diary*'.

**Jan. 1, 1953**

*"New Year's Resolution: To be lenient with others."*

**During January**, Pauline was staying in the country with some friends and did not see Juliet. Her behaviour appeared to have been normal. She showed a healthy interest in an older boy, and the normal jealousy of a young girl she saw as a rival. There was little talk of writing or fictional characters. She returned home with good intentions of doing well at school.

**Jan. 31, 1953**

*"...Mother says she is going to have Training College boarders..."*

**This is the first reference** to boarders that stayed at the Rieper and Parker house. These were Teachers Training College students. Usually men ranging between twenty and thirty-five years old. Pauline describes their arrivals in her diary:

**Feb. 9, 1953**

*"...Harry arrived today. He seems quite nice and is about 35. He is very polite so far..."*

## Feb. 10, 1953

*"...I do hope Ross turns out to be nice. I have been looking forward to his coming so much that I will probably be disappointed..."*

## Feb. 20, 1953

*"...Ross was up late this morning. Out for dinner, and by the time I got home, so I have not seen him all day."*

## Mar. 9, 1953

*"...John helped me with my homework for about an hour. He says Damn a lot. I did a lot of homework..."*

## Mar. 11, 1953

*"...Ross and John were home for dinner, to which Juliet came..."*

**This is the first reference to Juliet in the diary. Juliet's presence becomes more and more renowned as the diary continues.**

## Mar. 18, 1953

*"We have decided how sad it is for other people that they cannot appreciate our genius. But we hope the book will help them to do so a little, though no one could fully appreciate us."*

**On March 20th, 1953.** Signs of the ferocity of what the relationship would become began to show. Pauline Parker wrote a doting poem after spending the day at Lancaster Park for

school sports day with Juliet:

*There are living among(st) two dutiful daughters  
Of a man who possesses two beautiful daughters  
The most glorious beings in creation;  
They'd be the pride and joy of any nation.*

*You cannot know, nor (yet) try to guess,  
The sweet soothingness of their caress.  
The outstanding genius of this pair  
Is understood by few, they are so rare.*

*Compared with these two, every man is a fool.  
The world is most honoured that they should deign to  
rule,  
And above us these Goddesses reign on high.*

*I worship the power of these lovely two,  
With that adoring love known to so few.  
'Tis indeed a miracle, one must feel,  
That two such heavenly creatures are real.*

*Both sets of eyes, though different far, hold many  
mysteries strange.  
Impassively they watch the race of man decay and  
change.  
Hatred burning bright in the brown eyes, with enemies  
for fuel,  
Icy scorn glitters in the grey eyes, contemptuous and  
cruel.*

*Why are men such fools they will not realize,  
The wisdom that is hidden behind those strange eyes?  
And these wonderful people are you and I.*

## FOURTH WORLD

**During the Easter holiday break.** Pauline Parker joined the Hulme family on their holiday at Port Levy; a small coastal settlement about an hour away from Christchurch. A diary entry written during this time, makes the first reference to the '*Fourth World*'.

**April 3, 1953**

*"Today Juliet and I found the key to the 4th World. We realise now that we have had it in our possession for about 6 months but we only realized it on the day of the death of Christ. We saw a gateway through the clouds. We sat on the edge of the path and looked down the hill out over the bay. The island looked beautiful. The sea was blue. Everything was full of peace and bliss. We then realized we had the key. We now know that we are not genii, as we thought. We have an extra part of our brain which can appreciate the 4th World. Only about 10 people have it. When we die, we will go to the 4th World, but meanwhile on two days every year we may use the key and look into that beautiful world which we have been lucky enough to be allowed to know of, on this Day of Finding the Key to the Way through the Clouds."*

**The Fourth World** contained the imaginary kingdom of Borovnia. This world was dreamed up in the minds of the two

young teenagers. They began spending more and more time living within the confines of this imaginary kingdom. Having knowledge of the four principal characters of Borovnia, and which girls personified each character, is integral to understanding the diaries.

**Charles II, Emperor of Borovnia.** Charles was described as a handsome monarch with the dulcet voice of a youthful **James Mason**. This identity was adopted by Pauline on occasion.

**Deborah** was the identity taken exclusively by Juliet. Deborah was Charles' wife. She was described as always dressed in romantic, flowing dresses and gowns, and she was always smiling and laughing.

**Gina**, the role that was principally filled by Pauline. Gina was described as an incredibly beautiful gypsy girl. She wore long, red velvet gowns, and was very popular, and an excellent dancer.

**Diello** was the son of Charles and Deborah. Diello was described a murderous teen-age prince who'd kill anyone who was a problem to him. Diello seemed to be devoted to Gina as well, murderously looking out for her interests on many occasions. Diello is thought to be named after the 1952 film '**Five Fingers**,' where **James Mason** played the part of **Ulysses Diello**, a suave and dangerous traitor and spy.

**The tales of Borovnia** evolved over time to became more and more violent, eventually featuring extreme violence, sadism, bondage, the rape of maidens, and the torture of knights. These musings concerned the adults who were privy to some of these fantasies.

## April 6, 1953

*"The days I spent at Port Levy were the most HEAVENLY ones I have ever experienced... Mrs Hulme did my hair. She calls me her foster daughter."*

## April 23, 1953

*"Mrs Hulme says she wished I was her daughter, too..."*

## May 15, 1953

*"Mrs Hulme told me they had found out today that Juliet has tuberculosis on one lung. Poor Giulietta! It is only now I realise how fond I am of her. I nearly fainted when I heard. I had a terrible job not to cry. It would be wonderful if I could get tuberculosis too."*

## May 16, 1953

*"I spent a wretched night. It was a relief to see Juliet looking so well. ... We agreed it was a great pity I had not tuberculosis too and it would be wonderful if I could catch it. We would be in the sanatorium together and would be able to write a lot. ... We have decided we are the most incredible optimists."*

**Juliet was taken to Cashmere Sanitorium** for her tuberculosis on the 21st of May 1953. **One week later** her parents traveled abroad to the United Kingdom. This trip was described by the Hulmes as a holiday, but it was more likely that Henry Hulme was attempting to secure a new job. **In Dr. Hulme's** time as Rector of the University of Canterbury, he had made a number of political blunders. One such was over the

‘School of Forestry.’ The University Senate had voted in **August 1948**, before Dr Hulme’s arrival, to locate the School of Forestry at **Auckland University College**. The Canterbury University Council then proposed a motion to rescind that resolution in **January, 1949**. The motion for rescission was defeated by 16 votes to 9; among the ‘noes’ was Henry Hulme. Dr. Hulme voted against his own Council and Board. This was an extremely unpopular move. This invited conflict in the subsequent years. After years of administrative friction and academic politics he was informed he would no longer be supported by his faculty. This information seemingly being the catalyst for his new job search.

**May 29, 1953**

*“This evening I had a brainwave. That Juliet and I should write to each other as Charles and Deborah. I wrote a six-page letter as Charles and a two-page letter as Pauline. She has entered into the spirit of the thing greatly.”*

***My Dearest, Darling Deborah,***

*Affairs of state continue to occupy my time. I have to report that the lower classes are terrifically dull. Only yesterday, I was compelled to execute seven peasants just to alleviate the boredom. Diello insisted in coming along. In fact, he made such a fuss that I had to let him wield the axe himself. Heads did roll... Not just the prisoners, but the Royal Guard, my Valet, and several unfortunate onlookers copped it as well.*

**Juilet** spent the next four months confined to Cashmere

Sanitorium. Pauline and Juliet did not see each other for several months. Yet, correspondence was regular.

***Oh Charles,***

*I am despairing enough to put Diello in the hands of the Cardinal, in the hope that a good dose of Religion will set the young chap on the right path!...*

**June 14, 1953**

*"Juliet and I decided the Christian religion had become too much of a farce and we decided to make up one of our own."*

**There was the idea of Saints in this religion.** The most important of those Saints was **English** actor, and top box office attraction, **James Mason**, he was referred to as either '*The James*' or '*Him*'. Another to ascend to Sainthood was American tenor and Hollywood film star **Mario Lanza**. He was referred to as '*Poor Mario*' or '*He*'.

**The creed** had a state higher than Sainthood, Gods. Among the Gods were English poet **Rupert Brooke**, Italian operatic tenor **Enrico Caruso**, **Roman General Julius Caesar**, and Emperor of Borovnia, **Charles II**.

**In July of 1953.** Pauline went to bed with one of their student boarders, John. This was stumbled upon by her father, Hubert. He promptly dismissed John from the house. Pauline was moved into the house, across the hall from her parents, so they could keep an eye on her. Living in such close proximity created a tense situation.

**It was then** that a new character entered the imaginary kingdom, **Nicholas**. Nicholas was Deborah's tennis instructor in Borovnia, though he *"has his eyes on Gina."* Gina being Pauline's alter ego. Notably, John is referenced earlier in the diary as John. Yet, subsequent to the incident with her father. John starts being referenced as Nicholas in the entries.

### July, 1953

*"To think that so much could have happened in so little time caused by so few. A terrible tragedy has occurred... I lay there mesmerized. It was just too frightful to believe... When I got up I found Father had told Mother. I had a nasty foreboding feeling at first. But now I realize my crime was too frightful for an ordinary lecture... I am terribly cut up. I miss Nicholas terribly. Mother thinks I will have nothing more to do with him. Little she knows..."*

**September 9th, 1953.** Juliet was released from the sanatorium. Her parents had returned from abroad. Juliet was considered 'uncured,' but with her mother now available to nurse, she was in a stable enough condition to return home. Pauline was there to welcome her.

### Sept. 9, 1953

*"It was wonderful returning with Juliet... it was as if she had never been away... I believe I could fall in love with Juliet."*

## FEARS AROUND THE RELATIONSHIP

**Around this time.** Pauline's mother Honora Parker started to become concerned about the growing intensity of the relationship. When the Hulmes' returned from abroad, Honora shared her concerns with them. Juliet's mother, Hilda agreed. In testimony that Hilda gave later, she noted, *"When we returned to New Zealand after an absence of 3 months, I noticed a marked change in her disposition. She seemed more withdrawn and her friendship with Pauline seemed to be the only thing that mattered. This friendship seemed to dominate my daughter."*

**Considering the cultural setting,** some of the girls' actions were rather provocative. Pauline and Juliet would hold hands walking in the school grounds. At that time, showing this amount of affection publicly, was seen as unusual. Kissing, was also common. The girls weren't furtive or secretive about their kissing either; it wasn't something they only did when they were alone. They kissed quite openly. They also bathed together and took nude 'cheesecake' photographs of each other for when they made it to Hollywood. Whether these actions were innocent schoolgirl antics or the teenagers exploring their sexuality is ultimately open to interpretation. Another clue was that Juliet was also reportedly very jealous of the attention Pauline was getting from other boys, especially John.

**October 1953**

*"Nicholas was pleased that I was so early. We sat around and talked for an hour and then went to bed. I declined*

*the invitation at first but he became very masterful and I had no option. I discovered that I had not lost my virginity on Thursday night. However, there is no doubt whatsoever that I have now."*

**It was days later** that Pauline seemingly severed contact with John. She wrote about this 'break up' with John. "...not that I mind at all, it is so nice to think that Juliet and I could continue our friendship unmolested, with no outside interests." **At the end of October** Pauline and John's relationship was ostensibly finished. On Juliet's fifteen birthday she wrote:

**Oct. 28, 1953**

*"...told Nicholas this evening that I was no longer very much in love with him because of my imaginary characters."*

**It was around this time** that both Pauline and Juliet's parents actively tried to intervene in the relationship. Honora Parker seemed to be the person spearheading this, at least in the mind of Pauline. Pauline and Juliet saw less and less of each other. Pauline's entries in the diary started to become darker, and began making references to self harm.

**Nov. 2, 1953**

*"Today I felt thoroughly, utterly and completely depressed. I was in one of those moods in which committing suicide sounds heavenly."*

**Dec 14, 1953**

*"Mother carted me off to see a doctor after work, which*

*was a half-witted imbecile thing to do, especially as I feel perfectly well. The doctor was a bloody fool. I felt very tense and then we saw 'Pandora and the Flying Dutchman.' It is the most perfect story I have ever known. The best picture (easily) that I have ever seen. Pandora is the most beautiful female imaginable and Him is far too wonderful to attempt to describe. I feel depressed and will probably cry tonight."*

**The Doctor** reportedly diagnosed Pauline as a 'Homosexual' during this session. **Homosexuality in 1950s** New Zealand was still mandated by the '*Crimes against Morality*' section of the 1893 criminal code. Although the law is written in such a way to only punish men for sodomy, "*Every one is liable to imprisonment with hard labour for life, and, according to his age, to be flogged or whipped once, twice, or thrice, those who commits buggery either with a human being or with any other living creature.*"

**Being a homosexual** was considered to be a form of insanity. Studies around aversion therapy were underway to cure the 'illness.' The patient was asked to fantasise about men and received electric shocks as he did so. Later, nausea-inducing drugs were added as another negative stimulus. In the second phase of treatment, patients were shown films of naked and semi-naked women after being given testosterone to stimulate a sexual response. Both the Parker-Reiper family and the Hulmes feared this 'illness' was taking their children.

**Dec 20, 1953**

*"Mother woke me this morning and started lecturing me before I was properly awake, which I thought was*

*somewhat unfair. She has brought up the worst possible threat now. She said that if my health did not improve, I could never see the Hulmes again. The thought is too dreadful. Life would be unbearable without Deborah. ...I rang Deborah and told her of the threat. I wish I could die. That is not an idle or temporary impulse. I have decided over the last 2 or 3 weeks that it would be the best thing that could happen altogether, and the thought of death is not fearsome."*

**For Christmas**, Pauline received a brand new '*Whitcombe's New Zealand Handy Diary*' for 1954.

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## EVENTS LEADING UP TO 'MOIDER'

**Jan. 1, 1954**

*"I rose at about 9 this morning, and spent until 2 working very hard helping mother. My New Year resolution is a far more selfish one than last year, so there is more probability of my keeping it. It is to make my motto 'Eat, drink and be merry for to-morrow you may be dead. '''*

**Pauline and Juliet** were separated for most of January. Pauline's depression had caused her to lose weight. At this time she had also developed bulimia and had lost approximately one stone or 6.5kgs. This caused Honora further concern for

Pauline's health. The teenagers were finally reunited in late January.

### **Jan. 28, 1954**

*"We procured bunches of grapes from the hothouse. We discussed various amusing topics. If we were prostitutes how much we should charge the various boids."*

### **Jan. 29, 1954**

*"I went over to Deborah's room early this morning about 7:30. It suddenly occurred to me that we had not celebrated He's day, so we decided to today. In He's honour we ate some birthday cake, drank to He's health, played all He's records, and made a little edifice of He. We have shifted His to the Gods now. We worked out how much prostitutes would earn and how much we would make in such a profession and 'should' gradually changed to 'shall.' We have spent a really wonderful day messing around and talking over how much fun we will have in our profession. We have worked out some glorious plans and worked out a whole new family for our future."*

**By early February**, Honora has separated the girls once more. These constant separations planted a seed of hate inside Pauline. This growing animosity was directed at her mother.

### **Feb. 13, 1954**

*"As usual I woke at 5 and managed to write a considerable amount. I felt depressed at the thought of the day. There seemed to be no possibility of Mother*

*relenting and allowing me to go out to Ilam. This afternoon Mother told me I could not go out to Ilam again until I was eight stone and more cheerful. As I am now seven stone there is little hope. Also one cannot help recalling that she was the same over Nicholas. She said I could not see him again until my behaviour improved, and when it did, she concluded it was not having his influence that caused it. She is most unreasonable. I also overheard her making insulting remarks about Mrs Hulme while I was ringing this afternoon. I was livid. I am very glad because [the] Hulmes sympathise with me and it is nice to feel that adults realise what Mother is. Dr Hulme is going to do something about it I think. Why could not Mother die? Dozens of people are dying all the time, thousands, so why not Mother and Father too? Life is very hard."*

**The teenagers** started concocting plans to remove the threat of their separation in late **February, 1954**. This is when they first discussed their plans of travelling to the **United States** to become **Hollywood** starlets.

**Feb. 28, 1954**

*"Deborah and I started discussing our quest for 'Him.' We have now decided to hurry things up terrifically, in fact to start now. We had a marvellous time planning the life and the flight and how we will obtain all the money and what we will do."*

**In April**, a number of key events pertaining to the case happened. Pauline left school after her grades kept dropping, and tried to obtain a job. After an unsuccessful search, she

joined Digby's Commercial College. Digby's was a private vocational school where girls learned shorthand, typing, bookkeeping and other skills necessary for a clerical job. Digby's was a secretarial 'College,' and at the time looked down upon by the higher classes of society.

**Around** the turn of the year, an engineer moved into the guest house in the Hulmes home. **Walter Perry** was a divorced man that Hilda Hulme had met earlier while working at the **Christchurch Marriage Guidance Council**. Juliet noticed her mother spending a lot of time around this man, and on the **22nd of April** she discovered them in bed together.

**April 23, 1954**

*"I rose about 8 and helped Mother a little before going to Digby's. This afternoon I played Tosca and wrote before ringing Deborah. Then she told me the stupendous news. Last night she woke at 2 a.m. and for some reason went to her mother's room. It was empty, so she went downstairs to look for her. Deborah could not find her, so she crept as stealthily as she could into Mr Perry's flat and stole upstairs. She heard voices from inside his bedroom, and she stayed outside for a little while, then she opened the door and switched the light on in one movement. Mr Perry and Mrs Hulme were in bed drinking tea. Deborah felt an hysterical tendency to giggle. She said, 'Hello.' She was shaking with emotion and shock, although she had known what she would find. They goggled at her for a minute and her Mother said, 'I suppose you want an explanation?' Yes, Deborah replied, I do. Well, you see we are in love, Mother explained. Deborah was wonderful. 'But I know THAT,' she*

*exclaimed, her voice seemed to belong to someone else. Her Mother explained that Dr Hulme knew all about it, and that they intended to live as a threesome. Anyway, Deborah went as far as telling about our desire to go to America in six months, though she could not explain the reason of course. Mr Perry gave her 100 [pounds] to get permits. Everyone is being frightfully decent about everything and I feel wildly happy and rather queer... I am going out to Ilam tomorrow as we have so much to talk over."*

**April 24, 1954**

*"I rose very early, did all the housework and prepared breakfast. It rained panthers and wolves. I biked out to Ilam and nearly froze on the way. Deborah was still in bed when I arrived and did not get up until some time afterwards... Then Dr Hulme came upstairs and asked us to come into the lounge to have a talk with him. He said we must tell him everything about our going to America so we told him as much as that we wanted. He was both hope-giving and depressing. We talked for a long time and then Deborah and I were near tears by the time it was over. The outcome was somewhat vague. What is to be the future now? We may all be going to South Africa and Italy, and dozens of other places, or not at all. We none of us know where we are and a good deal depends on chance. Dr and Mrs Hulme are going to divorce. The shock is too great to have penetrated in my mind yet. It is so incredible. Poor Father. Mrs Hulme was sweet and Dr Hulme absolutely kind and understanding... Deborah and I spent the day soaring between hell and heaven... Dr Hulme is the noblest and most wonderful person I have*

*ever known of. Such a huge amount has happened we don't know where we are, but one thing, Deborah and I are sticking together through thick and thin. We sink or swim together."*

**This incident put into motion another plan.** This time a scheme the girls were not privy to planning. **In May**, Henry Hulme consulted a Doctor about Pauline and Juliet's relationship. The Doctor explained that their relationship had become '*overtly homosexual*.' The Doctor advised in favour of active intervention, to '*reverse*' or '*stave off*' Juliet becoming irreversibly homosexual. Dr. Hulme was convinced of the need to separate the two teenagers immediately. Henry formulated a plan to abandon his wife and her new lover to their own devices. He would then take custody of their son Jonathon. Dr. Hulme used the threat of '*adultery*' on the divorce petition, and the threat of publicity and courtroom proof, of Hilda Hulme as an '*unfit mother*' to secure the release of Jonathon to his care. He would then quit his job and return to England; delivering Juliet to **South Africa** to stay with an Aunt on the way home. Presumably South Africa was chosen '*for her health*.'

**During this time** Pauline's hatred of her mother had blossomed further. Hatred fueled by her mother's foreboding threats of separation. Furthermore, some references claim to loathe her family's social class. The social situation of her parents was a cause for acute embarrassment for Pauline, and she sneered at her families ignorance in some diary entries. Pauline claimed her mother '*talked a lot of rot*.' She yearned for the air of intellect that permeated the Hulme household. She saw the Hulmes as cultured, refined people, who respected and encouraged scholarship, imagination, and things cerebral. These feelings continued to feed into her antipathy. It was from this

contempt, that the 'plan' matured to include murder.

### April 28, 1954

*"Mother went out this afternoon so Deborah and I bathed for some time. However I felt thoroughly depressed afterwards--and even quite seriously considered committing suicide. Life seemed so much not worth the living, and death, such an easy way out. Anger against Mother boiled up inside me, as it is she who is one of the main obstacles in my path. Suddenly a means of ridding myself of this obstacle occurred to me. If she were to die..."*

### April 29, 1954

*"I did not tell Deborah of my plans for removing Mother. I have made no definite plans yet as the last fate I wish to meet is one in Borstal. I am trying to think of some way. I do not want to go to too much trouble, but I want it to appear either a natural, or an accidental death."*

### April 30, 1954

*"Mrs C. came to tea and was thoroughly objectionable. Her ghastly attitude towards the Japanese has made me fonder than ever of them. I did not write this evening but I sat up and talked to Mother. I told Deborah of my intentions and she is rather worried but does not disagree violently."*

**In May**, Honora Parker was informed of Juliet's impending departure. With this news Honora allowed Pauline to see as much of Juliet as she desired. Pauline and Juliet became

inseparable once more. The interim diary entries talk about Pauline's elation at this arrangement.

### **June 6, 1954**

*"...We went to sleep at 4:30 tomorrow morning after talking all night. We were discussing at first how we sometimes had a strange feeling that we had done what we were doing before. We realized why this was, and why Deborah and I have such extraordinary telepathy, and why people treat us and look at us the way they do, and why we behave as we do. It is because we are MAD. We are both stark, staring, raving mad. There is definitely no doubt about it and we are thrilled by the thought. All the cast of the Saints except Nino are mad, too. This is not strange as it is probably why we love them. We have discussed it fully. Dr Hulme is MAD, as MAD as a March hare. We are feeling thrilled and scared by the thought."*

### **June 10, 1954**

*"Mrs Hulme has told Deborah a great deal about the old subject and we have discussed it fully. We know a great deal more now. ...I am feeling particularly close to Deborah."*

**June 11th** was the day 'IT' was appointed a saint. Many new saints had been appointed in this time. IT, was Orson Wells. He was described by Juliet as "the most hideous person alive." But by playing **Harry Lime** in **The Third Man**, he finally ascended.

### **June 11, 1954**

*"...we were then driven out to see 'It' in 'Trent's Last Case.' It was the first time I had ever seen 'It.' Deborah had always told me how hideous he was, and I had believed her, though from his photos he did not look too bad. 'It' is appalling. He is dreadful. I have never in my life seen anything that, so... in the same category of hideousness, but I adore him. We returned home and talked for some time about It, getting ourselves more and more excited. Eventually we enacted how each Saint would make love in bed, only doing the first seven, as it was 7:30 a.m. by then. We felt exhausted and very satisfied..."*

**The references** to making love are ultimately quite oblique. There is bountiful evidence that the girls were unusually sexually naive and unsophisticated for their age. For example, Pauline thought at first that John's climbing into bed with her was sufficient to constitute her losing her virginity. They attended an all-girls school, and seemed to have had little social interaction with boys their own age. Juliet, in particular, seems to have led a particularly sheltered social life. **Although**, interesting of note, the '*old subject*' that was discussed by Hilda Hulme two days before the references to 'making love,' is assumed to be sex. They presumably used some of this knowledge in their '*enactments*' of making love in whatever those events manifested as.

**June 13, 1954**

*"We gave ourselves two new Saints. 'Onward Heel' and 'Buster.' Of all people, my god. We had very amusing discussions about God, Christ and the Holy Ghost. In fact, the whole day was very amusing and exciting... We*

*spent a hectic night going through the Saints. It was wonderful! Heavenly! Beautiful! and Ours! We felt very satisfied indeed. We have now learned the peace of the thing called Bliss, the joy of the thing called Sin."*

### **June 16, 1954**

*"...We came to bed late and spent a very hectic night. It was wonderful. We only did 10 Saints altogether but we did them thoroughly. I prefer doing longer ones. We enjoyed ourselves greatly and intend to do so again. We did not get to sleep until about 5:30. Obviously I am writing this to-morrow."*

**Pauline knew** that her mother Honora would never let her travel with Juliet to South Africa. Pauline began seeing her mother as the only person standing between her and Juliet being together, and with Juliet's departure date impending, the 'plan' was discussed with more urgency. Pauline's entries on these dates emanate nothing but apathy for her mother.

### **June 18, 1954**

*"...We had several brilliant ideas to write an opera each, to produce our own films and to murder all odd wives who get in our way. We went to town and bought books to paste our characters in. We planned our various moiders and talked seriously as well..."*

### **June 19, 1954**

*"We practically finished our books to-day and our main idea for the day was to moider Mother. This notion is not a new one, but this time it is a definite plan which we*

*intend to carry out. We have worked it out carefully and are both thrilled by the idea. Naturally we feel a trifle nervous, but the pleasure of anticipation is great. I shall not write the plan down here as I shall write it up when we carry it out (I hope).*

**June 20, 1954**

*"... I tidied the room and messed about a little. Afterwards we discussed our plans for moidering mother and made them a little clearer. Peculiarly enough I have no conscience... I was picked up at 2 p.m. I have been very sweet and good. I have worked out a little more of our plan for moidering mother. Peculiarly enough, I have no qualms of conscience."*

**The plan to murder** Honora Parker was planned ahead of time, in detail. Juliet would collect a large rock, which later became half a brick, and place it in a stocking. They would then lure Honora out near a small wooden bridge in Victoria Park. Juliet would then drop a small pink stone on the ground. When Ms. Parker would lean down to pick up the stone, Pauline would hit her on the head, with the brick in the stocking. Killing her. This would hopefully look like she had tripped and hit her head on the hard stone ground. By that time Pauline was calculating, harsh and cynical.

**June 21, 1954**

*"I rose late and helped Mother vigorously this morning. Deborah rang and we decided to use a rock in a stocking rather than a sand-bag. We discussed the moider fully. I feel very keyed up, as though I were planning a surprise*

*party. Mother has fallen in with everything beautifully and the happy event is to take place tomorrow afternoon. So next time I write in this diary Mother will be dead. How odd -- yet how pleasing.*

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## **PART II:**

### **EVENTS SUBSEQUENT TO MURDER**

**June 22, 1954**

*"The Day of The Happy Event. I am writing a little of this up in the morning before the death. I felt very excited and 'The night before Christmas-ish' last night. I did not have pleasant dreams though. I am about to rise."*

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## **EVENTS OF JUNE 22, 1954**

**The morning of June 22nd, 1954.** 10.30am. Juliet Hulme collected half a brick from a pile next to the garage at her **Ilam** home. She was then driven into **Christchurch** city to do some “*personal shopping*” by her mother. **Hilda Hulme** described Juliet as happy, calm, and affectionate that morning.

**At 11am**, Juliet arrived at **Pauline Parker**’s house. Both girls made small talk with **Honora Parker**, before making their way up to Pauline’s room. There they placed the half-brick into a stocking and knotted it. Pauline placed this into her school shoulder bag. Juliet had brought the small pink stone that she had removed from a brooch.

**At 12pm**, Pauline’s father **Herbert Reiper** and her sister **Wendy Parker** arrived home from work for lunch. Juliet and Pauline joined them. This was reportedly a happy affair with laughing, jokes, and warmth between the family.

**At 1.30pm**, Honora Parker left with Pauline and Juliet on a bus to Victoria Park in the Cashmere Hills.

**At 2.35pm**, the trio arrived in Victoria Park terminus and exited the bus. Honora was feeling a little parched. She decided to go to the nearby 'Tea Kiosk.' Inside Honora ordered a pot of tea and the girls ordered soft drinks. They were served by **Agnes Ritchie**; the manager of the kiosk. Agnes stated later that she chatted with Honora for a bit and that the girls behaved cordially when she addressed them. She concluded that she had thought they were a quiet group.

**3.05pm.** Honora, Pauline, and Juliet all left the tea kiosk. They entered Victoria Park through a gap in the stone wall and set off along the steep path. The east side bush track, as it was known.

**At 3.20pm. 130m** down the path they came to a small wooden bridge. Juliet took the lead. Honora followed with Pauline at the rear. Juliet got far enough ahead to initiate the '*plan*.' She dropped the pink stone on the ground and then called for Honora and Pauline to come see what she found. Honora bent down to look at the stone. Pauline removed the brick in the stocking from her shoulder bag.

**Peter Graham** is a true crime writer from **Canterbury** and author of '**So Brilliantly Clever**;' a detailed investigation into the Parker-Hulme murders, in which he spent three years travelling the world researching the case. Graham in his book, '**So Brilliantly Clever**,' describes in detail what happened next:

**"Pauline, coming from behind, swung the brick as hard as she could at her mother's skull. Nora yelled and instinctively covered her head with her hands. She was**

*now fighting for her life. Pauline bashed away mercilessly but her mother was slow to go down. She and Juliet forced her to the ground. Juliet grabbed the loaded stocking from Pauline and landed further furious blows on Nora's head. Blood was spraying everywhere. Her resistance was weakening. The stocking broke. Nora was now lying face upwards making a terrible noise. Juliet kneeled, gripped her around the throat, and held her head against the ground with Pauline, grasping the half-brick in her hand, hammered her again and again and again - on the forehead, the temples, and wherever she could land a blow. Nora writhed and twisted, then twitched convulsively. They tried to drag her to a place where they could roll her down a bank but she was already a dead weight. It was all they could do to shift her a few feet. ***She was gurgling blood as they left.****

**3:30pm.** Pauline and Juliet arrived back at the tea kiosk with bloodsoaked clothing, white-faced, and hysterical. Juliet had a lot of blood on her hands with a fine mist of blood on her face. Pauline had an abundance of blood on her face and hands; her left hand was covered in gore. Pauline, panicked, managing to blurt out, *"Please, could somebody help us? Mummy has been hurt! It's Mummy, she's terribly hurt! She's dead!"* Juliet added, *"It's her mother, she's hurt! She's covered with blood. Please, somebody help!"* **Kenneth** Ritchie, Agnes' husband, then searched and found the body. Agnes then phoned for a doctor and an ambulance. Pauline and Juliet then washed off the blood and both asked for their fathers. Agnes then phoned Herbert Rieper at **Dennis Brothers' Fish Supply**, his work, but he was not in the shop and she left a message. Then Agnes phoned Henry Hulme and he said he would come immediately. Agnes

then brought Pauline and Juliet hot tea with much sugar. She noted that Pauline gulped down the hot tea with no milk, oblivious to the temperature and apparently in shock. Juliet was noted to be talking rapidly and hysterically. Agnes asked how the accident occurred. Pauline answered in a slow voice, "*She slipped on a plank and hit her head on a brick. Her head kept bumping and banging as it fell.*" Juliet intervened, "*Don't think about it. It's only a dream. We'll wake up soon. Let's talk about something else.*" After a long lull, Pauline groaned loudly, "*Mummy, she's dead.*"

**At 4pm**, Dr. Hulme arrived at the kiosk. He told Agnes Ritchie to tell the police he was taking Pauline and Juliet to his home in Ilam.

**4.30pm.** Dr. Hulme arrived home with the two girls. Hilda Hulme then bathed Pauline and Juliet, and treated them for shock, fed them, and then sent them to bed.

**At 8pm**, two Detectives; **Senior Detective Brown** and **Detective Sergeant Tate** arrived at the Hulmes Ilam home. The two detectives interviewed Pauline and Juliet. Pauline gave this account of what had happened. "We were walking up the track having been to the bottom. I was leading and mother and Deborah were behind me. Mother suddenly slipped and fell. She twisted sideways and hit her head on a rock or something. She seemed to keep tossing up and down and hitting her head." Juliet backed up this story in her interview. Then when Pauline was asked about a bloody stocking found at the crime scene she appeared taken aback, "*We didn't take mother's stockings off, I was wearing sockettes. I had an old stocking in my bag. I used it to wipe up the blood.*" Then Detective Tate was informed that Juliet would like to make a second statement. He left to go take

her statement as Detective Brown stayed with Pauline.

**Juliet's** second statement claimed she didn't witness the accident but had turned back after hearing voices to find Honora Parker lying bloody on the ground, and she did not notice a brick or stocking. During this time Detective Brown was questioning Pauline. He stated to Pauline he thought Juliet was not involved in the incident, but she was. Pauline then started answering questions:

**DETECTIVE BROWN:** *Who assaulted your mother?*

**PAULINE PARKER:** *I did.*

**DETECTIVE BROWN:** *Why?*

**PAULINE PARKER:** *If you don't mind I won't answer that question.*

**DETECTIVE BROWN:** *When did you make up your mind to kill your mother?*

**PAULINE PARKER:** *A few days ago.*

**DETECTIVE BROWN:** *Did you tell anyone you were going to do it?*

**PAULINE PARKER:** *No. My friend does not know anything about it. She was out of sight at the time. She had gone on ahead.*

**DETECTIVE BROWN:** *What did your mother say?*

**PAULINE PARKER:** *I would rather not answer that.*

**DETECTIVE BROWN:** *How many times did you hit*

*your mother?*

**PAULINE PARKER:** *A good many times, I imagine.*

**DETECTIVE BROWN:** *What did you use?*

**PAULINE PARKER:** *A half-brick in a stocking. I took them with me for the purpose. I had the brick in my shoulder-bag. I wish to state that Juliet did not know of my intentions and she did not see me strike my mother. I took the chance to strike my mother while Juliet was away; I still do not wish to say why I killed my mother.*

**DETECTIVE BROWN:** *Did you tell Juliet that you killed your mother?*

**PAULINE PARKER:** *She knew nothing about it. As far as I know she believed what I told her, although she may have guessed what had happened, but I doubt it as we were both so shaken that it probably did not occur to her.*

**The confession concluded with:**

**PAULINE PARKER:** *As soon as I started to strike my mother, I regretted it, but could not stop then.*

**Pauline Parker** was charged with murder and taken to the **Christchurch Police Station**. Later that night, Brown and Tate searched Pauline's room with her father's permission. There they found fourteen exercise books, a scrapbook, and two diaries. While Pauline was in Tate's office she was seen writing on a piece of paper. When she finished, Tate confiscated the paper. It seemed to read as a diary entry.

**June 22, 1954**

*"I have successfully committed moider. Found myself in an unexpected place. All the Hulmes have been wonderfully kind and sympathetic. Anyone would think I'd been good. I've had a pleasant time with the police talking nineteen to the dozen and behaving as though I hadn't a care in the world. I haven't had a chance to talk to Deborah properly but I am taking the blame for everything."*

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## THE AFTERMATH

**23rd June 1954.** *"I am taking the blame for everything."* This sentence suddenly put attention back on Juliet. Along with this, Brown and Tate found enough evidence in the diaries to justify interrogating Juliet once more. They returned to Ilam to interview Juliet. Her statement changed once more, *"We went to a spot well down one of the paths and Mrs Parker decided to come back. On the way back I was walking in front. I was expecting Mrs Parker to be attacked. I heard noises behind me. It was loud conversation in anger. I saw Mrs Parker in a sort of squatting position. They were quarreling. I went back. I saw Pauline hit Mrs Parker with the brick in the stocking. I took the stocking and hit her too. I was terrified. I thought that one of them had to die. I wanted to help Pauline. It was terrible. Mrs Parker moved convulsively. We both held her. She was still when we left her. The brick had come out of the stocking with the force of the blows. I cannot remember Mrs Parker saying*

*anything distinctly. I was too frightened to listen. After the first blow was struck I knew it would be necessary to kill her. I was terrified and hysterical.*" Juliet was arrested and charged with murder.

**One day later**, Honora's body was cremated while Juliet and Pauline were reunited in **Paparua Prison**. There, they listened to classical music, took long walks together and wrote voluminously. The trial was set for August 23rd, 1954.

**Dr Reginald Medlicott** was one of the psychiatrists who interviewed the two girls on June 27th and June 28th. After these interviews Dr Medlicott told a friend he had never encountered such pure evil as he had in those two girls.

**1st July 1954.** Juliet was visited by her father Henry Hulme in Paparua prison. He told her he was leaving New Zealand for England. Henry stated later that the meeting was only a few minutes long and that when he kissed Juliet goodbye, she told him, "I want you to go." The next day Dr. Hulme executed his plan of leaving his wife and her lover, and taking their son back home to England. On the voyage home, he wrote, *"The world will just have to think of me as an unnatural father. I cannot say why I decided to leave New Zealand at this time. It would involve too many people. But there is nothing I can do there just now. My only concern now is for my son. I want to spare him all I can. I've told him his sister is mentally ill--as indeed she is."*

**From the 6th to the 14th of August**, the girls were visited by **Dr Francis Bennet**, another psychiatrist. Peter Graham wrote about this visit in his book *So Brilliantly Clever*, *"Dr Francis Bennett was shocked that neither girl showed any contrition for*

*Nora Rieper's death. "There's nothing in death," Juliet said loftily. "After all, she wasn't a very happy woman. The day we killed her I think she knew beforehand what was going to happen and didn't seem to bear any grudge." Asked if she had any regrets she replied, "None whatever. ... Of course we did not want my family to get involved in this but have both been terribly happy since it happened, so it has all been a blessing in disguise." Pauline, likewise, was sorry for the trouble she had brought to the Hulme household but had no regrets about her mother. She would willingly kill her again if she were a threat to her relationship with Juliet."*

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## TRIAL

**23rd August 1954.** The first day of the trial commenced. The defence did not dispute that Parker and Hulme carried out the killing. Claiming the girls were insane at the time of Mrs Parker's death. *"The Crown has seen fit to refer to the accused as ordinary dirty-minded little girls. Our evidence will show that they are nothing of the kind. The Crown's description is unfortunate and medically incorrect. They are mentally sick girls, more to be pitied than to be blamed."*

This is when **Dr Reginald Medlicott**; the psychiatrist who interviewed them in prison took the stand, *"I consider they have paranoia of an exalted type and it is in the setting of a folie a deux. It is a form of systemised delusional insanity. It can be of various types, the usual being the prosecutorial type, but the*

girls suffer from the exalted type. The French phrase *folie a deux* is used to describe a communicative insanity. Both are sensitive, self-contained, imaginative, selfish, - and showed inability to accept criticism. Their association, I consider, proved tragic for them. There is evidence that their friendship became a homosexual one. There is no proof there was a physical relationship, although there is a lot of suggestive evidence from the diary that this occurred. There is evidence that they had baths together and had frequent talks on sexual matters. That is not a healthy relationship in itself, but more important, it prevents the development of adult sexual relationships. I don't mean by that physical relationships, but attachment to people of the opposite sex. Homosexuality is frequently related to paranoia. When I first saw the two girls I knew that they were trying to prove themselves insane. In a very short time they had given me what they thought was proof of their insanity. This so-called proof consisted of compulsions, such as to thrust a hand into a fire, but they never acted on them. They both said they were telepathic and got unusual communications - one to the other. They also said they had mood swings from exaltation to thoughts of suicide. I did not accept that and do not think they were convinced themselves. After a very short time with them I was definitely convinced they were insane. Their arrogance, like their conceit, was out of normal proportions. It was so severe I had to restrain myself. They consistently abused me. Parker told me I was an irritating fool and unpleasant to look at. Hulme pulled me over the coals for not talking sufficiently clearly. After I had physically examined Parker she shouted out, "I hope you break your flaming neck." In the diaries you can cover Parker's condition over the last 18 months. The whole thing rises to a fantastic crescendo. It would be difficult for anyone to read the 1954

*diary and not feel that rising tension and exaltation. As the diary goes on, evil becomes more and more important and one gets the feeling that they ultimately become helplessly under its sway. By June 1954, both accused were grossly insane, I would say."*

**The crown** argued vehemently against this. Bringing in their own experts who had interviewed the girls, who argued they were of sound mind. The girls were reportedly unremorseful during the entire trial and were reported by newspapers at the time to be smiling and giggling at times. The trial lasted six days. An all male jury retired to consider their verdict. They reappeared after two hours and fourteen minutes. They found that Pauline Parker and Juliet Hulme were sane and found them guilty of murder. As they were too young for the death penalty, they were sentenced to imprisonment, to be detained at Her Majesty's pleasure in separate institutions. Herbert Rieper stated from his home, "*I have nothing to say about it.*"

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## TIME IN PRISON

**Pauline Parker** was moved from Paparua Prison in Christchurch to a **Borstal** north of **Wellington**; **Arohata Women's Reformatory**. She was visited by her father once in her sentence here. He apparently did so reluctantly and summed up the experience later as "*depressing.*" During her time in

prison she became a devout **Catholic**.

Juliet was flown to Auckland and taken to maximum security Mt Eden prison. She spent the first three months in solitary confinement. While she was at **Mt Eden** prison there were five hangings. Juliet was given harsher treatment by the Judge because she was considered the "*more dominant personality and the leader of the two.*" Prison was raw and brutal for Juliet. Juliet explains some of her experiences. "During the day we did hard labour but I collapsed after two weeks and then I started sewing uniforms. I memorised the few books I had; screeds of the stuff. In prison we got little time alone except the nights -- nights were a great blessing, not having to share a room. And when the light goes out and there's nothing, then the light goes on inside your head." The whole time she was incarcerated, Juliet received no visits from any member of her family, and their correspondence with her was infrequent. **On September 12th, 1954**, Walter Perry and Hilda Hulme left New Zealand. Perry said, speaking to press. "*We firmly believe Juliet is mad. Mrs Perry is sorry to leave Juliet, but she believes that Jonathon now has the greater need of her.*"

**Five and a half years passed.** On **December 4th, 1959**, the NZ Secretary of State for Justice, announced that now twenty one year old Pauline Parker and Juliet Hulme, were released in an order some weeks earlier from prison, and given new identities. "*Neither girl knows where the other is living.*"

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## PRESENT LIFE - PAULINE PARKER

**Pauline Parker** became **Hilary Nathan**. After she was released from prison, Hilary studied towards a Bachelor of Arts at the University of Auckland, graduating in 1964. She then spent a year in Wellington at the New Zealand Library School. Colleagues at library school described her as mysterious and secretive. A close friend, who had no idea who she was, said there was something from her past she kept well-hidden. In 1996, Woman's Day reporter **Chris Cooke**, found and tracked down, now aged 58, Hilary Nathan, living in the village of **Hoo**, just outside of the historic city of **Rochester** in **Kent**. There she ran a horse riding school for children. As Hilary didn't want to be interviewed for the Woman's Day article, her sister Wendy expanded on some of the details about her life subsequent to the murder. Wendy said Hilary failed in a bid to become a nun, but now, *"she is a nun in her way. She's living in solitude. She's deeply religious. She leads a very unusual existence. She hasn't got a TV or a radio, so would never have heard what Anne Perry had to say and she wouldn't care. She doesn't have any contact with the outside world – she's a reclusive, really. She's a devout Roman Catholic and spends much of her time in prayer. She committed the most terrible crime and has spent 40 years repaying it by keeping away from people and doing her own little thing. I love her and she still loves me. I accept what happened in our lives was an absolute mistake. But, looking back, she said it was something that grew and grew out of all proportion. After it happened, she was very sorry about it. It took her about five years to realise what she had done."* As of 2011, Hilary Nathan lives in Scotland in the remote Orkney Islands where she continues to run a horse riding school.

## PRESENT LIFE - JULIET HULME

**Juliet Hulme** became **Anne Perry**. After being released from prison, Anne Perry returned to England and became a flight attendant. For a period she lived in the **United States** where she joined **The Church of Jesus Christ of Latter-day Saints** in 1968. She was discovered and outed as the alias of Juliet Hulme in 1994 during all the hype around '**Heavenly Creatures**.' Upon being discovered, Anne clarified some things about her relationship with Pauline. Anne claimed to be on mood altering drugs for her tuberculosis which altered her judgement. Anne also asserted that even though the friendship was obsessive, it was never sexual. "*It was no teenage passion, I had never even been kissed. There was nothing sexy about it at all. We were two teenage girls and going to an all girls school. Who would your friend be but another girl.*" Anne Perry later settled in the Scottish village of Portmahomack where she lived with her mother.

**In 2009** a documentary called **Anne Perry: Interiors** was released. This film gave an intimate insight into Perry's life. The documentary suggests that Anne Perry lives a very isolated life. Anne Perry in the film seems reluctant to talk about the murder; even with close friends and family. Having only a few close friends, her brother Johnathon among them, and a close friend that lives across the street from her, **Meg Macdonald**.

**Meg explains** that Anne had a secret relationship with her

father before his death and it was only in recent years that Anne had become closer to her brother. Concluding that she believes Anne was hurt further by her family's shame of her. Continuing a lifetime of seemingly being shunned in one way or another by her family.

**Anne Perry** published her first crime novel in 1979; '*The Carter Street Hangman*.' Since then, Anne Perry has become one of the **United Kingdom's** most successful crime novelists, writing over sixty novels. The documentary paints a picture of Anne being obsessive when it comes to her writing. At one point Anne claims that without writing she would have nothing to live for.

**Reaching the apex** of the film. Anne is confronted by her friend Meg Macdonald about her evasiveness. Meg is frustrated by Anne isolating herself from the world. She believes that opening up about the events of the 22nd of June 1954 may be cathartic for Anne.

Anne breaks down in this moment and claims she was afraid Pauline would take her life if they were separated. She felt, at the time, there was no other option than to kill Honora. It is a mistake she will pay for, for the rest of her life; Anne concluded.

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## CONCLUSION

**22nd June 2019.** Today's date as I write this. Today is the 65th

anniversary of the death of Honora Parker. The matricide in Victoria Park all those years ago still manages to shock and captivate inquisitive minds worldwide. With both Hilary and Anne living in Scotland, and living only approximately **160km** apart, one can only wonder, on this date, the shortest day of the year. Do the once inseparable pair ever reminisce about those times in **Borovnia** over **65** years ago, as the two most glorious beings in creation; **Gina** and **Deborah**.

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## Case 2:

The Missing Swedes, 1989, Thames



## **PART I:**

### **PROLOGUE**

#### **A Trip of a Lifetime**

## THAMES, COROMANDEL PENINSULA.

**In the early morning hours of Friday the 16th of September 1988.** Two Swedes, a young couple; **Heidi Paakkonen** and **Urban Hoglin** were waiting at the **Stockholm Airport** to begin their once in a lifetime, around the world trip. They were set to return in **May** of the next year, **1989**.

**Full of wide eyed** optimism about their immediate future, they waved goodbye to their parents and siblings. They would travel to the **United States** then move on to **Australia** before finally reaching **New Zealand**.

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## INTRODUCTION

**Heidi Paakkonen** was born on the **14th of October 1967**. She was the only daughter of five children. She grew up in **Storfors, Sweden**; a small locality of about **2,000**, about a three hour drive from the capital **Stockholm**. Heidi was described as ‘*very attractive*,’ ‘*striking*,’ and that she had ‘*a movie star look*.’

**In 1988**, Heidi aspired to become a kindergarten teacher, but at **21 years old**, she decided to take a gap year to go on a trip of a lifetime with her **23 year old fiance, Urban Hoglin**.

**Urban Hoglin** was born on the **2nd of December 1965** also in Storfors. He was the youngest of four brothers. Urban came from a family of sportsmen. His older brother **Johnny** had won a gold medal at the **1968 Winter Olympics** in France for speedskating. Urban was described as having '*rugged good looks*' and having the trademark **Scandinavian** blue eyes.

**The couple** had met four years earlier while working at the Storfors village supermarket. Two years later they were to be wed. Both were interested in travelling, but first they needed to decide where they would go. The idea of New Zealand was floated.

**After reading a Swedish** magazine and being regaled by its tales of New Zealand's fabulous fishing, hunting, and sightseeing, Urban became convinced this was the right destination for them.

**Urban was always a keen outdoorsman**, interested mainly in tramping and fishing. Urban's brother Stefan explains the types of trips that he would go on with his brother, "*I often used to go with Urban on fishing trips... We would go out overnight and sometimes up to ten days at a time. On these longer trips we would have backpacks and sometimes canoes and would be up to 60km from any civilisation. The forest in Sweden is quite open and you can walk through it quite freely, however there are the dangers of bears, snakes, and sometimes wolves that you have to be aware of.*"

**This** was one reason **New Zealand** appealed to the Swedes for their overseas trip. Heidi and Urban could pursue the outdoors in safety; as the New Zealand bush posed no such threat.

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## TRAVELLING TO NEW ZEALAND

**Heidi and Urban** left Sweden on **Friday the 16th of September 1988** to begin their big ‘*O.E.*.. Two days later they arrived in **Brisbane, Australia**.

A couple of weeks into their Australian holiday, Urban contracted an unknown infection. He was fighting fevers of **41 degrees** and lost **6kgs**. The letters written home during this time in Australia did not paint a flattering picture of the ‘*Aussie experience*.’ Describing encounters with snakes, ‘*drugged out*’ Aussie backpackers and drunken violence. Urban’s illness added an extra two weeks to their time in Australia. Heidi and Urban arrived in Auckland on the **5th of December 1988**.

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## TIME IN NEW ZEALAND

**Heidi and Urban’s time in New Zealand** was chronicled by the pair with letters back home to Sweden. The letters read with an almost childlike innocence. Seeing New Zealand through the eyes of youthful optimism and exuberance, they discovered New Zealand as a child would. Everything was a new experience and they were endlessly fascinated by the seemingly

mundane differences between the cultures. Heidi captured some of this elation in her first letter home from NZ.

### 7 December 1988, Auckland

*“We’ve now come to New Zealand... we haven’t decided on a route yet, but we are staying here in Auckland some 5-6 days and then we’ll try to get further north. Everybody we’ve been talking to in Australia has said that everything is a lot more expensive here in New Zealand. We got very surprised when we went out shopping today and found that the prices were about the same as in Australia; some things were even cheaper. Among other things, we bought some mince that cost some 15 krona (\$3) a kilogram. We bought potatoes that are a lot nicer and tastier than at home. Soon, we are taking the bus to the city and we are going to a market. We may go to the zoo. They borrowed two pandas all the way from China, maybe because we are here! After that we are visiting the world’s biggest underwater aquarium. We’ll see how much we’ve got time for...”*

- *From Heidi Paakkonen*

**Heidi and Urban** stayed in Auckland until the **12th of December 1988**. Wanting to see the New Zealand they were promised; the NZ with an abundance of fishing, hunting and tramping, the couple purchased a car. A 1976 Subaru wagon with distinctive ‘bull bars’ on the front, or as the Swedes called them, ‘moose bars.’ The couple made their way down the country, eventually ending up in the South Island.

### 6 January 1989, Cobb River

*“New Zealand is really a beautiful country. I don’t know whether you, Mum, would really enjoy yourself on the roads here, some of the roads are narrow, curvy and steep... in the North Island we had rainy weather for a week. There has been a real storm in Auckland so they were forced to close the roads. We managed to get out of Auckland just before it started, otherwise we’d have been stuck there some extra days. Excuse me if it’s a bit messy and bent in this letter, but it’s because it’s so windy. Most of it is probably because of the sandflies. These are the only animals that are really plaguing us, you don’t have to think about snakes or spiders or other dangerous animals or plants, and that is nice. Now we are going to light a fire and see if we can have some fried fish for supper.”*

• *from Heidi Paakkonen*

**In mid January**, Urban and Heidi finally got to do some tramping. Heidi describes in a letter home, the intensity of these expeditions. These were not casual, couple hour long hikes, these were weeklong; over 80km long treks.

## **26 January 1989, Kaikoura**

*“Maybe I told you in the last letter that we were going for a tramp with a Canadian couple... We started Friday the 13th (can you imagine how lucky that day went?)... The first night we didn’t come to a hut but had to sleep on a big rock that was leaning a bit. Ron and Sharon had a tent they could put up everywhere, so they slept in that. Urban and myself slept under the sky with only our sleeping bags and the outer tent if it should rain. It*

*started to rain, of course, in the middle of the night and the outer tent didn't keep us dry, we were soaked wet... The next day we went on. We had to climb (or rather, we had to pull ourselves up by small bushes and grass) up the mountain that was about 1500 metres. It was really hard and in some places it was soaking wet and there were rivers you could fall down into as well... it was foggy on the other side so you couldn't see the path. We had to wait there for some minutes and luckily enough the fog went away. Urban's and my tennis shoes started to fall apart so we were a bit worried that they wouldn't last all the way... At the end... they told us that we've been tramping one of New Zealand's hardest hikes... we managed the whole thing in a week with heavy backpacks on our backs and we calculated that the total distance was some 85kms. ”*

- *From Heidi Paakkonen*

**As Heidi and Urban** continued towards the bottom of the South Island the local FM radio station in each new location was what kept them company on their long driving trips. A novelty that is commented on regularly during the letters home is New Zealand's musical playlists on these stations. The songs Heidi decides to report back home become the soundtrack of their five month journey through **Aotearoa**.

### **14 February 1989, Invercargill**

*“Cities here are rather different from the cities at home. There's not any high houses and we haven't seen one single boring block of apartments. Most of them seem to live in villas, even in Auckland. The city is bigger and*

*there's more shops. Marika how did you celebrate the "valentine day?"... the shops here in New Zealand seem to earn good money on this day. They have a lot of signs with hearts on them in almost all the windows and on the radio they are talking about it all the time, that you are supposed to buy a flower (maybe a tulip or rose) for someone that you like a lot. I heard a song with Chris de Burgh right now, it was really good, I think it was something with "Missing You" in it, about a guy who said goodbye and when he discovered after that that he still loved the girl it was too late because she'd found another. The song is starting with him sitting by a table with some roses and wine on it, all by himself, thinking back."*

- ***From Heidi Paakkonen***

**Making their way** back up the South Island, Urban wrote in a letter home about all of the oddities of our small nation he was observing.

## **2 March 1989, Fox Glacier**

*"A couple of days ago we passed Queenstown. Some 5,000 people live there, but there are probably more than 100 shops. Tourists from all over are coming there. River rafting in a rubber boat is very popular, and there's also a new thing that you can do. You tie a rubber band around your feet and then you throw yourself out from a 30 metre high bridge! Time flies too fast here and it's coming close now for us to be leaving for home. We are looking forward to all amenities though. We've been living in the tent since Christmas. I can't even remember*

*how it feels to sleep in a bed. ”*

• ***From Urban Hoglin***

**In early March.** Heidi wrote a doting letter in reference to the tranquil landscapes of New Zealand. Also writing adoringly about the Kiwi's fabulous welcoming nature.

**11 March 1989, Nelson**

*“We've been to Punakaiki where you can see some cliff rocks formatted as pancakes on top of each other. It was beautiful and unbelievable nature. It's changing vastly from snow-covered mountains to dry grass hills and even to rainforests. We decided to go and visit a guy that Urban met on a fishing tour in Australia, he invited us to stay the night at his house. Simon, the guy that Urban met in Cairns, was going to work so we got a key of our own and a house of our own. Urban made some pancakes ... It's incredible that he trusted us and gave us a key and let us spend the time here all by ourselves. When they invite you to stay overnight and you say no, they can't understand that and they seem to believe that you are rude. To them it's obvious that you should say OK and you should feel at home. If it weren't for all these sandflies and the wasps, New Zealand would be the perfect country, almost anyway.”*

• ***from Heidi Paakkonen***

**While** waiting for the **Picton Ferry** to set sail back to the **North Island**, Urban gave the family back in Sweden an update on their plans of returning home.

## 16 March 1989, Picton

*“The nights are starting to get a bit chilly and it’s getting dark earlier. It’s going towards autumn in other words... on 20 April we are going to the Cook Islands where we will stay for two weeks. After that it will be Tahiti for four days and Los Angeles for one day. We reckon we will be home on the 7th of May so we won’t miss the big party. Send our love [to the family]... and we hope that everything is well with you all.”*

- ***Letter from Urban Hoglin***

**Late March**, reaching the climax of Heidi and Urban’s time in Aotearoa. The Swedes were spending some time in **Tongariro National Park**. Here, Heidi and Urban both wrote one of their last letters home. Heidi remarking once more how welcoming and warm the Kiwi people are.

## 24 March 1989, Tongariro

*“We are in the Tongariro National Park in the North Island in an area with some volcanic activity. As recently as 1974 Mt Ngauruhoe had an eruption. We’ve been walking some tramps in the area around here and seen where the lava has been pouring. We went to Mt Egmont National Park, that’s on the western side of the North Island. We found a very nice camping spot that was also cheap, and the guys who ran the site invited us for dinner. They served lamb chops, beef, salad, and potatoes. For dessert we got Mum’s fruit salad and ice cream. It was a really nice meal for us. We are going to Coromandel and Rotorua. It feels strange that it is Good*

*Friday today because at home it is going towards Spring when Easter comes, and here it is the other way around. They've got a special Easter bread here, Urban likes it, it's spiced (so it tastes almost like soft ginger cake) and there's some raisins and fruit in it.*

• *from Heidi Paakkonen*

**With Urban's letter** updating the family on the state of the New Zealand wildlife and climate.

### **24 March 1989, Tongariro**

*"Last night we went out in the middle of the night and looked for some kiwis. As you may know, they are nocturnal and sometimes you can hear how they scream when they are looking for food. The kiwi has diminished a lot and is now seen just in some areas. It's almost impossible to see them because of the very tight vegetation. So far we have not seen any, but we haven't given up. The weather hasn't been that good since we came to the North Island on 17 March, and right now it's raining. It's starting to get really cold during the nights... we may get away with it as we have just four weeks left here.*

• *from Urban Hoglin*

## THE DISAPPEARANCE

**On Friday the 7th of April in Thames**, Urban and Heidi mailed their final letter home. To tidy up before returning home, they stopped in a local saloon to get haircuts. The manager, **Merilyn Round** undertook Heidi's lush blonde locks and her sixteen year old employee, **Paula Johnson** gave Urban a trim. Paula spoke of this encounter with Urban later "*... he wanted it really short. He was really tall. I remember asking him to slouch down in the chair because the chair wouldn't go down far enough for me to cut his hair.*"

**The manager**, Merilyn commented on Heidi's do, "*Her hair was about halfway down her back. When I had finished it was what I called a long bob, sitting on the shoulders, came down to about halfway over her ears. I recall she had shorts on as her legs were quite eye catching, like a model.*"

**Merilyn and Paula** said goodbye to Urban Hoglin and Heidi Paakkonen. This goodbye was more poignant than anybody knew at that time; poignant, as it marked the last '*confirmed*' sighting of the two Swedes alive.

**Being drifters** in a foreign country and their families not anticipating Heidi and Urban home until the 7th of May, the pair were not reported missing until over a month later. **Friday, 26 May 1989**. The NZ Herald ran a front page story. The headlines read, "*A car belonging to a missing Swedish couple has been abandoned in Mt Eden [Auckland] for six weeks. The discovery worries Auckland police who were contacted by Interpol officers on Wednesday after a request from relatives.*"

**When** Heidi and Urban's final letter arrived home, the couple was already confirmed missing. With this context, their final report from Aotearoa reads with an eerie chill around it.

### **7 April 1989, Thames**

*“We are right now on a peninsula called Coromandel situated a bit south of Auckland. We have only 14 days left here in New Zealand. Here in Coromandel are a lot of beautiful beaches and the weather is really nice. There's a lot of laying around on the beach. Often we are on our own so there is no crowd. Last night we slept in a camp for a change. Most of the time we are just staying out in the open, in the countryside. The campground had its own thermal pools and it was rather nice to sink into the pool at 9.00 in the evening with all the stars in heaven above us. I wonder if the same songs have been popular at home as here. Every big city here has its own radio station and they play mostly pop and a lot of songs from the 50s. A couple of songs have been John Farnham (different songs), Chicago - Look Away, Poison - Every Rose Has Its Thorn, Wet Wet Wet - Angel Eyes, Chris de Burgh - Missing You, Eric Carmen - Make Me Lose Control, Moody Blues - I Know You're Out There Somewhere... Until we meet again... Urban & Heidi.”*

- *from Urban Hoglin & Heidi Paakkonen*

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**26 MAY 1989. 11PM.**

The police were already putting together a special task force for the search of the missing Swedes. This search would become the largest land based search in NZ history. This special task force was christened '*Operation Stockholm.*'

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## **PART II:**

### INVESTIGATION

### Following Leads

## INTRODUCTION

**Swedish couple Heidi Paakkonen and Urban Hoglin** were backpacking around **New Zealand** late **1988** and early **1989**. They were last seen in **Thames** in the **Coromandel**, on the **7th of April 1989**. Their **1976 Subaru Wagon** was found abandoned on the **14th of April** on **Watling Street** in **Mt Eden, Auckland**, where it had been motionless for six weeks. Heidi and Urban were reported missing.

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## OPERATION STOCKHOLM

**Friday, 26th May 1989. 11pm.** Special Task Force '*Operation Stockholm*' was created and headed up by **Senior Detective Inspector (DI) John Hughes**, who at this time was already a renowned veteran detective in **New Zealand**. Working on many infamous NZ cases, perhaps most notably, the **Harvey and Jeannette Crewe murders** in 1970. That night, '*Operation Stockholm*' already had their first lead. **Edward Colbert** had a farm on **Tararu Creek Road** a couple of kms north of **Thames**. He had contacted the **Thames police** about a *name badge* he had found on a fence on Tararu Creek Road. Colbert had found the name tag on a fence north of his property in mid April. He read it "*Heidi Paakkonen*." It meant nothing to him, so he discarded

it on the ground. Yet, it was a unique name; so he remembered it. When the story of the missing Swedes broke in late May, he heard that name again “*Heidi Paakkonen*.” Colbert ventured back to see if he could locate the object. Not only did he locate the name tag, when Colbert climbed the fence, he discovered discarded clothing, men and women’s. This information made its way to Hughes through the Thames police. With this lead ‘*Operation Stockholm*’ relocated to Thames.

**Sunday, 28th May 1989.** Thirty police, and search and rescue volunteers, searched the area around where the name tag and clothing was found. There was a 7km trek at the top of Tararu Creek Road where the trek leads to an area known as ‘*Crosbie’s Clearing*.’ The searchers were briefed that they were not only looking for the missing Swedes, but they were also looking for a missing tent, backpacks, camping equipment, and personal belongings such as passports and wallets. The search was carried out; exhaustively. Nothing of further interest was recovered. The next day, Hughes announced to the media, “*We are definitely dealing with a homicide inquiry.*”

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## NEW LEADS

**Monday, 29th May 1989.** The police in Thames started what they call ‘*area canvases*.’ Going throughout the township, door to door, asking if anyone saw anything. Hairdressers, **Merilyn Round** and **Paula Johnson** were among the first to come forward. They gave their statements of giving the Swedes cuts

on the 7th of April. This is when Hughes learnt that Heidi and Urban were in Thames on the 7th of April and at the hairdressers at approx 12.30pm.

**Soon, more locals came forward.** This time with sightings of their Subaru wagon. Two days after the Swedes date with the hairdressers, **Harry Goodwin** was driving up Tararu Creek Road on **Sunday, 9th of April**, with some friends, when he spotted the Subaru wagon on the side of the road, spotting a ‘*for sale*’ sign on the back windscreen. In the market for a car, he pulled over to take a look, “*The thing which surprised me was the property left inside the car, because there was no one around and it would have been very easy for anyone to break into the car. In the front seat I noticed at least one camera and possibly a camera carrying bag. I also noticed two or three dark coloured packs, the type used for tramping... in the back area of the car.*”

**This was around 5pm.** Focus shifted to working out how the Subaru got from Tararu Creek Road Thames on the 9th, to Watling Street Auckland on the 14th of April. Auckland Police saw four men driving the distinctive wagon on the night of the 14th of April in Auckland. They ‘*QVR’d it.*’ This was police shorthand for ‘*query vehicle registration.*’ The QVR came back as “no vehicle of interest.” The wagon wasn’t reported stolen so the officers didn’t think much more of it at the time.

**On Wednesday the 31st of May.** A second search of the trail was commencing. Search and Rescue coordinator **John Cassidy** briefed the more than eighty searchers; warning them that the trek had many hazards including old abandoned mineshafts from the days of the gold rush in the **1870s**. The exhaustive search turned up nothing once more. Although, a

clue was found that day. Not as a result of the search but by a statement from John Cassidy to John Hughes. The statement was in regards to something he saw on the **8th of April 1989**. He was tramping with a friend that day, **Mel Knauf**, and were nine hours into their hike at 3.12pm, when they came across a man and woman in the bush, *"We arrived at the Pines area of Crosbie's Clearing at 15.12 hours and we came across a couple whom we stopped and spoke to for 13 minutes, according to my diary we started walking at 15.25 hours. The couple had a tent and they indicated that they intended spending the night there. The guy actually pitched the tent while we were there talking to them. They said they had just walked in from the Tararu Creek Road. The guy appeared to be familiar with the general area from the way he was talking, because we explained where we had come from and he seemed to understand. They indicated that they were from the Auckland area. The guy was in his early 30s, part Maori, about 5'11, strong build, outdoor type, black hair, clean shaven although he may have had a moustache. He was wearing boots of some kind, denim shorts and I think a dark top. The girl that was with him was in her mid to late 20s, European, she had light blonde hair straight to the collar. She was seated on a piece of log or something when we arrived and she did not stand up or in fact say anything while we were there. She had a fair complexion and well-groomed appearance to the extent that she looked out of place in the bush setting. She was wearing a green shade of cape draped over her shoulders and it covered most of her. Light rain started falling while we were there. The tent which the guy was pitching was a bright blue hiker's tent with sewn-in floor and blue matching fly sheet. He had obviously had experience of pitching this tent before. I think from the conversation we had, the couple*

*intended to return to Tararu Creek Road, the same way they had come up, because I presume they would have left their car there. The couple both had packs, but I can't recall just what they looked like. We got the impression that the couple were going to stay over one night and then return to Tararu Creek Road."*

**Police soon issued a public statement** urging this couple to come forward. Many more residents came forward with possible sightings including **Graham Manning**, the store owner of the local **Four Square**, "*They asked me where the Tararu Creek was and how to get there. I told them they should be going into the Kauaeranga Valley. They said it would be easier to get a ride in from there, than going the other way.*" **This implied** the Swedes may have hitched their way back to Tararu Creek Road, opening more possible scenarios of what happened to the young couple.

**On 2nd June 1989.** Sixteen year old student, **Jason Donald** approached police with some information. In mid March, Donald was walking near Crosbie's Clearing when he stumbled upon an abandoned tent, "*I saw a blue tent, it would have been a three to four man one.*" When Donald approached, he found a note. The note read, "*I'm tired of waiting for you... So I have gone for a walk and will see you tonight or tomorrow. If anybody finds this tent, do not vandal it as it's all I've got. Pat Kelly.*" **Police had a person of interest, 'Pat Kelly.'**

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## ‘PAT KELLY’

**Late June 1989.** Hughes finally got a big break in the case. **Peter Svensson** was a Swedish journalist covering the missing Swedes in New Zealand. Svensson was contacted by a reader, **Hakan Bokull**. Bokull claimed to have information on the case. Svensson immediately put Bokull in contact with the police. Bokull stated that he was in Thames with his two friends on the 9th of April. He was staying at the **Sunkist Lodge** where he met a man who offered to give him a tour of the Coromandel region. In return, Bokull would pay for petrol and his room for the night. They both agreed that was fair. ‘*Pat*’, is what this mystery man called himself. Bokull described ‘*Pat*’ as, “*I’d say he was about 30 or 35, about my height, that is 180cm, perhaps a little shorter. Dark brown [hair], almost black, a bit straggly but not untidy, thick hair, big bushy moustache curving down over the corners of his mouth... Mentally, he didn’t seem temperamental or depressed or exceedingly happy or anything like that. Quite normal, I would say... I found him quite nice as we travelled around... I don’t remember the name of the bay, but he explained it to us because it was very beautiful.*” And they were travelling around in a familiar sounding vehicle, “*a white Subaru, four wheel drive.. And with kangaroo bars in front... there was no luggage... In the boot was a bucket with a fishing line in it and a telescopic rod, casting rod....*”.

**With this new information**, Hughes and the NZ police checked out the Sunkist Lodge. Upon viewing the guest schedule for the 9th of April; they found a now familiar name ‘*Pat Kelly*.’ A phone number was listed with the check in. Police found that the number went through to a property in Mt

**Roskill, Auckland.** A new occupant had just moved in recently. When police spoke to the landlord about the previous occupants, a name arose that would deem fruitful for the investigation; '**David Tamihere.**' He wasn't difficult to locate either, **he was in prison.**

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## DAVID TAMIHERE

**David Tamihere was born in 1954**, one of twelve children. His family had ancestral Maori land on the Coromandel Peninsula. After having trouble at school, he left to work in the construction and steel industries. **Aged nineteen, in 1972**, Tamihere killed 23 year old stripper, **Mary Barcham**, by hitting her with an air rifle butt, although according to Tamihere; accidentally, "*I thought she had set me up with her minder. I went and grabbed the rifle and swung around to get to the door but the gun clipped her in the head and I shot through. That was accidental, rather than deliberate.*" **He spent two years** in prison for manslaughter. Upon being released from prison, Tamihere continued to work in the steel industry. In 1981 Tamihere met his de facto wife **Kristine**. They had two sons together.

**In 1985**, Tamihere invaded a 62 year old woman's home in **Avondale, Auckland.** Here, he tied her up and raped her. Tamihere spoke about the Avondale rape later to journalist **Carolyne Meng-Yee**, "*[It] was the worst crime I have ever committed. I spent three years not being sober. It was a bad*

*crime and she didn't deserve it. It is something I am not proud of."*

**In 1986**, David broke into a 47 year old Auckland woman's house once more. In a six hour ordeal, Tamihere raped the woman, tied her up, and threatened to kill her.

**David confessed to the 1986** home invasion and rape. While awaiting sentencing on bail, deciding '*doing the lag*' was something he couldn't bare, he skipped town. Tamihere fled into the Coromandel bush. He rebranded as '*Pat Kelly*.' There, he lived for three years until good police work brought him down. **On May 24, 1989**, the same day the Swedes were reported missing, '*Pat*' was spotted wandering the streets of Auckland by an observant police officer. He was recognised by the officer as David Tamihere, a bail jumper and he was promptly arrested.

**Two detectives** visited **Kristine Tamihere** at her Avondale property. Kristine asked what this was all about. The detectives replied, "*routine inquiries.*" As **Detective Brown** said this, something caught his eye, "*a green jacket sitting on a chair... I immediately recognised this jacket as being the same as belonging to the Swedish couple.*" **When Brown** asked about the jacket, Kristine replied that David had recently brought it home and had given it to one of their sons. In further questioning about David Tamihere, Kristine described him as affectionate, when he wasn't drinking. As **Detective Brown** wrote in his report, "*I questioned Kristine in relation to why she had stayed with David for this many years and she indicated that he was a very kind person when he was sober... She outlined that he was a totally different person when he had been drinking, and she had learned to stay well clear of him*

*when he was drinking. She indicated that she had no problems with him sexually and he had never forced himself on her.”*

**Armed with their first suspect** and an abundance of unanswered questions, Hughes and three of his fellow officers, paid Tamihere a visit at his **Mt Eden** prison cell. Police politely offered David a smoke. David declined and rolled his own. Now with the pleasantries over, police got to work.

**POLICE:** So, before we picked you up in May in Auckland, where had you been staying?

**TAMIHERE:** Around Waihi, Coromandel. I walked all through the bush and around there.

**POLICE:** What, on your own?

**TAMIHERE:** Yeah. [I was] at the backpacker's lodge for a couple of days.

**POLICE:** When was the last time [you were at Crosbie's Clearing]?

**TAMIHERE:** In April sometime.

**POLICE:** Did you have anyone with you?

**TAMIHERE:** No. [I had a] blue, two man tent... an Igloo [with a silver fly].

**POLICE:** Bought them or pinched them?

**TAMIHERE:** Pinched them, when I did the runner.

**POLICE:** Do you ever remember leaving a note?

**TAMIHERE:** Yeah, to say I was coming back.

**POLICE:** Did you put your name on it?

**TAMIHERE:** Yeah, Pat Kelly.

**POLICE:** Did you break into a white Subaru in Thames?

**TAMIHERE:** No.

**POLICE:** Did you give your son a wet weather jacket?

**TAMIHERE:** Yeah. It was in a cardboard box.

**POLICE:** Just the jacket?

**TAMIHERE:** Yeah, there was some food as well. I think there was little binoculars... little ones in a zip bag... green.

**POLICE:** Where are they?

**TAMIHERE:** Home.

**POLICE:** Is that all you found?

**TAMIHERE:** Yeah.

**POLICE:** Quite sure?

**TAMIHERE:** Oh, yeah. There were two packs as well.

**POLICE:** Where?

**TAMIHERE:** By the cardboard box, in the box.

**POLICE:** What did you do with them?

**TAMIHERE:** Sold them... [pawn shop].

**After a short break for lunch.** The interrogation resumed. David returned with a confession.

**TAMIHERE:** The car, I stole the car.

**POLICE:** Which car?

**TAMIHERE:** The Subaru.

**POLICE:** Where from?

**TAMIHERE:** Tararu Creek Road.

**David Tamihere continued.** He recounted his actions leading up to taking possession of the vehicle. Tamihere claimed to be tramping on April 10, 1989. He intended to hike up to Crosbie's Clearing, but when he reached the beginning of the track, he found a white Subaru wagon packed with camping gear and a camera. David felt the exhaust pipe, it was warm, not hot. They must've left a while ago, he thought. He used some nearby No. 8 wire and popped the door toggle open with ease. When he ransacked the wagon he found a set of keys in the glovebox. With his new wheels, David drove to the **Sunkist backpackers' lodge**. There, he checked in as '*Pat Kelly*,' his longtime pseudonym. At Sunkist lodge he overheard three fellow guests, a Swedish man and the two women, Swiss and Candian, complaining about the unavailability of a car tour of the **Coromandel**.

Tamihere offered a road trip of the peninsula if they paid for gas and his **\$12** room for the night. The next day, the foursome

took a tiki tour of the sights around the Coromandel. After overhearing that the Swiss woman was in need of a lift to Auckland, David offered her a ride, as he was heading that way anyway. Tamihere dropped her off at a backpackers near the **Auckland hospital**. Then he drove to the **Auckland Railway Station**. Leaving the car unlocked, he returned the keys to the glovebox. He abandoned the car, leaving with the Swedes two backpacks, as well as their binoculars, clothing, and Hoglin's telescopic fishing rod. Tamihere walked to **Karangahape Road**, colloquially known as '**K**' road. There, he pawned the gear and made 100 bucks for his efforts. This was David Tamihere's story. **The police were not buying it.**

**POLICE:** Well Dave, you must have big balls. A guy that has been on the run for 2 to 3 years steals a car, then drives it around the area for another day or so. How do you know you wouldn't have got caught? The owners might have come straight out after you took it and reported it stolen.

**TAMIHERE:** I had the ownership papers. I've done it before. I was in a stolen car once which had ownership papers. When I got stopped by [the cops] I showed them and just said I had rung and told the Police I had found it. He believed me and I got away with it.

**POLICE:** Well Dave, I'm telling you the reason you knew the car wasn't going to be reported stolen is that you came across these people and you have done them in.

**TAMIHERE:** No way! I have got nothing to do with that. If you want to charge me, charge me.

**POLICE:** Yeah, but Dave, you knew the car wasn't going to be reported stolen, didn't you?

**TAMIHERE:** Look, I stole the car, I have never seen them or done anything to them. I don't know anything more about it... I stole the car and that's all.

**David Tamihere** was charged with unlawfully taking the Swedish couple's vehicle and theft of the contents. On the **12th of July**, Tamihere made a brief appearance in court and NZ got their first look at the suspect. He was to reappear in court a couple of weeks later.

**John Hughes** and the police then went on the hunt for fresh evidence. They returned to search and rescue coordinator John Cassidy, the man who had mentioned seeing a '*part Maori*' man with a blonde '*European*' woman up Crosbie's Clearing on the 8th of April. He was asked by Hughes to come to Tamihere's court appearance and see if anyone looked familiar. Since seeing David Tamihere, Cassidy wanted to update his statement, "*Over the weekend of the 22nd and 23rd of July 1989, I was asked by Inspector John Hughes to go to the Thames District Court at about 10am on Wednesday 26 July. Detective Inspector Hughes had asked me to view the people there and see if I could identify the person I had seen at Crosbie's Clearing. I was aware that David Tamihere was appearing at the Court in relation to the Swedish inquiry... Having seen Tamihere, I am now positive that he is the male person I met at Crosbie's Clearing on the afternoon of the 8th of April last.*" **Mel Knauf**, who was accompanying Cassidy that day also changed his statement, "*At the Thames Court I observed a person who I know now as David Tamihere. I saw this person on three occasions and was able to draw a*

*conclusion that David Tamihere was the same person who both myself and John Cassidy had spoken with at Crosbie's Settlement area on April 8... After seeing the person I am 90% sure he was the man at Crosbie's. "*

**Neither man** would confirm whether the woman they saw was Heidi. Knauf also stated, "*I do not recall him having a moustache.*" Interesting of note, in John Cassidy's first statement to the police about the sighting, he described the man he saw in his "*early 30s, part Maori, about 5'11, strong build, outdoor type, black hair, clean shaven, although he may have had a moustache.*" **These all could** be used to describe Tamihere, however the description of '*clean shaven, although he may have had a moustache*' is curious; curious because Tamihere was reported to have a moustache at the time. A huge bushy '*horseshoe*' style moustache. We know this because all three of the tourists David gave a tour of the Coromandel, described one, two days later. Swedish tourist, Hakan Bokull described Tamihere's facial hair as "*[a] big, bushy moustache, curving down over the corners of his mouth.*" The Canadian tourist described it as "*a big moustache towards the corners of his mouth.*" The Swiss tourist stated the same. Some might say his '*gringo*' style moustache was his predominant feature.

**With all that being said**, critics of eyewitness testimony point out that evidence shows that faulty eyewitness testimony is notoriously flimsy evidence. **Noba**, a prominent non-profit organization within the world of psychology, explains some of the pitfalls of unreliable memories and how they can change overtime, "*Eyewitness testimony is very powerful and convincing to jurors, even though it is not particularly reliable. Identification errors occur and these errors can lead to people being falsely accused and even convicted. Likewise, eyewitness*

*memory can be corrupted by leading questions, misinterpretations of events, conversations with co-witnesses, and their own expectations for what should have happened. People can even come to remember whole events that never occurred.”*

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## NEW EVIDENCE

**David Tamihere was charged with double murder.** In the interim, more searches of the Crosbie's Clearing area were conducted in the hopes of finding any evidence of the Swedes. Nothing was found. **Until**, on July 29th 1989, **Graeme Pearce**, a search and rescue volunteer went up to Crosbie's Clearing to search on his own. About three metres off the main track, Pearce found a blue jacket. A blue jacket that was later confirmed to be Heidi's. Pearce in his statement said, “*...it was folded into a square, about 12 inches, it wasn't crumpled or anything, it was as you would find something folded in someone's pack or similar.*” **When the area** was searched further, a wallet was found, assumed to be Heidi's. No blood was found on either, only mud and mould.

**In December 1989, Randall Cornish** was exploring a barn up near the Tararu Creek Road track. There, he found a nylon tent. “*In the rear room, in front of a pile of old sofas and chairs, I found a nylon tent... and took it outside and unrolled it and saw Tysklind (Tisk-lind) Sweden written on it.*” **Interesting of note**, police had searched this barn earlier in June of 1989 but

nothing was found. If the tent was placed here after that date, David Tamihere was already in prison by that time. When the tent was examined closer, a small bloodstain was found on the roof. The amount of blood was consistent with a thumb cut. More distressing was the zig zag rip in the main tent opening flap, caused by a knife. This raised a terrifying possibility that the Swedes were attacked by someone brandishing a knife, while they slept. Although no blood was found on the floor of the tent, implying that if this was the case, they were not cut or stabbed inside the tent.

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## SECRET WITNESSES

**The trial commenced in October of 1990.** The crown presented their evidence. **One:** Tamihere's link to the Swedes belongings, including their car and his '*blatant*' use of the vehicle. **Two:** John Cassidy and Mel Knauf's sighting of David Tamihere with a woman, a '*blonde*', '*European*' woman, the crown was claiming to be Heidi Paakkonen. **Three:** the crown's smoking gun, three secret witnesses. **Secret witness A, B and C.** These secret witnesses were Tamihere's fellow prisoners that claim he confessed to them in prison to the murders of Urban and Heidi. **Secret Witness A** took the stand and he claimed David confessed to the double murder, when they were in adjacent cells in Mt Eden, less than 24 hours after being charged with theft of the Swedes wagon. ***As an additional warning for those sensitive, these secret witness testimonies***

**are quite graphic.** “Dave said... he met them on the Saturday up in the bush. He said they met on the track. After exchanging hellos he said they were very friendly, that’s when they agreed to let Dave and his mates act as their guides. That’s when they told Dave about their car being parked down the road. I said to him ‘when did they... attack them and rape them.’ He said that was Saturday afternoon, up in the bush. I asked him how he rooted the girl with her boyfriend there. He said well, the boyfriend was tied up, his mates had him and he smashed the girl in the stomach, she fell on her arse. She was really scared. He dragged her trousers off... I said how about the boyfriend? He said he belted the boyfriend on the side of the neck first before he hit the girl, and when the boyfriend fell down that’s when his mates took over... I asked Dave if she was a good root, he said, oh yes, she was. I said to him if she is such a good root, why did you root the bloke? Dave says, ‘I’m a slut, I’ll fuck anything,’ and he explained to me that when he got off the girl one of his mates took over, started rooting the girl and one of his mates was rooting the boyfriend, so Dave decided he wants to try the boyfriend too.”

**When Secret Witness A** was asked if ‘Dave’ had explained why he then killed them. He replied that he feared the Swedes would identify him from the mug-shots, but additionally, “he wouldn’t be able to stand the shame of being charged with fucking a bloke.”

**Secret Witness B** claimed that while smoking a marijuana cigarette outside the prison chapel with Tamihere, he boasted that the police would never find the bodies because “I cut the fuckers up.”

**Secret Witness C was the most descriptive,** “He told me

*about the attacks that he made on both the girl, Heidi, and the man. As far as the man is concerned, he said that he had tied him up while he had attacked the girl, but he also told me that he had 'Donald Ducked' the man. That is a prison slang for a sexual assault. I didn't really believe him when he told me that, but I do know that he is an animal. He told me that he killed the man by smashing his head in with a piece of wood. When he was talking about the attack on the girl, Heidi, he said that he had raped her several times... he said that she was terrified... The first time he raped her was in the bush and that the man had been tied up when this happened. He told me that he had pinched a tent from a farmer's shed and had kept it for several days. He said that the other attacks on Heidi had taken place in the tent and that he had killed her by strangling her in that tent. He told me that he had then put the tent back in the shed. He didn't tell me exactly where the attacks took place, but that it was in the search area. He said that they had almost been sprung by a couple who had come across them. He didn't say what they were doing when this couple came across them, except that the girl was sitting down. He didn't say what the couple were, I just thought he was talking about a man and a woman. At the time this couple came across them he said Heidi was too terrified to say anything because the man was tied up to a tree nearby. When he talked to me about disposing of the bodies he told me that he had got rid of the two bodies at different times. The man first, and Heidi a day or two later. He told me that he had kept Heidi for a day or two after he killed the man. He told me that he had stolen an aluminium boat with a motor from a motor camp opposite the pub at Tapu. He said he had kept the boat for several days and used it to dispose of both of the bodies. "*

**Secret Witness C's** testimony ticked a lot of boxes in support of the crown's case against Tamihere. Most notably, it seemed to support Cassidy and Knauf's testimony of seeing David Tamihere in Crosbie's Clearing on the 8th of April. This testimony was convincing and emotional for the jury.

**The trial took three months.** Before the jury could retire to consider a verdict, **Justice Tompkins** relayed to the jury, *“There is no direct evidence to prove that the accused killed the Swedish couple. The crown is asking you to infer that he did, from facts that the Crown claims have been properly proved, and thus the Crown is relying on what is called ‘circumstantial evidence’... It is like a rope made up of a number of strands. One strand may not be sufficient to sustain a weight. But sufficient strands working together may do so. So it is with the weight of evidence. There may be a combination of circumstances, not one of which would raise a reasonable conviction, but the whole taken together may create a strong conclusion of guilt.”*

**Two days later the jury reappeared.** They found David Tamihere guilty of the double murder of Heidi Paakkonen and Urban Hoglin. Tamihere was sentenced to life imprisonment with a non-parole period of ten years. David Tamihere still professed his innocence.

**Ten months past.** On October the 10th, 1991. Human skeletal remains were found near **Whangamata** by two local pig hunters. Pathologists assembled the next day. When the area below the pelvis was examined, they uncovered a wedding band. When cleaned, the detectives saw that it was engraved. The engraving read, *‘Heidi 2.9.86.’ (Heidi. 2nd of September 1986).*



## **PART III:**

### **EPILOGUE**

**The Next Twenty Years**

## INTRODUCTION

**Parakiwai Valley** is situated about 70km away from **Thames**. It is a tranquil and quiet place, famed mostly for the **Wharekirauponga Track**. A 5km trek through NZ bush, punctuated by natural swimming holes. Reach the end of the trek and you are rewarded with a series of waterfalls. A destination, under normal circumstances, **Urban** would have loved to have visited. It was here, **Sven Urban Hoglin** met his end and his body lay for two and a half years; *undiscovered*.

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## URBAN'S BODY FOUND

**On October the 10th, 1991.** A human skeleton was found in the **Parakiwai Valley**, near **Whangamata**, by two native pig hunters. **The next day**, Pathologists assembled at the site. When the area below the remains were examined, a wedding band was discovered. Upon closer inspection, an engraving was uncovered on the band reading, ‘*Heidi 2.9.86.*’ **Detective Inspector Denby** wrote in his report, “*The finding of this band immediately raised speculation that the remains were of Urban Hoglin.*”

**In the analysis of the crime scene.** It was determined early

that this was the remains of **Urban Hoglin** based on the clothing and items left behind. Investigators determined that **Urban** was either dead or unconscious when placed where he was found. As the police report noted, “*The body was dragged to where it was found and was dragged by the feet, backwards... the legs were straight and fully outstretched... Both the arms were outstretched in a forward direction, above the head, consistent with being pulled backwards, whilst arms were released, and the face was down.*” **Hinting at foul play in his perishing.**

**More evidence would back that up as well.** Analysis of the clothing found many stab wounds when the clothing was taken to **Harry Harding** of the **Adelaide State Forensic Laboratory.** **Harding** was an expert in the analysis of damage to fibres. **Harding**’s findings confirmed what we all feared, “*It was determined that the damage to the left shoulder and neck was likely the result of three stabs with a knife to that area... the simplest scenario which comes to mind would be a standing frontal attack by a right handed person... the weapon may have been a single-edged blade (knife). The presence of multiple stabs suggests that this was a deliberate attack.*”

**When Urban’s remains** were reconstructed by a trio of pathologists, damage to the bones indicated something more frightening. The pathologists found cuts in the bones around the neck, indicating **Urban** had his throat cut, “*I believe that these marks, which represent two separate cuts, were produced by a knife with a very sharp edge in a probable cutting motion. I believe that either one or both of these cuts would have divided the major arteries in the neck on the left side and have caused death.*”

**The perpetrator or perpetrators**, unfortunately, were not finished with Urban, “*A deep cut... has been inflicted to the right side of the neck and passing backwards to the midline ... has shaved off a piece of bone... with the line continuing on to the marks on the left side described previously. I think this kind of cut would have almost certainly divided the spinal cord and could be interpreted as being an attempt at decapitation.*” **For reasons currently unknown**, it would seem that the assailant or assailants gave up on the idea of cutting Urban’s head off, then dragged his body to it’s final resting spot; ***where it lay for 18 months, decaying into the NZ landscape.***

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## SECRET WITNESS C

**Urban’s body being found 70km away** from where the crown said the rapes and double murder had taken place, raised some eyebrows from the public. The discovery of Urban’s watch on his skeleton’s left wrist was also problematic for **Detective Inspector John Hughes** and the Crown. **During the trial**, the Crown alleged that Tamihere had given Urban’s watch to his son. ***The public began questioning the strength of the crown’s case.***

**This new evidence** was also at odds with evidence given by **Secret Witness B** and **Secret Witness C**. Secret Witness B testified that **David Tamihere** had confessed to him that the police would never find the bodies because he “*cut the fuckers up.*” Secret Witness C’s testimony was also inconsistent with

evidence found. For instance, Secret Witness C described David killing Urban with a piece of wood, “*He told me that he killed the man by smashing his head in with a piece of wood,*” and that he disposed of the bodies at sea, “*He said he had kept the boat for several days and used it to dispose of both of the bodies.*”

**Nearly five years after the trial on 25th August 1995.** Secret Witness C swore an affidavit. This affidavit was in regards to the evidence he gave at David Tamihere’s trial. **This affidavit has been edited for clarity,** “*I was approached by... a journalist employed by **Television New Zealand** who formerly was teaching **Maori** at **Paremoremo Maximum Security Prison**, whilst I was a prisoner at said prison. [The journalist] told me that he knew of two other prisoners, who were secret witnesses for the Police in the case against **DAVID WAYNE TAMIHERE**. [The journalist] told me that there were big offerings in it for [them] adding that if I were interested in becoming a secret witness I should let him know. I informed [the journalist] that I was interested. Shortly after this [the journalist] introduced me to a **Detective Sanderson**, who I think was stationed in **Hamilton** at the time. Sanderson visited me at Paremoremo Maximum Security Prison. The meeting took place in [the journalist’s] office outside normal visiting hours. Sanderson told me that a sum of money up to \$100,000 was available, should I decide to give a statement helpful to the Police in their prosecution against **DAVID WAYNE TAMIHERE**. Sanderson told me things that would be beneficial to the Police. Sanderson told me about the blood stains on the tent which **DAVID WAYNE TAMIHERE** had supposedly concealed in a hut or shed. I was told about sexual activities involving the female Swede after the male Swede’s body was*

*supposedly disposed of. I was told that a watch belonging to the male Swede was given by DAVID WAYNE TAMIHERE to his son. I was told about trampers coming upon DAVID WAYNE TAMIHERE and the two Swede's, and that at such time the female Swede was visibly distressed. I may have been told also about a body being dumped at sea. Sanderson wanted me to say that all of this had been told to me by DAVID WAYNE TAMIHERE. Sanderson said he would return with a typed statement for me to sign. He also said that the officer in charge was the former Detective John Hughes on whose behalf, he acted. Sometime later Sanderson returned with a typed statement for me to sign. Again this visit was outside normal visiting hours. I saw him in the boardroom where parole board hearings took place. I refused to sign the statement and to this day do not know who did sign it. I was in my last 18 months of an 11 year sentence. I had no money to come out with. It was the money I wanted. Though I didn't sign the statement I went along with the Police plan to be a secret witness. Again Sanderson emphasised the benefits for me should I assist the Police. He spoke of the money and the support Detective John Hughes was prepared to give me at my parole board hearing, once I became eligible for such a hearing. After DAVID WAYNE TAMIHERE was convicted as the supposed murderer of the Swedes, John Hughes flew to Christchurch where I had been transferred, to support me at my parole hearing. I was released from Prison **December 14 1992**. The fact of the matter is DAVID WAYNE TAMIHERE never made any confession to me of any kind. DAVID WAYNE TAMIHERE actually always maintained his innocence... After doing 11 years in prison I lost track of things when I was released, but I always intended on doing something about the mistake... Eventually I got in contact with the Tamihere family. By making this affidavit I realise that*

*I may be compromising my own best interests. Violent reaction from other prisoners is likely. Police and prison officers and other official persons may be equally unforgiving. They may exert pressure on me through their contact within the justice system. No matter what the consequences of this affidavit may be for me personally, it is the interests of DAVID WAYNE TAMIHERE that concern me most. I no longer want to be associated with the fabrication of evidence used by the Police in their case against DAVID WAYNE TAMIHERE.”*

**Witness C** then repeated his statement to broadcaster **Sir Paul Holmes** in an interview. When Holmes asked, “*You’ve got no doubts about his innocence?*” Witness C replied, “*No, I have no doubts at all.*”

**Detective Sanderson** denied offering cash for testimony in a retort statement, “*At no stage did I give (Witness C) the information in relation to the Police investigation which is contained in his allegations in the affidavit, nor did I offer him any cash inducements or other privileges to give evidence for the Police. I am aware that there is a claim that I told (Witness C) support would be given for him at a Parole Board hearing. While I cannot specifically recall making such a statement, I am aware that it is not uncommon for support to be given at Parole Board hearings where prisoners have been helpful to the Police.*”

**DI John Hughes** was similarly dismissive of the claims made by Witness C, “*It’s absolute rubbish... Up until now, and despite (Witness C’s) background, I believed that he was sincere for his motive for coming forward. He didn’t ask for anything special at the time. He placed himself in jeopardy. I know that he was held in the cells for 20-22 hours a day, but*

*when he came to give evidence he just came across very sincere. He was respectful to the Crown, Defence Counsel, and everyone, and explained why he was there. He was sick of listening to TAMIHERE quoting about what he had done.”*

**On the 8th of August 1996.** In an additional twist, Witness C then retracted the affidavit and confession of lying under oath; claiming he had received two letters with threats to his life. Witness C asserted that because of his ‘snitch’ status in prison, his life was in danger and gangs were threatening his family. The ransom, the threatening letters had asked of him, was to repent and lie. The letters outlined for Witness C to state publicly, “*... the Police had offered me inducements and \$100,000 and that I lied at his trial, and that the Police had told me what to say in my statement....*” **According to Witness C**, he had no other choice, “*They would kill me and if they didn’t get me, they would butcher my elderly parents. I’m fully aware of how some of these gangs operate and I took the threats seriously.*”

**To complicate things further**, Witness C wrote Tamihere a letter in June 2007 stating once more that the *“trial evidence was all false and fabricated by the police anyway.”* He claimed once again this letter was the result of threats by fellow prisoners, in fact the same prisoners as in the mid-1990s, *“They were the same ones. They came into my cell wanting me to write this letter.”* Sheding some light on this situation, Witness C’s lawyer, **Adam Simperingham** said that, *“in prison circles, narks are considered lower than paedophiles.”*

## THE 'APPEALS' OF DAVID TAMIHERE

**Viewing all this drama** from afar was David Tamihere. Still maintaining his innocence. In 1991, when Urban's body was found which contradicted some of the Crown's evidence, Tamihere and his legal team unsuccessfully petitioned to the Court of Appeal to reopen the Swedish Tourist case. In May, the court ruled that the Crown's evidence provided "*convincing circumstantial proof*" that David had murdered the couple. Adding, "*nothing substantive in defence claims that the skeleton revealed new evidence.*"

**While in prison**, according to a report released by the parole board, David Tamihere made huge breakthroughs in regards to his 'risk' to society, "*As a result of the counselling he received... and with special help from the Department of Corrections, and encouragement from his family, he undertook and completed the Adult Sex Offenders Treatment Programme... He has moved from being a very closed person to being quite open about all aspects of his past life and is showing increased ability to manage his risk in a satisfactory way.*" **He had also made breakthroughs** in regards to his consumption of alcohol, "*He now understands that he has to regard himself as an alcoholic and will never drink again.*"

**The police had requested a condition** of David's release be that he disclosed the whereabouts of the body of Heidi Paakkonen. In total Tamihere appeared in front of the Parole Board fourteen times; over twenty years. He refused to admit guilt and maintained his innocence on every occasion. **The report explains**, "*Previous Boards have had what has been*

*described as 'vigorous and robust discussions' with him about both his denial and where the body of one of the tourists, who has yet to be discovered, could be found. Mr Tamihere has been adamant in his denial and we are satisfied that there is no purpose to be served in further pursuing that issue. We feel strongly for the victim's family that they cannot at present complete the usual funeral and burial procedures which may bring at least a measure of peace to them, but we record that our attempts have not been successful and we do not think that we can take that matter any further."*

**David Tamihere** was released on parole on **15th November 2010**, almost twenty years after being convicted of the double murders. **Tamihere, now 59 years old**, was given strict parole conditions, including that he stay out of the area in which he murdered Heidi and Urban in 1989; **out of fear that David would move Heidi's body**.

**Since David's release**, he has continued to maintain his innocence. In an article written for **North & South** in **2017** about Tamihere, the article described David's current existence as, "*he spends a few hours every weekday morning on cleaning and handyman duties at the Hoani Waititi marae in West Auckland and afternoons are spent quietly at home with wife Kris. He's doing a course in Te Reo, in which he reached Year 12-level in prison, but he now wants to take his studies further.*" **Although** the article quoted Tamihere as saying his main priority was, "*to get this bloody thing sorted,*" **in reference to the conviction.**

**In 2018**, twenty eight years after giving testimony at David Tamihere's trial, Witness C was unmasked as **Roberto Conchie Harris** when he was convicted of perjury for lying in said case.

**This was**, in the mind of Tamihere, a huge boost for his campaign. With this breakthrough, Tamihere's lawyer, **Murray Gibson**, filed dual applications for both a pardon and a request to the Governor General to have the murder case re-examined by the Court of Appeal. Gibson indicated he would approach **Prime Minister Jacinda Arden** for a pardon "*in the same way that Arthur Allan Thomas approached [former Prime Minister] Robert Muldoon*" in **1979**. *As of 2019, nothing of significance has come of this.*

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## SPECULATION

**If we consider the possibility that David Tamihere is innocent. Where do alternate paths lead us, after examining the evidence?**

**Ian Wishart** is the writer of '**Missing Pieces**' released in **2012**. This book is a detailed investigation into the Swedish tourists murders. Wishart outlines some possible other scenarios based on the evidence he uncovered.

**One:** Rotorua man **Huia George Foley** had escaped from a mental health institution and was living in **Waihi, Coromandel in 1989**. When he attempted to attack a priest, after being denied his request to take money from the donation tray, he fled into the Coromandel bush and ended up near **Whangamata**, close to where Urban's body was found. Foley was described as looking quite similar to David Tamihere. **Bill Davis**, who had

known Foley since he was at school with his own kids, said that weeks later Foley reappeared from the bush. He wandered up to his house in **Whitianga** carrying a green army surplus sleeping bag, “*He was quite a bit agitated, quite agitated. He had mood swings. He looked like David Tamihere. If you stood them 15 metres away you’d think they were related. If you got a photo of Huia and put them side by side, they’d look familiar.*” **He continued**, saying that Foley then threatened their son with a baseball bat and stole his car, “*He then proceeded to go up to Auckland. Apparently he had an accident. There was a truck parked up on the side of the road and they’d spoken to the truck driver who said, “This guy was coming straight for me. He knew exactly what he was doing, he was coming right towards me, waving his arm out the window as if he was trying to commit suicide. He had issues. He lost his arm in that accident.”*

**Ian Wishart** summarises this possibility in his book, ‘*Missing Pieces*’ as follows. “*...A 28 year old man, of similar muscular build and appearance to 36 year old David Tamihere, decamped from a mental institution and tried to attack a Catholic priest inside his Waihi church. He then fled into the Coromandel bush heading for Whangamata at the same time as the missing Swedes were in the general area. Hoglin’s body was found in the Parakiwai Valley, due north of Waihi on the route to Whangamata. Although off the main road, it was accessible from an access road back over to Thames and Coromandel, then across to Whitianga over a long period of time, during which he has suddenly come into possession of a European sleeping bag, which he dumps at Whitianga, then steals a car after threatening the owner with a softball bat. Foley then manages to take his right arm off by driving directly up against*

*a parked truck on the other side of the road at speed while waving his arm out the window.”*

**On top of this**, apparently Huia confessed to the Swedish murders to his mother. His mother confessed this to the Davis family. The Davis’ tried to contact ‘*Operation Stockholm*’ but allegedly the police were not interested in the tip as they already had a suspect, David Tamihere.

**Two:** There was evidence of further criminal activity in the area. The Coromandel bush was a known haunt for cannabis growers. *Could the Swedes have stumbled upon something they were not supposed to?*

**Three:** Heidi was kidnapped. There actually is some evidence to back this up. Ian Wishart uncovered a couple, John and Mary Heaven who operated a campground on Kawau Island, in the Hauraki Gulf. **The Heaven’s claimed** to have met Urban and Heidi one night at some stage over the **88/89** summer. It was apparently raining quite heavily. The Heaven’s offered the Swedes their living room to sleep in to avoid being drenched. They ate dinner together that night. Heidi and Urban left the next day. There is some evidence in the letters that suggest that this may have been around **New Years**.

**Months later**, after the Swedes were already missing in **May 1989**, the Heaven’s saw Heidi without Urban with a ‘*thin Pakeha man*. ’ A letter obtained by Ian Wishart about the incident explains, “*They saw Heidi Paakkonen near their home just as the police were starting to search for them in the coromandel (they live nearly two hundred kilometres from the Coromandel). Heidi was struggling to hoist a very heavy pack on to her back. The straps were down near her elbows and she*

was clearly distressed. My friend's wife stepped forward to help lift the pack, where-upon the man snarled, 'Don't touch her!' He then walked on and impatiently beckoned her to follow. She seemed terrified and kept scanning the surrounding bush as if anticipating something. My friends were convinced it was Heidi and so phoned Detective Hughes who was heading the investigation... Detective Hughes thanked them for the information but assured them that it couldn't have been Heidi as they were sure she was in the Coromandel. The police did not contact my friends any further regarding their sighting." **The Heaven's added further** that they were suspicious of a certain "*local underworld character.*" **Although**, we must remember the potential pitfalls with eyewitness testimony when considering this evidence.

**One thing we do know** is that the trial of David Tamihere does not tell the whole story. As Ian Wishart explains in his introduction to 'Missing Pieces.' "*It is often said that the public have no right to criticise a jury's verdict, because the public don't get to hear all the evidence, only the jury do. You'll hear that criticism often, but it is actually untrue. The evidence placed before a court, and therefore before the jury, is only the information that the prosecution or defence choose to let the jury hear and it is usually a fraction of the total information. Ninety percent of the legal work in a court case has usually been to block the introduction of certain evidence. The jury certainly hear more than the public, but they hear less than they think.*"

## HEIDI PAAKKONEN

**Even now, 30 years later,** the tragedy hangs over the Coromandel like a black cloud; a puzzle that could be solved, if only we found all the pieces.

**In 2017**, three bags of women's clothing were found in the **Whangamata Peninsula** by bushman **Alan Ford**. The bags contained decaying women's leggings, *"I felt really eerie. I was quite uneasy actually. You don't come across female leggings in a plastic bag in the forest very often do you."* **Ford** handed in the clothing to the police, thinking it could be Heidi's. The police dismissed this idea and two months later they destroyed the evidence.

**Graeme Pearce**, the man who had found Heidi's jacket back in **1989** explains how his life was changed that day in the Coromandel. For nearly a decade after, Pearce would return to Crosbie's and the track that led to the clearing and keep looking, *"It's like it's unfinished business... Something that haunts us."* **He and his wife** take in backpackers these days rather than see them camping out, fearing that something similar might happen.

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## CONCLUSION

**As a reminder of the tragedy, In 2010**, a backpackers hut was

built in Crosbie's settlement area. Near the site, a memorial was placed to honor the memories of Heidi Paakkonen and Urban Hoglin. If Heidi was alive today, in 2019 she would be **52** years old, Urban would be **54**. If life had followed a path less tragic, they could be back in **Sweden**, reminiscing with children and grandchildren about that trip they took to NZ all those years ago. **Instead**, in **1988**, two young adults, just beginning their lives together, chose **Aotearoa** as their dream destination. A safe, welcoming place which Heidi described in a letter home as '*...the perfect country, almost anyway.*' By **1989**, this young couple was swallowed by the '*ominous*' NZ bush and it only ever gave one back, Urban. ***We live in hope that one day the elusive final missing piece of the puzzle will be uncovered, creating a complete picture, giving closure to the families and greater NZ.***

**Until then**, It feels appropriate to end on lyrics from one of Heidi's favourite songs while she travelled through **the Land of the Long White Cloud; a song by the Moody Blues:**

***"I know I'll find you somehow,  
And somehow I'll return again to you,  
I know you're out there somewhere."***

***This story is dedicated to the memories of Heidi Paakkonen and Urban Hoglin.***

***Wherever you are, we hope you are at peace.***

## AFTERWORD

**If you are interested in reading more about this story.** The book mentioned in the story, ‘*Missing Pieces*’ by Ian Wishart, is an essential read. This book was fundamental in the writing of this story. If you are interested in the case any further, especially if you are interested in the contradictory evidence in the David Tamihere trial. Please, check out Ian Wishart’s book ‘*Missing Pieces*.’

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## Case 3:

### Schlaepfer Family Murders, 1992, Paerata



## PAERATA, AUCKLAND.

**May 19th, 1992, 7.40am. Police Constable Jeff Stuck** answered a 111 emergency call from an hysterical woman. Stuck was unable to extract much information from the woman. She was screaming into the receiver, when suddenly the conversation ended. The phone fell to the ground. Constable Stuck, still listening, heard in the background, raised voices of a woman and a man; yelling - *accompanied by a pair of loud gunshots.*

**Five minutes of silence followed.** Then, a nine year old girl picked up the receiver. She relayed, “*He’s looking for me.*”

**Officer Stuck asked,** “*Listen, is Mum there? Can she come to the phone?*” **The young girl replied,** “*No.*”

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## INTRODUCTION

The **Schlaepfer** family settled in **Paerata**, a small settlement immediately to the north of **Pukekohe**, in **1886**. The family built a farm on **Ostrich Farm Road**, planting roots in the small farming community. The Schlaepfer name became respected locally. ***There is even a road named after them in the district.*** As the family grew, new farm houses were erected on the one

hundred acres of land. **By 1992**, the patriarch of the family was sixty four year old, **Brian Schlaepfer**. Eleven other people lived with him on the Ostrich Farm Road property, in three different houses. In one house Brian Schlaepfer lived with his wife **Jocelyn (55)** and their adult son **Karl (33)**. Another house was occupied by **Peter Schlaepfer (39)**, Brian's eldest son. He lived there with his wife **Hazel** and their three children; two daughters, **Kerry (14)**, **Linda (9)**, and **Aaron (11)**, their only son. In the final farmhouse, **Darrell Schlaepfer (31)**, Brian's youngest son, lived with his **de facto wife** and their **two children**.

**Brian Schlaepfer was**, in the mind of the locals of Paerata, an upstanding member of the community. He was described as quiet, but hardworking. He had founded the local gliding club and donated a piece of land for the scouts to camp on, known as **Schlaepfer Park Scout Camp**. He had even at one stage volunteered to be scoutmaster.

**But times were not all happy for Brian.** As he aged, he began suffering from episodes of deep **depression**. The family tried to seek help for Brian's deepening despondency. Help that Brian allegedly refused. This led others within the family to become doubtful of Brian's ability to run the farm suitably. **Reportedly** leading to a power struggle over authority of the farm. This struggle was supposedly between Brian and his eldest son **Peter, and his wife Hazel**. He was reported to see Hazel in particular, as a threat. There were rumours around town that Brian was resentful about them changing the farm from pasture, into crops. These domestic conflicts led Brian to sink lower and lower into an abyss of depression, **becoming more vulgar and estranged from his family**.

## THE SCHLAEPFER FAMILY MASSACRE

**On May 20th, 1992.** Eight of the potential twelve members of the Schlaepfer family were at home in the farmstead. **Kerry**, Peter and Hazel's fourteen year old daughter, were staying over at a friends house in Pukekohe. The other three not present were Darrell's de facto wife and their two children. Why they were not home is unclear.

**Sometime before 7.30am.** What exactly happened in the inception of this incident can only be speculated on. Although evidence does suggest that Brian and his wife Jocelyn were having a heated domestic dispute; the content of that altercation can only be surmised. The idea that it was about Brian's paranoia over his family undermining his patriarchy has been floated, yet this is only a theory. While the content was unknown, the events pertaining to it are not. **At some point** during this fiery altercation, ***Brian picked up a knife***, stabbing the knife into Jocelyn's heart. Jocelyn fell to the floor, dying soon after.

**The murder** created a loud commotion. **Karl, Brian's middle son**, hearing this, got up out of bed. He travelled toward his parents bedroom to investigate the noise. **During this time**, Brian moved toward the shotgun he kept in his room. ***Picking it up, loading it and readying the weapon to fire***. Karl made it to the doorway of his bedroom when discharged shotgun slugs penetrated his neck, ***becoming Brian's second murder victim***.

**The loud gunshots** drew the attention of **Hazel**. She asked her two children, **Linda** and **Aaron**, to stay at their farmhouse while she investigated the shots over at their **Grandparents**.

**Meanwhile**, Brian had made his way through the house and relocated outside. He was advancing to the tool shed where he knew he would find his youngest son, **Darrell**. Brian disposed of him at close range by firing shots penetrating his neck and jaw.

**Hazel**, hearing the second gunshot, began moving in the direction of the noise. This is when Brian emerged aiming his shotgun at her. He pulled the trigger. Slugs penetrated Hazel's arm and chest. While Brian worked the reload, Hazel, wounded, managed to hobble towards her farmhouse, towards her two children. **Hazel burst through the door** advancing hurriedly to the kitchen. She picked up the kitchen phone and dialed 111.

***The time that call was logged at was 7.40am.***

**7.41am.** Brian entered the house, although ignoring the kitchen. He migrated upstairs, toward the bedrooms; **where the two children were located**. Brian found 11 year old Aaron still lying in bed. Brian once more lifted his shotgun, aiming at the abdomen of the young boy. Linda heard from across the hall her brother pleading with their grandfather to not shoot. Ignoring these appeals for mercy, Brian fired a single shot. ***Aaron lay with massive gunshot wounds on his chest and abdomen, gasping for air.***

**A terrified nine year old Linda**, hearing this in the immediate vicinity, hid in her closet. Shortly after, Brian reached Linda's room. **Not immediately seeing his granddaughter**, he called for her. While pausing to listen for evidence of Linda, Brian

was distracted by the screams of his wounded daughter in law, Hazel. Brian withdrew from Linda's room heading toward the screaming. Hazel was yelling into the phone receiver in fear, having heard a gunshot from upstairs. **Police Constable Jeff Stuck**, who had answered the 111 call, was trying to make sense of what had transpired, when he *heard the receiver fall to the floor*.

**Brian confronted Hazel in the kitchen.** A short, fierce exchange took place before Brian continued his slaughter, firing at Hazel, hitting her in the abdomen. Hazel continued to plead for her life. Overhearing this was Constable Stuck, although the exchange was mostly incoherent, he did make out one sentence. He heard Hazel scream, "*I don't know where Linda is.*"

**Apparently unsatisfied with this answer,** Brian fired at Hazel once more. This time, the shotgun blast was aimed at her head. ***Hazel was no longer screaming.***

**Brian continued his search for his missing granddaughter.** He tried calling once more. Linda was still in her bedroom now hiding under her bed. She heard Brian exit through the backdoor. The calls were now coming from outside. ***The calls got quieter and further away until Linda could no longer hear them.***

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## LINDA SCHLAEPFER

**Around four minutes passed.** Linda willed the courage to

venture outside her bedroom. First she checked on Aaron, across the hall. Finding her brother clutching his abdomen, ***dying on the bedroom floor.***

**Bravely**, instead of retreating back to her bedroom, Linda then risked venturing toward where she had last heard her mother's screams. Linda discovered the deformed corpse of her mother, lying near the off- the- hook phone. **Still not turning back**, Linda passed her dead mother to the phone receiver. Stuck, confused asked:

**STUCK:** What's happening there, love?

**LINDA:** My granddad....

**STUCK:** Your granddad...

**LINDA:** He's shot my brother.

**STUCK:** Your granddad has shot your brother.

**LINDA:** Yes, and I think he's coming to shoot... he's going to shoot me.

**STUCK:** And he's going to shoot you now.

**LINDA:** He's looking for me.

**STUCK:** Listen, is Mum there? Can she come to the phone?

**Stuck described Linda's reply to his question as clinical, "No. Mummy's dead. He shot her up her nose... she's just lying there."**

**While the events with Linda were transpiring**, Brian

returned to the tool shed where he had earlier murdered his youngest son, Darrell. ***It was here, he lay in wait.*** Waiting for the return of his only remaining son, Hazel's husband, **Peter.** Peter was out working on the farm. When he returned to the tool shed, Peter became Brian's latest victim. **Firing his shotgun one more time,** Peter became the fifth person to be shot and the sixth person killed by Brian Schlaepfer that May morning, ***although he would not be the last.***

**Still on the phone,** nine year old Linda Schlaepfer talked through the events from her perspective to Constable Jeff Stuck. She said that her grandfather had "*been a bit weird lately.*" She then gave directions to the property. The Constable recommended locking the doors and hiding upstairs. Linda locked both entrances before rushing upstairs, taking refuge in an upstairs room and barricading the door with tables and chairs. Linda picked up the upstairs phone and continued speaking with Constable Stuck. **Stuck later commented,** "*I was amazed at just how brave and intelligent the girl was. She became very scared when she realised that the offender was possibly still outside and she knew that he was hunting her – she was quite distressed about that, understandably. I couldn't do much to calm her down except to suggest that she go and hide straight away. She sort of hit a wall when she realised just what had happened and was very, very upset when she realised she could possibly lose her whole family. At that stage I had been talking to her for three-quarters of an hour. She was controlled pretty much all the way through.*"

**Constable Stuck** said he became greatly alarmed when Linda told him she could hear noises at the door, "*I knew that the armed offenders squad was in the immediate vicinity as were other armed police and I assumed at that stage that they had*

*not entered the house. I thought yes, that may have been the offender come back to try and locate her. It transpired that it may have been cats – she was very concerned about three of her pet cats that hadn't had breakfast and I had to assure her that the police would be feeding the cats."*

**Constable Stuck** said, to take Linda's mind off the murderous chaos around her, they talked about her school interests. Her ballet and jazz dancing and about how her family had been to the movies the day before. **Every 15 minutes or so**, Constable Stuck would try to divert the conversation to try to obtain more details of the massacre for the police, converging on the area, *"She was able to give us good information about the house – unfortunately she didn't know where the offender had gone, which gave her great concern and me in the control room - great concern."*

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## POLICE RAID

**At approximately 8am.** Twenty members of the armed offenders arrived on Ostrich Farm Road. A farmhand, who had shown up to work, was whisked by police to safety after stumbling on the carnage. ***The early morning shootings*** sparked a mass police alert. Sixty officers, many of them armed, rushed to the Paerata farm from different parts of Auckland. **Road cordons** kept reporters and the curious locals at bay. Ambulances were waiting to enter the cordons to help the injured but had to wait until the police were satisfied their

route was clear. The police helicopter kept a watch from above, with the **Westpac rescue helicopter** providing back-up several times when it needed to be refueled.

**With the shooters whereabouts unknown** the police had to approach the large farm property with caution. Things moved slowly. Three hours passed. Linda and Constable Stuck continued speaking over these hours. As the armed offenders raid was getting closer, Linda decided on a password she would use when the armed offenders squad reached her. *The word was "rabbit."*

**At approximately 11am.** Still on the phone with the young girl, Stuck informed Linda of the impending Police raid:

**STUCK:** All right, I've just been speaking to those policemen that are going to come in. They're going to be there very, very soon and they're going to have to smash the back door, right?

**LINDA:** I've heard one of them talk... I just heard another one talk.

**STUCK:** ...They're going in now, all right? So you wait for the back door to get smashed, now you just wait where you are talking to me, you tell me when you can hear the backdoor getting smashed, all right? Or when you can hear a lot of noise, all right? You describe to me what you can hear then... I can hear... I can hear some banging.

**LINDA:** Yes, they said, "Police, police, this is the police."

**Linda heard the front door of the house burst open.** She heard the police ransacking the house. Stuck explained to her they were securing the house, “*in case Granddad’s hiding anywhere.*” **Police checked the lounge** and all the cupboards in their search for Brian. Then Linda heard rapid footsteps ascending the stairs. **They were approaching her. Knocking began:**

**LINDA:** They’re knocking on the door now, are you sure it is the police?

**STUCK:** Don’t you unlock the door.

**LINDA:** They’re in.

**STUCK:** They’re in, they’re in.

**LINDA:** Yeah.

**Constable Stuck** had a line to the armed offenders squad in the house and he confirmed that it was the police. **Inspector Edwards**, who was one of the officers present in the rescue, praised Linda for her demeanor. Asserting she was cool headed, adding that when she was taken to a safe assembly point, she seemed surprisingly composed, “*She did more than we would want anybody to do ... and performed a remarkable feat.*”

**After getting Linda to safety**, Police searched for any further signs of the gunman; now understood to be Brian Schlaepfer. **With no luck**, the squad then split in two, with one group searching the building and the other nearby areas of bush.

**Almost seven hours after the drama began**, the police located Brian Schlaepfer. He was behind the furthest farmhouse

in an open field. He was dead. He died from a self-inflicted gunshot wound to the head. The expelled shotgun was still cradled on his chest. Police believe he died a short time after murdering six members of his family.

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## AFTERMATH

**Fifteen years after the massacre**, the NZ Herald ran a follow up on the tragedy. This article gave a small update on the orphaned Linda and Kerry Schlaepfer. Kerry became a teacher but moved away from the property. Linda declined to be interviewed for the article but said, through a family friend, that she wanted to leave the events in the past. *As of 2007, Linda was living in Paerata with her partner and was the recent mother of a one-year-old child.*

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## CONCLUSION

**Blame for this tragedy** is often directed at Brian's depression or his paranoia about losing control of his farm. Although these are just theories. **To muddy the waters further**, when Police were asked about a note written by Brian found at the property, the police would not divulge it's content. When asked if it was a

suicide note, the police replied with, “*It could have taken that form.*” **It seems that the only person** who could truly give answers to the lingering questions we have, is Brian Schlaepfer. **Therefore, his motives** for this mass killing will never be totally known.

**Whatever the reason**, a reminder of the tragedy can be seen about **2km** from the site, at **Heights Park Cemetery**, where you’ll find Brian Schlaepfer’s final resting spot. The man who *died that May morning in 1992; at his own hand, taking six members of his own family with him.*

**Remarkably**, you will find Brian Schlaepfer’s gravestone situated next to the resting places of his six victims. They were buried together.

**His epitaph reads:**

*“No words we write can ever say how we feel day to day.”*

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## Case 4:

Delcelia Witika, 1991, Mangere



## MANGERE, AUCKLAND.

**On the 21st of March 1991, Martin Smith**, an ambulance officer was responding to a call about a dead child at an address in **Mangere**. When he entered the property he found an emaciated, two year old girl, in the fetal position. She was lying on a filthy, blood covered mattress. The child had extreme scarring on her body appearing to be burns. Similar burns were on her hands and feet with deep bruising covering the remainder of her body. The girl was unresponsive. When *Smith knelt down to check her pulse, he discovered she was dead.*

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## INTRODUCTION

**Delcelia Witika or Delcie**, was born to her mother **Tania Witika** and her father **Peter Lafaele** in **December 1988**, in **Northland, New Zealand**. This is where Delcie enjoyed the first months of her life. Tania was only nineteen at the time; Peter, only seventeen. It would seem that the strain of having a newborn was tough for the young couple. Slowly the relationship began to show cracks, and after nine months the relationship was over. This is when Tania and Delcie moved to **Mangere, South Auckland in 1989**.

## MOVING TO MANGERE

**It was this same year in June 1989** that Tania Witika first met twenty eight year old **Edward George Smith or Eddie** as he was known. They met in a **South Auckland** bar. They seemed to hit it off right away. Friends, as well as, Tania noted that they had great chemistry together and they entered a relationship.

**Soon** after meeting Smith, Tania and baby Delcie moved into Smith's house in Mangere. It was not long after this Smith's physical abuse of Tania started, in fact it was within the first two weeks of them meeting. Tania detailed some of these incidents in her diary. Smith's violent drunken outbursts were pretty common for Tania, as she enjoyed drinking alcohol as well. These incidents would commonly escalate into violent beatings or in Tania's words Smith would "*knock her around.*" **She also mentioned** that belts were commonly used in these beatings. Yet, in that same diary Witikia would extensively describe how much she enjoyed life with Smith. She described a life with Smith of drinking a lot of alcohol, going to a lot parties, and having a lot of sex. In an entry dated **February 4th 1991**, she wrote, "*Sex with Eddie is great. Sometimes I have to control myself, especially if we are in bed together enjoying each other's company. With him I can reach a fantastic orgasm that I could never, or even thought of reaching.*"

## ABUSE

**At some point, the abuse moved on to Delcelia. Tania Witika's diary** detailed some of her own abuse against her daughter Delcie, *"I hit Delc really bad yesterday and it gave me a real fright, and that's when I knew I had to stop hitting her. Not for my sake but for hers."* She added to this thought in another entry, *"I'm really happy with myself, cause I am learning to control my anger, and that's good, cause I'm not hitting Delc out of anger, and I don't want to anymore either, only for a good reason."*

**What the diary** was elusive about and did not reference, was Tania's new boyfriend ***Eddie Smith, being the principal abuser of her daughter.*** He would beat, burn, and torture Delcelia. When the beatings ceased, evidence suggests the couple would return to neglecting the child. Delcie's room purportedly only consisted of a mattress covered in plastic. ***No sheets, no blankets, no pillows.***

**This abuse** continued to escalate for the rest of **1990** and continued into **1991**. Peter Lafaele, Delcelia's biological father, said that when Delcie would come stay with him in the months leading up to her death, he noted a change in her, *"Whenever I used to get up and walk, her eyes were locked on to me; if I raised my voice, she would cling on to my mother."*

**Something** that isn't mentioned in Witika's diary, and something Tania, based on her actions later, may have never known about, is that Eddie Smith was also sexually abusing

Delcelia. **Keep in mind Eddie met Delcie when she was only seven months old.** This sexual abuse was described as methodical and evidently happened on an almost daily basis.

**On the night of the 21st of March 1991** Eddie Smith and Tania Witika went to a party. Delcie was left at home, alone. When the couple arrived back to their Mangere home later that night, they found an unresponsive Delcelia. ***She was lifeless.***

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## POLICE INVESTIGATION

**Tania walked down to the local video store.** Witika asked if she could use the phone and she dialed 111. She asked for an ambulance. She claimed she had just come home from '*a couple of hours*' out, and she had found her daughter in this state; **dead.** Tania was calm and collected while on the phone and was described as very '*matter of fact.*'

**Martin Smith** was the ambulance driver that responded to the call. Upon entering the property he found the burnt, bruised body, of two year old Delcelia Witika lying dead on a plastic covered mattress in her room. Before calling for the attendance of the police, Smith asked Eddie how the victim got the burns. Eddie replied that she had fallen into a hot bath "*4 to 5 weeks earlier;*" **although** he had failed to take her to the hospital for this incident. Martin Smith contacted the police and they arrived shortly after. Police got started right away gathering evidence at the crime scene. Delcelia's blood was splattered on

walls and carpets, covering a sizable amount of the house. Vomit had dripped down the skirting board where Delcelia was sick during her final night alive. Underneath Delcie's remains on the mattress she slept on, was a *large pool of blood, faeces and urine.*

**When police analysed** Delcelia's body, they found it to be covered in deep bruising. **One detective** said based on the injuries and evidence gathered, that *Delcie was used as a punching bag.* Some of her teeth had been smashed out and the inside of her top lip ripped from the gum. She also had a broken jaw, presumably from the same attack. Delcie had scarring to her head where her hair had been violently pulled over several months. She was also suffering from severe malnutrition after months of neglect. The burns she was inflicted with, covered 15 percent of her body, and bruises covered the majority of the rest. There were also vicious injuries under Delcelia's chin and neck. This was determined to be caused by long fingernails, *presumably female.* **The pathologist** later concluded that Delcelia had also been subjected to *prolonged and chronic sexual abuse.* A doctor who examined Delcelia described her injuries as being close to *10 on a severity scale from 0 to 10.*

**It was determined** that the cause of death was peritonitis produced by repeated blows to the abdomen, which ruptured Delcie's intestine. **Peritonitis** is caused by *bacterial infection* causing an inflammation of the **peritoneum**; the peritoneum is a large membrane in the abdominal cavity that connects and supports many vital internal organs such as the liver and stomach. **Left untreated**, peritonitis rapidly spreads into the blood and to other organs, resulting in multiple organ failure and then *eventually death.*

## ARRESTS

**Outside, Tania Witika** sat in a patrol car with **Detective Constable Caroline Fisher**, while the police analyzed the house. Tania asked the Detective for a cigarette. Constable Fisher says she will never forget how little emotion Tania showed. Fisher claimed Witika was composed and calm during this process.

**Initially Tania told police** that she was responsible alone for beating Delcelia. This was actually backed up by Smith who also blamed her. But when Witika found out that Delcie's injuries included massive sexual abuse, she changed her story, claiming Smith was responsible for the most serious injuries.

**In 1991**, Police laid charges against Tania Witika and Eddie Smith. Those charges were; one count of willfully ill-treating Delcelia between **July and October 1990**, in a manner likely to cause her unnecessary suffering; one count of failing to provide medical care for the burns, so that Delcelia's life was endangered; one count of willfully ill-treating Delcelia by placing her in hot water; one count of murder, and one count of manslaughter.

**While Eddie Smith** was on remand before the trial, Delcelia's biological father Peter Lafaele beat up a man and stole his car. He was sentenced to **12 months imprisonment** for aggravated robbery. Lafaele later claimed he had done this on purpose so

he could get inside the prison and get revenge on the man who killed his daughter, Eddie Smith. Lafaele claimed to almost succeed as well saying in **2004**, "*I nearly got him too - I missed him by two feet. He was about to hop into the same paddy wagon as I was in, but then the head screw came and told them not to do that.*"

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## TRIAL

**The trial commenced in 1992.** The judge presiding over the case called it one of the most disturbing cases of child abuse to come before the **High Court**, "*a case of wicked child abuse, [in which Delcelia was] subjected to violence and brutality of almost incomprehensible cruelty, and was neglected appallingly.*" **The police photographs** detailing the extent of the abuse and the horror aftermath of Delcelia's small, tortured remains in her dilapidated bedroom, have been characterized as some of the most harrowing, gut-wrenching evidence ever presented to a jury in **New Zealand**.

**Eddie Smith** pleaded guilty to the first three charges, although pled not guilty to murder and manslaughter.

**Tania Witika** pleaded not guilty to all charges, claiming she was not responsible for her actions, due to '*battered-women's-syndrome*', claiming that Smith would beat her whenever she tried to help Delcelia, "*I just can't explain it eh.. I know everybody will be pointing and saying, you know, why didn't*

*you do this, why didn't you do that, but you know, if they lived in this house, behind closed doors, when we got back here, nobody knew what went on behind closed doors. ”*

**Tania Witika's** defense of battered-women's-syndrome was rejected by the judge “*... it is quite clear that there were substantial periods during which Smith was not present, and Witika had opportunities to seek assistance and secure medical care for her child, and otherwise bring an end to her ill-treatment. While those periods continued ,she failed in her duty. Her situation was no different from that of a person who has an opportunity to escape and avoid committing acts, under threat of death or serious injury... The position of battered women indeed calls for sympathy, but there can be no justification for broadening the grounds on which the law should provide excuses for child abuse.*”

**When Detective Fisher**, who had sat with Tania the night of Delcelia's death, was asked about Witika's 'battered-women's-syndrome' defence, Fisher replied with, "*Those gouges under Delcelia's chin were made by a woman. Sure Eddie hit Tania, but she had ample opportunities to get away from him. She stayed and did nothing for Delcelia. Look, her diary even moans about him not wanting sex with her. Eddie got what he deserved, but so did Tania.*”

**During the trial**, Tania claimed that the only reason she had gone partying with Smith on the **21st of March 1991**, the night of Delcie's death, was because Smith threatened to 'waste her' with a steel pipe if she did not accompany him. She also claimed that on the commute to the party, Eddie Smith held a knife to her throat threatening to kill her. But on the final day of the trial, barrister **Christopher Harder**, representing Eddie,

was given a home video of that party.

**The crown prosecutor, Mike Ruffin**, screened the tape on the morning of the final addresses to the jury. The video in question seemed to contradict the evidence given by Tania earlier, as in the video *she appeared happy, smiling, and enjoying herself with Smith*.

**Witika and Smith** were both found guilty of manslaughter and the other counts of neglect and ill treatment of a child. **Both were sentenced to 16 years in prison.**

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## EDDIE SMITH

**Eddie Smith** was released in **September 2002** from prison. He *served approximately 2/3s of his 16 year sentence, 10 years*. Peter Lafaele, Delcelia's biological father, was still full of anger and frustration at what happened to his daughter. This was compounded when Lafaele discovered in **2004** that Smith had been released on parole two years earlier, without anyone even notifying him, *"I was outraged...there was no feeling that can express how angry I was. He was pretty much 15 minutes away...and I've got a lot of friends and family that work that way... it was lucky I didn't bang into the fellah. I want him locked up for the rest of his life because ... I know what I'm capable of. That's not a threat or anything, it's just that it wasn't just a car accident - he tortured her to death. It's wrecked me. Every time I build my life up, this gets dropped ..."*

*I've picked myself up about four times in the past 14 years."*

**He concluded** by saying that if he sees Smith on the street, he would be prepared for anything. A spokesman for the parole board said, "*For someone to be told about probation of inmates, he or she had to be registered as a victim through the police. In this case, no victims were registered.*"

**Eddie Smith** moved back to Auckland. He lived with family in the South Auckland suburb of **Manurewa**. He was under the supervision of a probation officer for **12 months** and was obliged to ***undergo psychological, alcohol and drug counselling.***

**Smith** used different names to disguise his past. He found work as a driver. Using an alias, his employer knew nothing of his history. A source familiar with Smith's case said the fact that he was able to use fake names to hide his identity was a serious concern, "*He gets let out into the public and no one has to tell his employers that he has changed his name and what his background is?"*

**In June 2004**, a **Penrose** business linked to Smith's sister was damaged by fire. Smith was charged with arson in **August** of the same year. It was at this time the Crown applied to have Eddie Smith serve the rest of his 16 year sentence for manslaughter. Smith was granted bail for the Arson charge, but because of the recall bid, he was not released. He was then held in jail over the weekend but, because Smith was sentenced under old laws that have since seen changes to the way parole and recall works, it was found unlawful to keep Smith in custody.

**Katrina Casey**, the general manager of probation and offender services for the Corrections Department explained, *"As Mr Smith was sentenced before 1993, he could not be recalled because the two-thirds date of his sentence had passed. Had he been sentenced after new legislation took effect in 1993, he would have been liable to be recalled now. Further legislation changes made in 2002 mean that he could have been held in prison beyond two-thirds of his sentence."* **She added that** staff acted in good faith and as soon as they became aware of the situation, they moved quickly to withdraw the application and have him released.

**Peter Lafaele** continued to be upset that Smith was still free. He was quoted as saying, *"Someone needs to be shot, don't they? But on one hand, I'm quite happy because I'm going to go and look for [him] now. What good is he to society?"*

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## TANIA WITIKA

**Tania Witika** served her sentence at the **Christchurch Women's Prison**. On May 10, 1998, a documentary aired on TV3 called '*Deadly Love - the Tania Witika Story*.' This was a sympathetic look at Tania's life. The documentary portrays Tania Witika as a victim of battered women's syndrome and therefore not responsible for her actions. As **Professor Jane Ritchie of Waikato University** wrote in her essay, '*Women's Violence to Children*.' *"I started to watch the documentary with a decidedly negative attitude to Tania. By the end of the*

*programme I had changed my mind and felt that a sixteen year sentence was far too long for a woman who clearly had been brutalised herself by a very violent man... If there was increased awareness of battered women's syndrome and its effects within the judicial system, it had not, at that time, spread to the wider community... until women are empowered to remove themselves and their children from the violent men in their lives, child abuse will continue. Children must be protected from the violence meted out to them by their caregivers, and the women who care for children, must be protected from the violence of male partners. This will, in turn, contribute to a safer environment for their children."*

**Tania Witika** was released from prison in **September 2002**, under much controversy. Witika was given special permission to have a chauffeur-driven stretch limousine drive up to the prison doors and collect Witika, along with a friend of hers that was also being released. The other released inmates had to carry their possessions the usual 400m to the main gates and car park. This act drew some ire from other inmates and the public, that someone convicted of killing her two year old daughter, was being given special treatment.

**Frank Hogan**, Tania's lawyer, had this to say about her release, *"I've kept in touch with her over the past ten years, spoken to her, visited her, and she appears one happy woman this evening."* **He also claimed** that 10 years was a long time, and Tania was now a very different woman and she was determined to contribute to society. **Ending with**, *"All she asks is that she be given the opportunity to get on with her life."*

**While in prison** Tania kept a garden. Using these skills, she actually procured a job working at a plant nursery upon her

release. **In 2003**, Tania was in more controversy when she revealed plans to become a social worker; specifically a social worker that would work with children. *Although it is unclear whether she ever went through with these plans.*

**In 2006**, Tania married **Douglas Hopping** in Christchurch. She changed her name to **Tania Gaye Hopping** and by **2009**, Tania had more news to shock the nation. *She was pregnant again.*

**Child, Youth and Family** or CYFs as they are known, took custody of Tania's unborn child upon discovering she was pregnant. **On the 27th of January 2009**, Tania gave birth to the child, a new daughter. Details are scarce as CYFs declined to talk or comment about individual cases for privacy reasons, but clarified that the mother and baby were under **24 hour supervision** since the birth. It was also understood that the plan was for the baby to go home in the next few days with her father, Witika's new husband, and for CYF social workers to then supervise daily visits. Witika would then have to undergo psychological assessment and attend a parenting course to prove to CYFs that she was a fit parent.

**Tania** described in **2014** how the parenting course she attended turned her life around. She claimed to have no idea of basic parenting before attending the course, *"I brought a baby into the world, but I still had no idea how to raise her, how to change her, how to feed her properly....I had no idea at the time Del-C was born, that when she cried it meant she was wet or hungry."*

**By 2014**, Tania's new daughter was five years old. Contact with her daughter was still accessed through, and limited by CYFs. She was allowed to pick her daughter up after school

and she could stay overnight with Tania once a fortnight. Tania said she could understand the reasons for the supervision but added that she had never given CYFs any reasons for concern with her new daughter.

**In October 2016** Tania Witika, now known as **Tania Hopping**, was in trouble with the law once more. Tania clubbed her husband on the head with a vacuum cleaner pipe during what was described by **Judge Raoul Neave** as, '*a heated discussion about the state of [their] marriage.*' **Although Tania's husband Douglas**, said that he had not wanted the matter to go any further after he was patched up. The injury was severe enough that he required four stitches at the hospital. Tania was charged with assault with a weapon. **She pleaded guilty.**

**In December of the same year**, Tania appeared in the **Christchurch District Court** for sentencing. For support, her husband joined her. **Tania's defence counsel** told the court that Tania had taken positive steps to move forward and had immediately accepted responsibility for the assault on her husband, "*She has done a very good job of self-rehabilitation after the serious matters of the 1990s. She puts a lot of that down to her husband who is supporting her in court, and the good work done by the church.*" **The Judge agreed** and added, "*Given the support from your husband, it is probably proper to regard this as a one-off incident at a time of great stress, one can only hope it will not be repeated.*"

**The pre-sentence report** and court outcome all suggest that Tania Hopping was now considered a low-risk offender due to the positive steps she had taken getting her life back on track. Tania was about to be granted bail when she refused to acknowledge **Judge Michael Crosbie**. She even turned her

head away from the Judge while he was confirming her bail conditions. Tania wouldn't speak, "*Every defendant needs to acknowledge to the judge what their bail conditions are,*" **Judge Crosbie** said impatiently. Tania was then held in custody for 90 minutes until she was willing to speak with Judge Crosbie.

**Tania was then recalled** back to court at which time she apologised to Judge Crosbie and said she was just '*frozen*,' and it was not meant as a sign of disrespect. Tania then acknowledged the bail conditions, one of which was that she could not threaten her husband with any form of violence. Tania was granted bail on **December 19th, 2016**.

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## CONCLUSION

**The barbaric nature** of the crimes in **1991** shook the nation and still have ripples throughout society today. New Zealand was shocked and moved by hearing the horrors of the case, in contrast to the sweet, beautiful image of Delcie, that was circulated. The nation tried to make sense of such heinous acts. *Aotearoa came together in grieving.*

**Ultimately**, even with time, this crime is hard to digest. **The story of Delcelia Witika is** still to this day considered to be one of the most extreme cases of child abuse in New Zealand history. **If Delcelia Witika** was still alive today she would be celebrating her **31st birthday** at the end of **2019**.

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## POSTSCRIPT

**This is usually** where I would have sources, but this was the first script I had written for **True Crime New Zealand** and being the amateur I was at the time, I did not save any of the sources.

This is something I have learnt from but it leaves us in this **unfortunate predicament**, however it is something I wanted to address. ***Crediting my sources is important to me.*** The work I do can only be done with the hard work of all the people before me. **Those journalists deserve much credit.**

*Although, I have added the sources I referenced when I did the rewrite.*

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## Case 5:

Maketū Wharetōtara, 1842, Russell



## RUSSELL, BAY OF ISLANDS.

**In the Bay of Islands**, about four kilometres northeast of **Russell**, you will find **Motuarohia Island**. A small island of only two kilometres in length. Today the island exists mostly as a tourist attraction, selling itself with promises of *crystal clear waters, sandy beaches, and stunning walking tracks*.

**Although in 1841**, when **Aoeteroa** was still in its infancy, the island which directly translates to ‘*beloved island*,’ was more infamous than famous. Infamous, for it was the island at the centre of an incident, an event that one newspaper of the time described as a ‘**most shocking and inhuman atrocity**.’

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## INTRODUCTION

**In 1839**, a fresh wave of European settlers were arriving to NZ. Among them were **John and Elizabeth Roberton** and their son, **6-year-old Gordon**. Arriving from Britain, the **Robertons** settled in the **Bay of Plenty** and purchased Motuarohia Island from a consortium of **Ngāpuhi Māori** chiefs for £213, paying about half upfront. They renamed it to **Roberton Island**. John Roberton was a former whaling ship captain that was looking for a change in career. With the

purchase of the formerly named ‘*beloved island*,’ the Robertons were wanting to try their hand at farming. The Robertons built a small wooden house on the eastern side of the island and soon their family grew. ***They welcomed a daughter.***

**With the birth of the nation of New Zealand in 1840,** a change in capital followed. The capital city soon moved from Russell, 4km from Roberton Island, to **Auckland**, approximately 180km away. With this move, an exodus of settlers followed, harming the Roberton’s financial prospects. Slowly the area fell into an economic slump. Even if the Robertons wanted to sell their property, the colonial government was in the slow process of investigating all land purchases that had occurred prior to **1840**. This process had the effect of freezing any land transactions in the interim.

**Further hardship was ahead.** Sometime in 1840, John Roberton went out sailing, ‘*merely for his own amusement*,’ as his wife put it. A gust of wind capsized John’s boat. He drowned that day leaving behind his now widowed wife, **Elizabeth**. She wrote home to Britain to inform her inlaws of the terrible news, “*Your only son and my dear and affectionate husband died on the 17th day last month. He was unfortunately drowned opposite our house and island... What to do, I cannot tell. I am here on an inhospitable island, in a cannibal country, with only one servant in the house.*”

**To make matters worse**, some Māori were now demanding the return of the land. Traditional Māori custom dictated that with the death of the landowner; the land be returned to its former owners. Elizabeth had to go to court to prove that the land was left to her in her husband’s will, to try to mitigate the continued ‘*threats*.’

## EVENTS LEADING UP TO TRAGEDY

**Struggling to maintain the farm on her own**, Elizabeth enlisted the help of another settler, 50-year-old farmer, **Thomas Bull**. Bull joined Elizabeth and her two children on Roberton Island. Soon afterwards, she procured additional assistance from the local Māori. She hired ‘...a remarkably powerful’ 16-year-old, **Maketū Wharetōtara**, the son of Māori Chief **Ruhe**.

**On the 6th of February 1840**, the **Treaty of Waitangi** was signed bringing together two different cultures, the European and the Māori people. Not everyone was happy with this union that day. **Ruhe**, a Ngāpuhi chief from **Kaikohe**, although signing the treaty earlier that day, protested the signing with another chief. As **T. Lindsay Buick** wrote in his **1914** book, ‘*The Treaty of Waitangi: or, how New Zealand became a British colony*,’ “*Both warriors delivered themselves in the style characteristic of their people when they have serious business on hand, running sharply up and down a beaten avenue, gesticulating energetically, stamping their feet, and pouring out their denunciations with a volubility that was difficult to follow.*” **Ruhe had a son, Maketū Wharetōtara**. An early missionary to NZ, **George Clarke jr.** wrote of Ruhe and his families temperament, “*There was madness in [the] family of a homicidal character... His brother and sister were both deranged, his aunt strangled herself in a paroxysm of rage, and his father Ruhe was subject to fits of frenzy, that made it*

dangerous for his best friends to go near him.”

**The complement of people** on the farm was completed with the arrival of **three-year-old Isabella Brind**, the illegitimate granddaughter of **Rewa**, a Māori chief and head of the Ngāpuhi people. It is probable that this inclusion to Elizabeth’s family was designed to, *earn favour with the Māori community closest to her farm*.

**Bull and Maketū** from the beginning, clashed. As **Paul Moon** wrote in a paper on the subject, “*Bull and Maketū possessed characters that were inflamed almost every time they came into contact with each other. Bull allegedly provoked Maketū on several occasions and threatened the latter that, ‘he should have little or no food unless he worked better for Mrs. Roberton.’ Bull threatened Maketū’s source of employment and belittled his mana as the son of a chief. In return Maketū became sullen, which Bull mistook for laziness, thus exacerbating the ill-will between them.*”

**Maketū felt his mana**, his ‘spiritual power,’ had been jeopardised. He felt ‘**utu**’ was necessary. Utu is commonly cited as revenge. It is more accurate to describe utu as a type of realignment of karmic balance. The **Ministry of Justice** describes utu in their report on ‘*Māori Perspectives on Justice*’ as, “*The general principles that underlie utu are the obligations that exist between individuals and groups. Utu is concerned with the maintenance of balance and harmony within society, whether it is manifested through gift exchange, or as a result of hostilities between groups. The aim of utu is to return the affected parties to their prior position.*”

## MURDERS

**Thomas Bull continued to mistreat Maketū for the better part of a year. The final straw for Maketū came in the form of being kicked by Bull during a dispute over payment. Maketū's interpretation of utu was acted out on the night of the 30th of November 1841. He silently approached a sleeping Bull, and using an axe, he plunged the weapon into Bull's skull, splitting it open.**

**The events that followed are chronicled in Bronwyn Sells book 'Law Breakers & Mischief Makers. 'When Elizabeth Roberton stumbled upon the murder, she "Flew into a rage and screamed at him that he would be hanged for murder. Maketū lost it. He had considered his slaying of Bull an understandable act of utu for the insults to which he had been subjected. Roberton's outburst pushed him further into a rage. He violently attacked the woman, killing her and leaving her body horribly mutilated. Then he butchered the two little girls. Roberton's terrified seven-year-old son Gordon, escaped through the back door. Maketū pursued him to the top of a hill, punched him repeatedly and hurled him over a cliff where [he fell 200ft] to his death. The young murderer returned to the house and set it on fire before leaving the island in a canoe with some of the family's possessions, including a bloodstained sack of rice, a watch, and an umbrella."**

**'Mrs Roberton was well known and respected at the Bay of Islands, and her frightful fate has created there, feelings of the**

*deepest horror and [a] universal sadness, 'wrote the New Zealand Gazette a couple of days later.* Upon escaping the island, Maketū returned to his father, Ruhe. There he confessed to the murders. Reports of his actions quickly spread throughout the region. Fearing reprisal from the Crown, as well as Rewa, for the murder of his granddaughter Isabella, *Ruhe surrendered his son to the government.*

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## BRITISH LAWS OVER MĀORI

**Ngāpuhi leaders**, among them Rewa and Ruhe, met at **Paihia** on the **16th of December 1841**. They were called to discuss the situation with Maketū. Only **Hōne Heke**, another influential Māori Chief, spoke against handing him over to the government. Heke was already disillusioned by the failure of colonisation to bring his people economic fortune, and by the increased control of the British government over Māori affairs. In the mind of Heke, *this was a Māori issue therefore should be dealt with by Māori, not the British Government.*

**The interesting part is**, Heke might have had a point. British rule and therefore its laws, at that time in NZ, only applied to the British settlers. Paul Moon explained in his paper on the subject, “*During 1839, when the final touches were being put on the British policy to annex New Zealand, consideration turned to the issue of over whom British sovereignty would apply. The decision boiled down to two options: either the sovereignty of the Crown would blanket everyone in the*

*country, or it would apply just to British subjects living there. The Colonial Office went for the latter, (cheaper) option... [The] decision to put Maketū on trial stretched the elasticity of Colonial Office policy to an extreme degree, making the law that was supposed to govern settlers, now apply to the country's Māori population. ”*

**Heke did not persuade the other Ngāpuhi leaders to accept his stance.** The meeting concluded with Hōne Heke and his supporters conducting a Haka, a ceremonial war dance, on the beach and firing their muskets into the air.

**The result of this meeting was a document** signed by around twenty Ngāpuhi chiefs. The document seemed to endorse the extension of British criminal law into their communities.

**Addressing the Governor it read,** “*Sir, Maketū's work is his alone, his own; we have nothing to say for him. That man is with you; leave him there. Do not bring him back here to us lest there be a disturbance: leave him there. Governor, do not listen to the reports that have flown about in the wind....Sir, Governor, let your regard be great for us, the children of the Queen Victoria, the Queen of England, of Europe also. Now, this is the word of the book: “Love one another.” This is a good word. Shew us the greatness of your regard to us and our children, and we shall all turn without one exception to Victoria to be her children. But if not, what shall we do? Governor, here we are sitting in ignorance; we have no thoughts; you are our parent.”*

## EXECUTION

**On the 1st of March 1842.** Maketū appeared in the new Supreme Court building in Auckland, before **Chief Justice William Martin**. He plead not guilty. Although he had previously on several occasions admitted his guilt, and witnesses were called to confirm his presence on the island, the day of the murders, *he was found guilty*. The Judge handed down his sentence. **The words were translated into Māori**, “*Maketū! It has been declared in front of this Judging Panel that you deliberately murdered [Thomas Bull]. This case has been thoroughly investigated and the laws regarding this have been disclosed to you. The charges brought against you have been found to be true and so the last thing left for this Judges Panel to do is to discuss the extent of the law in terms of this terrible crime you have committed. This is also the law of England, who still reigns over the people of this land, no matter whether some are Pakeha and some are Māori. If the blood of an innocent person is deliberately spilt by someone, this panel will hand out the harshest sentence possible under the law. Anyone whose hands are covered with the blood of the innocent, should never be allowed to live. If the victim is a child, they shouldn't be allowed to live, or if they are a chief either. The law that this Judges Panel is applying is not a new law. You may believe this law only applies within England, - no, that is not the case. This is a law that applies to all. The death sentence being discussed by this Judges Panel is one that has been agreed to by your own people... This is the harshest sentence possible under the law. Therefore it will be decided that he be executed in a place suitable to the Governor and his committee members, on a day that also suits them, and it will*

be said, *may God have mercy on his soul.*"

**The morning of the 7th of March 1842.** An apparently extremely repentant Maketū asked for the presence of a **Christian** minister. A reverend baptised Maketū that day, christening him **William King**. *At noon, the prison bell tolled.* A few thousand people showed up on **Queen Street** in Auckland for the public hanging. A large military guard was present in case of an attempt at rescue from any sympathetic Māori. Maketū was escorted up the hastily erected gallows. A few minutes later, Maketū was cast off. His neck snapped, and he died '*almost instantly.*'

**The British legal process** was seen as drawn-out and cold-blooded by the observing Māori. Their custom would have resulted in almost immediate death, and as the son of a chief, Maketū could have expected to receive a blow from a mere, a short, broad-bladed weapon, to the back of his head. *The execution being public was seen as a great source of shame and humiliation.* Sometime after, Ruhe asked for his son's body, which was then exhumed. *His bones were scraped according to traditional custom before he was reburied by his family.*

**It is said that Ruhe**, still mourning his son, sang a lament for Maketū. "Kaore te aroha mo hukihuki ana, Te panga mai ki ahau, me he ahi e tahu." **Translating to**, "Alas, this all-devouring grief, that burns within me like a flame." **Hōne Heke** witnessed his pain. *This only deepened his negative feelings towards the government.*

## HŌNE HEKE

**In 1840, Lieutenant Governor William Hobson** arrived in NZ to negotiate an agreement with Māori chiefs; the agreement that would become the Treaty of Waitangi. The Māori believed that the treaty protected their rights, recognised their trusteeship of the land, and gave them the rights and privileges of British subjects in exchange for their allegiance to the Crown.

**On the 6th of February 1840**, after much debate, Heke said to Hobson, “*...you should stay with us and be like a father. If you go away, then the French and the rum sellers will take us Māori over.*” **Heke became the first of the 45 influential northern chiefs to sign.**

**The trial and hanging of Maketū in 1842**, in the mind of Heke, solidified that chiefly authority, was becoming subservient to that of the British Crown. ***The Union Jack flag that the government proudly flew in Russell, became his target.***

**After the signing** of the Treaty of Waitangi, the **Union Jack** had replaced the flag of the **United Tribes** as New Zealand’s official flag. Governor Hobson had the United Tribes flag removed from the flagstaff at Russell. Heke saw this as denying Māori equal status with the government. Adding to insult, Heke had originally gifted the flagstaff that the Union Jack flew on, ***although he had gifted it under the assumption that the Māori flag would be flown there.***

**Heke cut the flagstaff down for the first time on the 8th of July 1844.** Heke wrote a cryptic letter to the governor saying he meant to improve his behaviour and replace the flagstaff. The flagstaff was replaced but then cut down by Heke again on the **10th of January 1845.** *This happened a third time on the 19th of January.*

**In early February**, a military presence was established in Russell, with one blockhouse guarding the fortified flagpole, and a second, with an artillery battery, placed further down the hill. On the **11th of March 1845** fighting began between the British and Heke. After a fierce battle, ***Heke cut down the offending pole for the fourth time.***

**The first NZ war had broken out**, what historians refer to as, '*The Northern War*' or '*The Flagstaff War.*' Many conflicts between Heke and government forces followed, led by **Governor Fitzroy.** Fitzroy replaced Governor Hobson when he passed away in 1843. **Undermanned and running low on resources**, Fitzroy appealed for peace. Heke replied in a letter, "*God made this country for us. It cannot be sliced ... Do you return to your own country, which was made by God for you. God made this land for us; it is not for any stranger or foreign nation to meddle with this sacred country.*" **Fitzroy was replaced by Governor George Grey** on the **18th of November 1845.** Grey believed FitzRoy's negotiations had been '*inconsistent with the interests of the British Government.*'

**The war climaxed at the Ruapekapeka Pā;** a fortified settlement located about **20km** from the small town of **Kawakawa** in the Bay of Islands. Governor George Grey had convinced his superiors of the need for more men. A force of around **1300 British troops** and **400 Māori loyal to Britain**,

began to advance on Ruapekapeka in early **December 1845**. The British fired artillery at Heke's forces, **strength of 500**, fortified in the pā. This assault continued for many weeks.

**A full-scale bombardment** on the **10th of January 1846** created three small breaches in the outer palistate. The following day, British scouts discovered that only around a dozen men were still inside. Heke and the rest of his followers had abandoned the pā. Later **Lieutenant Balneavis**, who took part in the siege, wrote in his journal; in regards to the fortitude of the pā, “*Pā burnt. Ruapekapeka found a most extraordinary place,--a model of engineering, with a treble stockade and huts inside, these also fortified. A large embankment in rear of it, full of under-ground holes for the men to live in; communications with subterranean passages enfilading the ditch. Two guns were taken--a small one and an 18-pounder, the latter dismantled by our fire. It appeared that they were in want of food and water. It was the strongest pā ever built in New Zealand.*”

**The unclear outcome at Ruapekapeka** brought up talk for peace once more. Hōne Heke lacked the resources to continue the war and for Governor Grey, it was critical to bring the war to a hasty conclusion to reverse the exodus of settlers from Auckland. Mercy was shown by the Governor. Heke was pardoned and no land was confiscated. **Governor Grey also chose not to re-erect the flagstaff at Russell**. Although Heke's ultimate wish for **partnership in government and control over his land, was largely ignored**.

**While fighting ceased**, peace wasn't formally brokered until **1848** when Heke met with Grey. During this meeting, Heke presented Grey with a **greenstone mere**. According to Heke's

biographer, **Freya Kawharu**, this was ‘*a token of acceptance of Grey’s right to be in New Zealand and of Heke’s expectation that the Queen’s representative would honour the treaty.*’

**The two** apparently stayed friendly until Hōne Heke’s death in **1850; from tuberculosis**. In these latter years, Heke and Grey exchanged letters and appeared to have a great respect for each other, *”Salutation to you – I have received your kind letter to me. This is my letter expressing my love to you. My disease is great, but do not grieve about that. This is not the everlasting abode of the body. Let God’s will be done to us two. I will not say many more words because I am very ill. Give my regards to your wife, Lady Grey.”*

## AFTERMATH OF WAR

**One thing that is evident**, the execution of **Maketū Wharetōtara** in **1842**, had major consequences in shaping the early years of **Aotearoa**. When following the chain of events from Maketū’s actions in 1841, it unfolds like a tale of **Shakespearian tragedy**. Horrific acts, leading to more cataclysms. *A massacre; leading to an execution; leading to war.*

**In 1841**, five people were murdered on Roberton Island ***in an act of utu***. What followed was a butterfly effect of bloodshed, giving way to more bloodshed. Over the ten months of conflict during the Flagstaff War, *it is estimated over two hundred*

*people died, on both sides.*

**Maketū's utu** had numerous consequences of which many he was never alive to see. The conclusion of the 'Northern War' did not bring any peace to Maketū's father, Ruhe. He still mourned the loss of his son.

*In 1850, drowning in sorrow, he turned a firearm on himself, committing suicide.*

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## CONCLUSION

**To the British settlers, utu may seem like an ancient, 'uncivilised' custom.** Revenge, not so much a matter of feeling, as of duty, for breaking Māori laws that governed the land they walked on; or to put more simply '*an eye for an eye, a tooth for a tooth.*'

**When colonists first came to the Land Of The Long White Cloud** and brought '*civilization*' with them, they brought with them a government, **which in 1842**, sought revenge on a 17-year-old for breaking of laws that governed their '*civilised*' nation. In enacting their duty to those laws, they hanged a man for murder, '*an eye for an eye.*' ***They called it capital punishment.***

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## Case 6:

Minnie Dean, 1895, Winton



## WINTON, SOUTHLAND.

**On August the 12th, 1895, 'Southland baby farmer,' Williamina Dean** became the first and only woman to be sentenced to death in **New Zealand**. The name of **Minnie Dean** lives on, and around that name, has grown a legend. Southland children who misbehave are threatened, not with boogeymen, but with being sent to **Minnie Dean**.

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### HISTORY OF 'THE MINNIE DEAN LEGEND'

**The mythology** of 'Southland baby farmer' Minnie Dean is extensive. She has been entered into **New Zealand** folklore, with her black bonnet hat, and tatty victorian dress; she has become New Zealand's boogeyman. According to legend, Minnie was an evil old woman who would scoop up the naughty children, stab them with her hatpin, and take them away on a train in her tin hat box, never to be seen from again. She is buried 40ft under the ground and no grass will grow on her grave. As with most legends a seed of truth is buried deep within. From that seed, folklore proceeded to blossom around it. ***We will be digging through the lore to unearth that seed.***

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## EARLY LIFE

**Minnie Dean** was born **Williamina McCulloch** on the **2nd of September 1844**, in **West Greenock, Scotland**. She was the 4th daughter of **John McCulloch** and **Elizabeth Swan**. Minnie was raised in a strict **Christian** home where corporal punishment was a regular occurrence. The family was working class. John McCulloch was the local train conductor. All six members of the family lived in a one bedroom tenement. Minnie was a kind young girl. She got along well with her mother, however, seemed to struggle to connect emotionally with her father.

Minnie was close with her **Aunt Christina** as she would treat the young Minnie with gentleness and understanding which she didn't receive from her father. Although, when Minnie was only four years old, her Aunt Christina made the 5 month journey to New Zealand with her family, leaving Minnie behind. It was around this time that Minnie's mother Elizabeth had another daughter, **Christina**, and *shortly after, falling pregnant again.*

**Disease was a feature of life in 19th century Victorian Scotland** with children being particularly susceptible. Deaths of children under ten accounted for more than half the deaths in **Scotland** in the early 19th century. The highest proportion of deaths occurred in the age group under five years. The infant mortality rate at the time is estimated at about 40%.

**While Minnie's mother** was heavily pregnant, two of her middle children, **Isabella** and **Janet**, got infected with an

unknown disease. A couple of days later, they had perished. It is guessed that they died of **Cholera** which was common in the **1800s**, before modern water and sewage treatment systems eliminated its spread. Unfortunately, tragedy was going to be a fairly common occurrence in Minnie Dean's life. **Four days later**, during nightfall, her mother gave birth to another daughter, **Ellen-Ann**. Sadly, *by daybreak she was dead as well*.

**Minnie was a bright kid** but didn't do well in school. She did not want to do the female assigned program of learning to sew and knit. She wanted to learn to write, read and do math like the boys were. This created conflict with the disciplinarians at the school that saw this as insolence. Minnie's Mother Elizabeth introduced two new sisters to the household in the coming years, **Isabella** and **Janet**, named after her two departed daughters.

**In 1857**, when Minnie was 13 years old, her mother passed away of cancer. According to Minnie, who was in the room when her mother died, her last moments were not peaceful. She was twisting and writhing in pain, calling out for the Lord to take her, *quickly followed by silence*.

**Three months later**, John McColloch introduced his four daughters to his new wife, their new mother **Elizabeth Ferguson**. By all accounts Minnie and her new mother did not get along. Already feeling distant from her father and now feeling no affection for her new mother, Minnie sort out attention from others. Namely her friend from school **Freddie McPhee** and over time they developed a relationship. This is something she had to hide from her conservative family, especially the prying eyes of her new mother. This lead to an occasion when Minnie and Freddie were out drinking alcohol

and watching the stars. Later that night Minnie had sex for the first time. Months had passed when Minnie asked a family friend about her '*monthlies*.' She asked, '***what does it mean if the bleedings stop?***'

**Having an illegitimate child in Victorian Scotland** was the road to social ostracisation. Few employers would take on a woman with an illegitimate child as a worker, partly because childcare distracts a mother, and partly because of the shame of illegitimacy. If these women were employed, they were often singled out by having to wear a special uniform which drew attention to their status as unmarried mothers. Some women became institutionalised and ended up as pauper nurses, while others might leave their child in the institution, to try to make a new life outside.

Minnie recalled growing up in church. Women carrying illegitimate children were forced to stand at the front of the congregation while the parishioners would stomp their feet and yell, '*whore, bitch, slut, harlot and wench*.' The '*wicked*' woman was then required to ask for repentance and punishment for committing the sin of fornication. **As such**, it was common to obtain an **abortion** in an attempt to bypass this judgement. Amongst working class women violent purgatives were popular. ***Pennyroyal tea, aloes and turpentine were all used.*** Other methods to induce miscarriage were very hot baths, and gin, or a controlled fall down a flight of stairs. Neither Minnie nor Freddie wanted this. They wanted to have the child but knew that they would have to do something drastic to not bring shame to their families.

**Minnie hid her pregnancy for as long as she could** with her morning sickness being the giveaway. Her new mother picked

up on this, promptly telling Minnie's father. The next time Minnie saw her father, he would not speak to her. It was her new mother who motioned to Minnie's possessions, containing a blanket, a loaf of bread and some cheese. They were banishing her. When Minnie prompted her father for a reaction, he snapped back saying he was disgusted by her and renounced her as his daughter.

**Minnie and Freddie**, facing total segregation from society, seemingly faced no other choice but to leave Scotland. They chose to go to **Australia**. The thinking being that no one in Australia would know they weren't married. Freddie found out about something called a '*bounty boat*.' As the teenagers didn't have any money, a bounty boat would let them sail to Australia with passage paid, and when work was found in the new land, they would pay it back. With this opportunity they set sail to **Tasmania, Australia**.

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## EMIGRATING TO AUSTRALIA

**Many months past.** Eventually Minnie and Freddie landed in the Tasmanian city of **Launceston**. Little is known about this time in Minnie's life. We do know she gave birth to a daughter, **Ellen Ann**, named after her infant sister who perished. Minnie registered the birth in Launceston. She listed the father as **Fredrick McPhee, a surgeon**. Based on what we know about McPhee, this is most likely a falsity.

**What happened in the remaining dates** before Minnie arrived in New Zealand is more troublesome to deduce. The most likely scenario is as follows, based on the evidence we do know. When Minnie and Freddie arrived in Launceston, Minnie found work as a governess in exchange for lodgings. During this time, the man of the house began using Minnie for sex. This inevitably lead to her falling pregnant once more. At this point the man needed to do away with Minnie. He offered her a boat to wherever she desired. Thinking of her Aunt Christina, her aunt she was close to and hadn't seen since she was four years old, **she picked New Zealand**. With one illegitimate child and another on the way, **Williamina McColloch set sail for New Zealand**. What happened to Freddie McPhee is unknown. We don't know what happened in the final years of his relationship to Minnie and we do not know what happened to him after she left Australia. ***Frederick McPhee's story is lost to history.***

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## MINNIE DEAN ARRIVES IN SOUTHLAND

**Minnie McColloch** arrived in New Zealand sometime in **1863**. She arrived at the **Bluff** harbour, carrying her two year old daughter Ellen Ann and with another child on the way. She stayed with her Aunt Christina in **Invercargill**, known locally as "**Granny**" **Kelly**. She was called this because she was the first European woman settler in Invercargill. Minnie soon gave birth to her new daughter **Isabella**, named after Minnie's

deceased sister.

**To conceal her sordid history**, she told the locals that she was the daughter of a minister back in Scotland and that her husband was a surgeon that tragically passed away in Tasmania. So she emigrated to New Zealand to be close to her Aunt.

**Throughout these years** Minnie found work as a governess. In **1872** Minnie married **Charles Dean**, an innkeeper at **Etal Creek, Southland**. The newly bestowed Minnie Dean joined Charles in Etal Creek, a small place that had flourished during the **1860s** as a wagon stop on the four day journey from **Riverton** to the **Central Otago** goldfields. When the gold dried up in 1872, *so did the business*.

**In 1878**, Charles Dean turned to farming. At this point both of Minnie's children had grown, married and left home. Unfortunately more misfortune for Minnie was impending. Minnie's eldest daughter, Ellen Ann, now 22, with two children of her own, suffering from an episode of postnatal depression, drowned both her children by throwing them into a well. *She then jumped in herself, committing suicide.*

**In 1882 Charles' farm** on which he ran 150 sheep, was valued at **£1,200**, the equivalent of **\$210,000 in 2019**. In the **1880s**, New Zealand entered a depression where migration slowed and people started to leave. The Depression, in combination with the farm not carrying enough stock per acre of farmland, and being infested with rabbits, *led to Charles becoming financially ruined by 1884.*

**Charles' destitution** lead to him borrowing money off anyone who would lend to him, without any means to pay it back. This

culminated in an incident where Charles owed an equally destitute ploughman £37, corresponding to about \$7000 in 2019. The ploughman in a drunken rampage broke into the Dean's bedroom, demolishing everything in the room.

***Reportedly, Minnie lost teeth in this attack.***

**In 1887, desperate**, the Dean's borrowed £200 off Minnie's Aunt Christina, proportional to around \$42,000 in 2019.

Together they moved to **Winton**, a small rural town some 30km outside of **Invercargill**. There they purchased '**The Larches**,' a two storeyed, seven roomed house on 22 acres, a mile out of town, that had been abandoned by a mortgagee two years earlier due to the depression. Here the Dean's lived with their adopted daughter, Margaret. ***Although in April of 1888, soon after moving in, the house burnt to the ground.***

## **MINNIE DEAN, THE SOUTHLAND BABY FARMER**

**On the site**, Charles built a small two roomed cottage and started raising pigs. Desperate for money, Minnie started taking in unwanted children for payment, a practice known as '*baby farming*.' Baby farming is the historical practice of accepting custody of an infant or child in exchange for payment. If the infant was young, this would include wet nursing. Some baby farmers, '*adopted*' children for lump-sum payments of usually around £10, while others cared for infants for periodic payments of around five shillings a week.

**On the 13th of May 1889**, Minnie Dean placed this ad in the **Southland Times**. “*WANTED, by a respectable married woman with no young children, a baby to nurse, or one or two young children to bring up, or a baby to adopt. Thoroughly comfortable home in the country. Terms very moderate. Apply by letter addressed “B.D.” office of this paper.*” **This worked**, with reports of up to nine children under the age of three living in the two roomed cottage at any one time. But even with the payments from the biological families, Minnie did not have the means to adequately look after so many children.

**In October 1889**, a six month old baby, in the care of Minnie Dean died of convulsions after a three day illness. **In March 1891**, a six week old infant died of inflammation of the heart valves and congestion of the lungs. The medical witness at the ensuing inquest reported that the dead infant and the other children at ‘*The Larches*’ were well cared for and well nourished, but that the premises were inadequate. The coroner exonerated Minnie Dean but advised her to reduce the number of children living at ‘*The Larches*’ and improve conditions. Apart from a small reduction in numbers she continued as before. ***Another infant death six weeks later started to provoke outrage from the community.***

**In the mind** of the public, Minnie was linked to notorious **British** baby farmer **Amelia Dyer**, dubbed the ‘*Ogress of Reading*. ’ After being widowed, Dyer took to ‘*adopting*’ children for money. She would then murder the children, strangling them before disposing of their corpses to avoid unwanted attention. This link proving the building blocks for the myth of Minnie Dean. Rumours began circulating about children and babies going missing from ‘*The Larches*. ’

**The public's outrage intensified.** Police had been actively investigating Minnie since the coroner's inquest. They kept her under surveillance, but their investigations were frustrated by inadequate child welfare laws as they had no right to enter or inspect the Dean property, and Minnie was not required to keep records or answer questions. In an attempt to mitigate some of the investigators frustrations, the state began to regulate baby farming. Under the '*Infant Life Protection Act*,' passed in **1893**, all homes that received payment for looking after infants under the age of two for more than three consecutive days had to be licensed as foster homes and were subject to police inspection. In **Otago** and **Southland** 83 women registered for a license. Minnie Dean was not one of them, *yet she continued her operations as normal.*

**In August 1893**, the proprietor of a **Christchurch** boarding house, called police when he noted that Minnie Dean had acquired a three week old baby during her stay. The detective had no hesitation in removing the baby. He wrote in his report, "*I believe this woman would have killed or abandoned this child before she got to Dunedin, if it had not been taken from her.*" **Under surveillance**, Minnie began to operate under pseudonyms.

**In 1884**, a four year old boy, **Willie Phelan**, died by drowning in Minnie's care. *Minnie buried his body in her backyard to avoid any further police scrutiny.*

**On the 2nd of May 1895**, Minnie Dean was seen boarding a train carrying a young baby and a hat box, and returning later carrying only the hat box. **Jane Hornsby**, who was found to have handed over her one month old granddaughter **Eva** to Minnie, was taken by the police to '*The Larches.*' There Minnie

denied ever meeting **Mrs Hornsby**. When Minnie tried to hide an article of clothing, the police confiscated it. Jane Hornsby identified it as belonging to the baby Eva.

**After searching** along the railway line to no avail, the police turned their attention to '*The Larches*' garden. There they unearthed the freshly buried bodies of two babies, later identified as **Eva Hornsby** and **Dorothy Edith Carter**. The police also found the skeleton of the four year old Willie Phelan that drowned in 1884. ***Minnie Dean was arrested and charged with infanticide.***

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## THE TRIAL OF MINNIE DEAN

**The Supreme Court trial of Minnie Dean** for the murder of Dorothy Edith Carter began in Invercargill on the **18th of June 1895**. An all male jury was assembled. A series of witnesses described how they had observed Minnie collecting Dorothy Carter on the **30th of April** in Bluff, and had returned to '*The Larches*' in Winton for two nights, before leaving the morning of the **2nd of May** with the child Dorothy, and an empty hat box. Minnie arrived in **Lumsdon**, with no child in sight but still carrying the hat box. Four people in Lumsdon helped Minnie with the hat box, ***all later testifying how heavy it felt.*** Minnie then travelled to **Clarendon** to collect one month old Eva Hornsby. On Minnie's return journey, a railway clerk, that had previously assisted police to keep an eye on Minnie, took note of Minnie with the one month infant. The clerk noticed that at

some point on the trip back to Winton, Eva disappeared. When Minnie returned to Winton, she had with her only some parcels and *a suspiciously heavy hat box*.

**In an impassioned closing address, Minnie's defence counsel** argued that the death of Dorothy Carter was accidental, but in his summing up the judge observed, “*It seems to me that the real honest issue is whether the accused is guilty of intentionally killing the child, or is innocent altogether. A verdict of manslaughter would be a weak-kneed compromise.*” **The newspapers claimed Minnie** was silent during the whole trial and “*Mrs. Dean seemed to take matters as coolly as ever.*”

**The jury retired.** Thirty minutes passed before the jury reappeared returning a guilty verdict. On the **21st of June 1895**, Minnie Dean was sentenced to death. Minnie preserved that same calmness she had exhibited throughout the trial before standing and addressing the court, “*I have only to thank Detective McGrath for the fairness and great kindness I have received from him.*”

## MINNIE'S ACCOUNT OF THE EVENTS

**What does Minnie say happened?** While Minnie did not take the stand during the trial, she did write a 53 page final statement in which she claims to be a victim of tragic circumstances. After the inquest into the death of the six month old child in October of 1889, Minnie grew bitter from all the bad publicity

she was receiving. This lead to Minnie becoming untrusting of the press and the police. She wrote in her final statement, “*That inquest made me a social outcast, a pariah. The press painted me in as black colours as it was possible for them to paint me.*” and in reference to the police, “*If they had kept faith with me, I would have kept faith with them.*” ***This distrust led to Minnie becoming dishonest and evasive with police.***

**Minnie wrote about an incident** where, because of the police persecution, Minnie believed she was publicly shunned. Minnie was penniless in **Dunedin** and it was raining heavily. She visited an acquaintance who had recently offered her a place to stay. The woman told Minnie there were no rooms available. She visited another friend, but to no avail. The friend merely pulled the curtains closed “*as if I was an unclean thing.*”

**This all led Minnie to becoming more secretive**, therefore leading the police and the public to become more suspicious, culminating in the events on the train in **May 1895**. Minnie Dean had obtained a child from Bluff, Dorothy Carter. On the trip home to ‘*The Larches*,’ the child would not stop crying bitterly. To remedy this Minnie gave the child six drops of **laudanum**. Laudanum is extract of opium. Principally used as a pain medication, although commonly used also to quiet a restless baby.

**On the 2nd of May 1895**, Minnie was on her way to **Gore** to meet a lady who was interested in adopting Dorothy. She was then to travel to **Milburn** the next morning, to meet with Jane Hornsby, about taking in another child. Before she left that morning, Dorothy was still crying and restless so Minnie gave her more drops of laudanum. Minnie then boarded the train carrying Dorothy in one hand and her tin hat box in the other.

Having read the train timetable incorrectly she discovered there was no train going to Gore this day. Minnie decided to stay the night in Lumsden. There she could telegram Jane Hornsby and tell her she would be arriving on the afternoon train instead of the morning, which was previously decided upon.

**Upon entering the train**, Minnie was relieved to hear quiet from Dorothy. Minnie placed Dorothy next to her. She was the only passenger in the first class cabin. Some time later, Minnie noticed Dorothy was stiff and not moving. She was dead. It was determined at the inquest that Dorothy died of an overdose of laudanum. **Panicked**, Minnie placed Dorothy in her tin hat box. When the train arrived in Lumsden, Minnie departed carrying her hat box and hurrying to the hotel, *where she spent a sleepless night.*

**In the morning** Minnie travelled to Milburn. Minnie met Jane Hornsby. They completed the transaction for one month old Eva for £10 and Minnie handed Mrs. Hornsby a receipt. While waiting for the next train home, Minnie placed Eva on the bench while she was handling the parcel of baby clothing that Mrs. Hornsby had also handed over. Minnie was knelt, when baby Eva suddenly fell off the bench. Minnie sprang to catch her but it was too late. Eva hit the hard ground, dying instantly.

**Minnie's account of what happened to Eva** is inconsistent with the injuries she suffered from. The coroner ruled Eva died of asphyxiation. This was determined by small abrasions on Eva's skull. It was theorised that, more likely, *Minnie placed her hand over the baby's mouth* causing asphyxia, hence the abrasions. Perhaps to quieten a crying Eva. *Whether this was intentional asphyxiation or an accident was for the jury to decide.*

**Minnie hid the dead baby** in the, at this point, very heavy tin hat box. Minnie then headed home, although she did stop in **Clinton** to do some shopping for flowers and gifts for the children remaining at home. Minnie claims that she did this to not raise any suspicion from her husband or any of the adopted children. Minnie eventually arrived back to Winton. **Esther**, one of Minnie's adopted children helped carry the heavy hat box back home. When Esther asked what was in the box, Minnie claimed it was bulbs for the garden. Minnie buried the two bodies in a shallow grave in her garden that evening, **marking the graves with a bundle of flowers.**

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## EXECUTION

**Minnie Dean was moved to Invercargill gaol** to await her execution. This is where she spent seven weeks while preparations were made for her hanging. Her cell consisted of a wooden bedstead, a table, two wooden stools, a strip of carpet, a Bible, a fire in a grate, and some flowers in a vase. The gaoler and his wife apparently tried to make Minnie as comfortable as possible. ***In Minnie's last statement she thanked them for their care, attention and kindness.***

**On the 7th of August 1895, Walter Martin**, the sheriff of Invercargill, set the execution at 8am Monday the **12th of August**. On Saturday the 10th of August Charles Dean visited his wife for the last time. After this she occupied herself with praying, reading the Bible, and writing her final statement.

**On Sunday** she asked to see the five small children she had been bringing up, but this was denied. She finished her final statement at about 11.30pm before sleeping until around 3am. She declined any breakfast but drank some tea. Then at 7.30am, the day of her execution, **Reverend Lindsay**, who had spent much time with Minnie in her final weeks, arrived to pray with her.

**At three minutes to eight.** The gaoler and the hangman arrived at Minnie's cell. The hangman strapped Minnie's arms to her sides then added a strap around her waist. The bell began to toll as the procession made their way to the gallows. Minnie ascended the fourteen steps up the scaffold. The Sheriff asked Minnie if she would like to say anything to which Minnie replied, "*No, except that I am innocent.*" The hangman adjusted the rope around Minnie's neck and placed a white cap over her head. Minnie was heard whispering to herself, "*Oh God, let me not suffer.*" The lever was drawn and Minnie dropped almost eight feet. ***Breaking her neck, she died 'almost instantly.'***

## CONCLUSION

**Minnie Dean hung for the legally mandated one hour** before being taken down. Her body was handed over to her husband Charles. ***Charles buried Minnie Dean's body in Winton to forever become a part of New Zealand's folklore and legends.*** Around 20km away, an unmarked grave in Winton Cemetery is where Minnie Dean remained for over a century.

Over these years, rumours swelled around the ‘evil’ of Minnie Dean. Throughout the next century her story became twisted and distorted. Over time, details were lost and the tale shed considerable truth, eventually evolving into, and becoming, the ‘*Legend of Minnie Dean*.’

**In 2009**, a mysterious headstone was discovered on Minnie Dean’s unmarked resting site. This ‘*unofficial*’ epitaph reads, “*Minnie Dean is part of Winton’s history. Where she now lies is now no mystery.*” **The victims of Minnie Dean** are more forgotten, in regards to history. As a reminder of a time, not too long ago, when people cared seldom about illegitimate or unwanted children. **Along the Tay Street** boundary of the **Eastern Cemetery** in Invercargill, ***the remains of Dorothy Edith Carter and Eva Hornsby*** are found, along with 2,132 others in an unmarked **mass grave** known as ‘***Free Ground.***’

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## EPILOGUE

*Little did my mother think,  
The day she cradled me,  
What land I was to travel in,  
Or what death I should die.*

*Oh that my father never on me smiled;  
Oh that my mother had never to me sung,  
Oh that my cradle had never been rocked,  
But that I had died when I was young.*

*Oh that my grave it were my bed;  
My blankets were my winding sheet;  
The clocks and the worms my bedfellows,  
And oh sae sound as I should sleep.*

*Little did my mother think  
The day she cradled me  
That I would travel so far far from home,  
To hang on a gallows tree.*

*A poem by Minnie Dean.*

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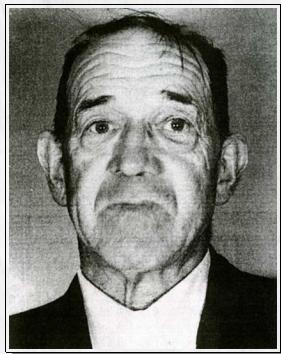
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Walter James Bolton, 1957,  
Wanganui



## WANGANUI, MANAWATU.

**In 1941**, a **Labour Party** government abolished the death penalty. To that point New Zealand was responsible for ‘officially’ executing **seventy six men and one woman**. Up to that point in NZ, in accordance with **English law**, the death penalty was mandatory for acts of **treason, piracy and murder**. All death row inmates had their sentences **commuted to life in prison**.

**In 1950**, a recently elected **National Party**, restored the death penalty. In the years between **1950 to 1956**, an additional seven people were hanged at **Mt. Eden Prison in Auckland**, bringing the total **headcount to eighty four**.

**On the 18th of February 1957**, the eighty fifth and last person was executed in New Zealand. A man, a farmer from the district of **Wanganui** in the **Manawatu**. One newspaper described the events that unfolded. On the scaffold, a rope was placed around his neck. When the trap door snapped open beneath him, he dropped, surviving the fall, sickening the small audience of reporters, clergy and prison warders. Many vomited. The man continued to hang, **wriggling while he slowly strangled to death**.

## EARLY LIFE OF THE BOLTONS

**Walter James Bolton** was born on the **13th of August 1888**, in **Mangamahu**, about 50km outside of Wanganui proper. Attending school, he became known as '**Jim.**' When he reached standard four, **aged 10**, he started working on a farm, soon getting promoted to fencer and then eventually, a farm contract worker. **Jim had found his vocation; farming.**

**In 1913**, at 25 years old, Jim Bolton married **Beatrice Mabel Jones**. Their ceremony was in Wanganui, where they now lived. Beatrice was one of four daughters to the Jones'. The others; **Lilith, Evelyn and Florence.**

**In 1919**, Lilith passed away from unknown reasons, but dying at such a young age implies it was unnatural. She left behind a **5 week old daughter, Leonie**, who was then brought up by Lilith's younger sister Florence; who's husband had died in active service during the First World War. Florence later married **William Doughty**, a construction labourer. Florence and Beatrice were always close and only became closer when their only remaining sister Evelyn, died in **1949** and when Florence's second husband William, died of a heart attack in **1953**.

**Jim dealt with hardship within his own family.** In 1921, his brother, **Thomas**, described as "*feeble minded and unable to care for himself,*" was admitted to **Porirua Mental Hospital**. Later he was moved full time to the historic **Kingseat Psychiatric Hospital**, which closed in **1999**, and current site of the famous haunted attraction, **Spookers**. Thomas Bolton

would later be moved again to **Auckland Mental Hospital**, formally named **Auckland Lunatic Asylum** and the current site of the **Mt. Albert campus of Unitec**; a polytechnic college. The hospital continued to be Thomas' residence, until his death in **March 1934**.

**More tragedy was on the horizon for Jim and the Boltons.** In 1926, Jim's sister **Florence** was admitted to Porirua Mental Hospital, suffering from *chronic schizophrenia*. With her condition apparently declining Florence Bolton was later transferred to Kingseat, where she *remained for the rest of her life*.

**As the years unfolded** the Boltons household grew. The couple produced six children together. Two daughters; **Grace** and **Cecil Constance** and four sons; **James, Francis, Allan** and **Ian**.

**In 1924**, Beatrice was diagnosed with diabetes and had to maintain a strict diet. She then developed a persistent skin irritation known as *pruritus*. The pruritus caused Beatrice to have trouble sleeping at night so she was prescribed a sleeping tonic. This was the beginning of what would become *a slow deterioration of health for Beatrice*.

**Walter James Bolton** was hired to manage a farm property dubbed '*Rusthall*' in **1928**, on **No. 2 Line**, near **Fordell**; about 8km outside of Wanganui. The Boltons packed their belongings and moved into the farmhouse on the property *where they remained for the next two decades*.

## ILLNESS

**On the 2nd of December 1954**, Beatrice called her doctor complaining about *mid-abdominal pains and violent attacks of indigestion, with pain radiating to her back*. The doctors initially thought it could be her gallbladder, but an x-ray showed no trace of gallstones. She suffered from another attack three months later, this time vomiting for “*a considerable time.*”

**For the next ten months** Beatrice would routinely suffer from these violent fits of vomiting and diarrhea. The doctors could not solve the mystery, the catalyst of her suffering. It was decided to remove her gallbladder. **Two months later**, in January of **1956**, the symptoms were back and *Beatrice continued to violently purge.*

**Beatrice’s health continued to decline.** She was admitted to hospital on January the 11th **1956**. Once in the hospital, her condition improved and no more vomiting occurred. She was then moved to **Braemar Hospital in Hamilton**, a private hospital, *which was paid for at Walter’s expense.*

**On the 2nd of June 1956**, well enough to leave the hospital, Beatrice was brought to **7 Kepa Street, Wanganui East**; the residence of her sister Florence. Assisting Beatrice into the house, holding one arm each was Florence and her husband Jim. *Within half an hour, Beatrice complained of feeling sick and later vomited.*

**Her condition then deteriorated further** over the succeeding month. On the 10th of July 1956, Beatrice Bolton fell into a

coma and was admitted urgently to **Wanganui Hospital**. At 1 am, the next day, **Beatrice died**.

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## POST MORTEM

**This left the doctors with a problem**, a conundrum about what to write on the death certificate. They asked Jim Bolton if he would consent to a post mortem examination. This led to a conference with Florence and others from Beatrice's family. Walter Bolton told the doctor he had spent something like **£500** on private medical care, trying to determine what was wrong with his wife. **For his own peace of mind**, he wished to uncover the mystery. Proving the old saying about curiosity and cats to be true. ***For the 66 year old, blind in one eye farmer, this decision later proved fateful.***

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## INVESTIGATION

**On July 12th, 1956, Wanganui Police** were contacted. They were informed that arsenic was found inside Beatrice Bolton's organs. **Detective Sergeant Burton Bevege** was sent out to investigate. He visited the deceased's husband Walter James Bolton and her sister Florence Doughty at 7 Kepa Street. Bolton

told the Detective that he spent his *life savings to get his wife well.*

**Jim then escorted Detective Bevege** through his farm Rusthall, looking for any signs of arsenic. The detective found a packet of 'Young's Improved Sheep Dip' powder in the tool shed, when he turned it over, the label read 'Arsenic - Poison.' The detective asked why it was opened. Jim replied that he had given it to his grandson to put on possum skins.

**A couple of weeks later Detective James Murray** was dispatched from **Police Headquarters in Wellington.** He was to go to Wanganui and take charge of the case. The next day, the two detectives cleared out the medicines at Rusthall and confiscated the sheep dip. The detectives asked Jim if his wife kept a diary. He replied, "*Not to my knowledge. Diaries are dangerous things if they fall into the hands of the wrong people. The boss might get hold of it.*"

**Later that day** the two detectives visited **7 Kepa Street** to ask Beatrice's sister Florence some questions about the diary. They knocked on the door. Jim Bolton answered the door. He claimed Florence couldn't come to the door as she wasn't feeling well. Police were interested in her diary because they had caught wind, from one of the Bolton's daughters in law, that Beatrice had written an entry, with lines saying, "*Now I understand what one means by saying they are broken hearted.*"

**Two weeks later** the Detectives visited Jim Bolton with a more pressing tone. When asked about the diary this time, Jim suggested that someone must have taken it away from the house, or that his wife may have burnt it. When asked how he would explain how arsenic ended up in his wife's organs, he

replied that he thought his wife wouldn't take it herself; he didn't think she committed *suicide via arsenic*. Nor did he think that her sister Florence Doughty had anything to do with the poisoning. The detective pointed out - that only left him. Jim Bolton once again claimed that he spent his life savings on helping his wife. *Why would he kill her, and how?*

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## HOW

**The how.** The detectives already had a theory. In their discussions with Florence Doughty, they discovered a common link in every instance of Beatrice's attacks of vomiting. *Tea*. Tea that was made and served to her by Jim. Walter confirmed that this was true, but only because he would make her tea everyday, **commonly more than once**. They theorised that using the sheep dip powder found in the farm; *Jim was lacing her tea with the poison*. The police pointed out that, in the time that Beatrice was in hospital, she did not vomit once. On her return to 7 Kepa Street, according to her sister Florence, after drinking what she described as 'queer' tasting tea, she began vomiting again. *Jim denied Beatrice had anything to eat or drink before she began vomiting that day*.

**With a good enough theory on how**, the police began working on finding evidence of why. If Walter James Bolton was responsible for poisoning his wife. *Why did he want her dead?*

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## WHY

**A breakthrough came on the 5th of September 1956.** A detective working on the case interviewed **Grace Cook**, the Bolton's eldest daughter. She told the detective that about a month after her mother's death, on the 18 of August, she was staying with her father at Rusthall. When her father, Jim, walked into the kitchen she thought she heard him say, "*I suppose your aunt and I have done it between us.*" **Grace, confused asked**, "*Done what? I do not understand.*" **Jim replied**, "*About your mother.*" **Uncomfortable**, Grace asked no further questions. **She added that during that same stay**, her father gave her an envelope containing £50, which felt like she was "*being bought.*"

**Other strange behaviour** she noted included Jim drinking heavily which was unusual. He also apparently became very agitated at the mention of his wife's death, to the point where he was prescribed *sleeping medication from a doctor.*

**The next day** the police visited Florence Doughty. This lengthy interview was fruitful for the detectives **in search of their 'why.'** Florence had some things she needed to get off her chest. She admitted Beatrice's diary was at 7 Kepa Street, but at the request of Walter Bolton, after the police asked about its whereabouts, **she had burned it.**

**The question inevitably became once more, why?** The motivation for both of them soon became clear. **She confessed**, "*After my husband died on the 6th of July, 1953, I had my*

*niece and her family stopping with me for some 18 months and after they left Mr. Bolton used to visit me. Mr Bolton told me how he used to like me and he used to give me gifts. About 12 months before his wife died, he visited me at my home on one evening, and he persuaded me to be intimate with him. We had sexual intercourse together on a few occasions over a few months, where I then came to my senses and asked Jim to leave me alone and let us just be good friends. From then on he did not have sexual intercourse with me. In reference to gifts from Mr. Bolton. He has given me money and gifts which would amount to possibly £250. Mr Bolton paid me £50 towards a combination range in about early 1955 and was purchased from Mr Bert Cox, **Hardware Merchant, Aramoho**. He also gave me £20 towards the buying of a new carpet from the **Wanganui East Furniture factory** on my birthday on the 9th of April 1955. There was also a big plumbing bill with **Wadey Brothers** for £90 about November 1954. On this occasion there were two accounts and Mr Bolton paid most of the bills. In between times he and his wife have given me money as they knew I was always hard up for money, but he has not given me money for some months and not since Mrs Bolton went into hospital. I never told Mrs Bolton about the money he had given me because he asked me not to. There was never any upsets with my sister and myself and she had no knowledge that Mr Bolton had been intimate with me. The only reason I weakened to him was probably due to the fact that I was very lonely after my husband died.”*

**Walter was then called into the sitting room, joining Florence. When Detective's confronted him with this new insight, he confirmed it. Florence said to Jim, “I only wanted your friendship - you should not have dragged me down like**

*this. ” To which Jim replied, “What of it? We are only human. Well, I suppose I could have gone up the street and got what I wanted.”*

**With this new revelation the why was answered**, at least in the mind of the detectives. Looking back at the evidence they had already gathered, the detectives thought they had a case against Walter James Bolton. As **Sherwood Young** writes in the book, ‘*Guilty on the Gallows*,’ summing up the Crown’s case, “*In his final report on the analysis of Mrs Bolton’s body specimens, [a pathologist] said he had recovered 94mg (approximately one and a half grains) of arsenic. The police, in their consideration of the evidence in mid-September, believed that the poison had first been administered about the same time as Bolton began his relationship with his sister-in-law. They considered the fact that Bolton was in the habit of making his wife cups of tea. Each time she suffered one of her violent vomiting attacks, he was either present with her or in the vicinity. On some occasions he had been the only person present. Mrs Doughty had a freehold house and Bolton may have already started to ‘move in’ in his own mind, even before his wife’s death, by helping to improve the property. With all these factors in mind, Sub-inspector Murray and Detective Sergeant Bevege went to the farm again on Saturday 22 September, where they arrested Walter James Bolton at 9.20am on a charge of murdering his wife at Wanganui on 11 July 1956.*” Jim Bolton’s only comment, a meek and passive, “*Oh, yes.*”

## TRIAL

**Walter James Bolton's** trial began on the **26th of November 1956**, at the **Wanganui Supreme Court**. The defense argued that the evidence presented by the Crown does not prove homicidal intent. Their theory of how Beatrice got arsenic poisoning was as follows. The sheep dip pit leached arsenic into the water supply. The sheep dip pit containing ***15,000 litres of contaminated water*** was emptied on a small embankment which connects to a fresh water spring that the **Bolton's used as drinking water**. This caused small amounts of arsenic poisoning over a long period of time. Because of Beatrice's already weakened state, **she was affected the greatest**.

**The Crown argued** that evidence showed Beatrice received a large dose of arsenic the day before she died. Tests of the water proved it was contaminated by arsenic, but the Crown argued the level was too low to cause death. This proved, in their opinion, ***it couldn't be accidental***.

The Crown argued that Walter murdered Beatrice so his affair with Florence could continue. **In regards** to the motive, **the question** **Bolton's defense counsel** asked the jury in their summing up of the evidence was, "*Can you believe this was sufficient motive for what the Crown says is a vile murder?*" **To which** **the Crown** retorted with in their address to the jury, "***What greater motive is there but sex?***"

**After nine days** on the **5th of December, at 3.20pm**, the jury retired. ***Two hours and ten minutes passed***. The jury reappeared. They found Walter James Bolton guilty of murder.

When asked by **Justice Gresson** if he had any reason a sentence of death should not be passed on him, Walter replied subdued, “*I plead not guilty, sir.*”

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## EXECUTION

**Walter James Bolton** was moved to **Mt Eden Gaol**. As a sidebar, this would be the same time **Juliet Hulme** was serving her time in Mt Eden.

**On the 1st of February 1957**, the Court of Appeal delivered its finding that Walter Bolton had been properly convicted.

**Although still maintaining his innocence**, Jim had no further options to prove his innocence to the court. **His execution was set for 4pm on the 18th of February 1957.**

**4pm. 18th of February 1957.** An apparently heavily sedated Jim Bolton was read his **Last Rites** by a local clergyman. Reports of what happened next vary wildly. Including the one mentioned previously, **about the hangman botching the execution.** This stories origins seem to stem from an article written almost 30 years after the event. Where the writer obtained these details is difficult to understand, nevertheless, this has become the most commonly told version of the events.

**Bill Brien**, in **1957**, was 20 years old. A fresh faced police constable working at the **Mt Eden Police Station**. He claimed to be present for the execution and Bill certainly disagreed with

the botched hanging account. In 1997, Bill recalled the events that transpired that day from his perspective, “*On 18 February 1957, I was on the afternoon shift which comprised the watch-house keeper, another constable, and myself as the beat constable. Sergeant Ted Carter was also there. He said to me, ‘You’ve drawn the short straw. You’re going to an execution.*”

**Sub-Inspector Mal Parker**, Sergeant Carter and I, went to Mount Eden Prison. Parker stayed outside the prison and said, ‘You won’t feel like any tea.’ Sergeant Carter and I met prison **Superintendent Haywood** and a party of officials inside. Our job was to ensure the formalities of the property sheet and a **Public Trust** document were attended to. We went to the condemned cell, where Bolton was there with his daughter. He signed the two documents and said, ‘is this it then?’ There was a carpet between the cell and the compound where I could see the scaffold, with a railways tarpaulin covering the area beneath it. On the tarpaulin was a message ‘NZ Railways offer a reward of £5 for the return of this tarpaulin.’ We arrived early and the trapdoor was tested before the execution. Other officials spoke to Bolton after us. People I recall being present were the sheriff, the superintendent, the prison doctor, a chaplain, an Auckland lawyer, **Bill Cullen** from Truth newspaper, **Detective Sergeant Tom Irving**, and senior prison officer **Dan Cavanagh**. When the time came, Bolton came out of the cell. He was wearing a loose penal institution garment, some sort of leggings and footwear similar to moccasins, with the restraining clothing holding his arms across the front. A prison officer was on either side of him. The hangman was at the scaffold. He was not recognisable that night, because of his clothing. Once on the scaffold, there was some difficulty getting Bolton’s feet in the right position over the trap. After the noose was put around his neck, a white cloth hood was put over his

head. When the sheriff gave the signal, the hangman moved the lever. **The trap hinges squeaked and there was a loud metallic clang as the trap door opened.** Bolton disappeared from sight behind the tarpaulin. We had to wait for a while in the superintendent's office. I had my first sip of whisky that night. A bottle of **Black Label** whisky was produced for us. I did not see any beer. Normally you couldn't get whisky for love nor money. There was talk about earlier hangings during this time. After this wait, we went with the prison doctor, who had to certify death. A prison warder released the rope while I supported the body. The body looked about seven feet long, hanging there. The toes were almost touching the ground. The neck had been stretched considerably, while the tongue was out of the mouth and looked to be about nine inches long. The cloth had gone right up the side of the head and had been damaged where the knot had ripped part of the ear off. The neck was a mess. When the rope was removed, **the tongue slurped back into the mouth.** The inquest was held in the prison superintendent's office, with the body in the next room. The undertaker took the body away in the dark, in an old station wagon that didn't look like a hearse. Bolton's body was buried at Wanganui. I will never forget this experience. **I am not for or against capital punishment, as long as I don't have to see them executed.”**

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## ABOLISHING THE DEATH PENALTY

A post mortem was enacted on Walter James Bolton's

**corpse.** They discovered something interesting. Jim Bolton also tested positive for arsenic poisoning, *giving more weight to the theory that the poison may have entered the water supply.* The unearthing of this new information lead many in late 50s New Zealand, to become dubious to the finality of the death penalty, and ponder: *What if we got it wrong? The man who hung that February evening - what if he was innocent?*

**A Labour Party government** returned to office in late **1957** and the following year, made the death penalty inoperative. When the **National Party** returned to power in **1960** and in **1961, Parliament** debated an amendment to the **Crimes Act**; abolition of the death penalty. **Walter Nash**, leader of the Labour opposition said in an argument for abolishing the death penalty, “*I affirm that a person who was hanged for murder was not in my mind guilty. It happened not so long ago and is inside the experience of everyone in this House.*” **In the same debate** another Labour MP **Fred Hackett** said, “*The Government of the day, or possibly the Minister of Justice, orphaned the children of a family by hanging a man and it is very doubtful today whether he was guilty of the crime.*”

**The amendment was passed in 1961** abolishing the death penalty for everything except *treason*. Then in **1989**, the NZ government passed the **Abolition of the Death Penalty Act**. *Removing the death penalty as an instrument of justice.*

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## CONCLUSION

**The case of Walter Bolton** has remained within the public consciousness for similar reasons Minnie Dean's case continues to entice curious minds. In both cases, the accused maintained their innocence to the moment of perishing. This has led many to investigate the cases in the subsequent years, unearthing new information. *The death penalty will forever be a divisive issue.*

**The definitive finality of the event**, ultimately leads to the question, how much trust do we have that the courts get it right every time? How much faith do you have that, **of the 85 people sent to the gallows over the 110 years** the death penalty was active in New Zealand, *could any have been exonerated by new, not yet discovered evidence?*

*Of those 84 men, and one woman hanged, even if only one was innocent*, would that make the government personnel involved guilty of murder? If so, the mandatory punishment for such a crime, pre-1961, *would ironically be death by hanging.*

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## Case 8:

Graeme Burton, 1992, Lower Hutt



## **PART I:**

Paul Anderson

## WELLINGTON CITY, WELLINGTON.

**In 1992, Paul Anderson** was a lighting technician at **Wellington** nightclub, **The Carpark**. After hearing some commotion with a man and the club's security, Anderson found himself confronted by a large, enraged and intoxicated man. The man was also wielding a knife. The man asked Anderson if he worked at the club. Anderson supposedly confirmed this and the knife was put to use. Paul was viciously stabbed and he collapsed - later bleeding out.

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## EARLY LIFE

**Graeme Burton** was born in **1971** in **Lower Hutt**. As a baby, Burton's biological mother put him up for adoption. He was then adopted by an older couple and they raised him in **Waterloo**, a suburb of Lower Hutt. News reports quoting people who knew Burton and his family painted a picture of him as **an artistic and polite child**.

**Issues began in 1973**, when Burton's adopted father passed away when he was only two years old. This left only his adopted mother to raise him, something she seemed to struggle with. Her frustrations were commonly taken out on a young

Graeme. He was the subject of scathing criticism from his adopted mother and her consistent put downs further exacerbated the divide between them. When Graeme misbehaved, she would often note that he must remember that being adopted means, ***she can return him at her own discretion.***

**At 15**, with little affection or attachment to his adopted mother, Graeme started using drugs. He was fond of **cannabis** and **LSD**, but what Burton really had a taste for was **benzodiazepines**. Benzodiazepines, or more commonly known as **Benzos**, are a type of medication known as tranquilizers. Familiar names include **Valium**, **Xanax** and most commonly in New Zealand **Diazepam**.

**Benzodiazepines** act on the central nervous system, produce sedation and muscle relaxation ,and lower anxiety levels. These are most commonly given for anxiety, insomnia, and seizure control. When non-prescription users obtain and use Benzos for their sedation effects, they frequently start abusing them.

***Graeme Burton was one of these people and by his 17th birthday he was abusing benzos on a daily basis.***

**Kelly Kirk** was only 15 years old when she began dating Burton. He was 21. Kirk described the relationship in the beginning as ‘okay’ but said Burton quickly turned and started treating her cruelly. Kirk reminisced about her time with Burton in a 2016 interview with **Stuff.co.nz**. “*There was a time, early on, when it was seductive being a bad girl running with bad boys.*” Burton’s bad boy streak extended to beating and physically abusing Kirk. She claimed that at the time she thought his violence toward her was really evidence that he loved her. Although, she later described Burton in **2016** as a

psychopath, "They say psychopaths, they imitate emotions, and that is so accurate to him. Like, he doesn't know how to portray emotions, so he imitates what he sees around him. It's hard to explain because sometimes he doesn't quite hit it. His reactions will be strange. I always knew he was going to murder someone. He actually said to me that he knew he was going to kill." **She added that violence was what kept her by his side.**

**By this time**, Graeme Burton's drug addiction was intensifying. He had turned to crime to fuel this habit. Burton would commit burglaries to obtain money for drugs. When this wasn't fruitful enough, Graeme would break into chemists directly, in search of benzodiazepines to satiate his dependence. **By 1992**, Graeme was 21 and had 91 convictions for property theft, fraud, and other drug-related crimes.

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## THE MURDER OF PAUL ANDERSON

**The same year**, Graeme Burton and Kelly Kirk, still only 15, decided they wanted to spend a night out on the town in Wellington City. On a destructive cocktail of drugs consisting of benzodiazepines, alcohol and 4 other drugs, Burton and Kirk arrived at the Carpark, a heavy metal club on **Willis Street**.

**After entering the club**, Burton's behaviour grew increasingly strange, culminating in an incident where he urinated on the club's floor. This drew attention from the club's security that promptly attempted to remove Burton. After an ensuing

struggle, Burton was then seen asking the club's lighting technician, Paul Anderson, if he worked there. After confirming his employee status, Burton took out a ***10cm knife and savagely stabbed Anderson with such force he was lifted from the ground.*** He then subsequently fell to the floor near a landing of stairs. Anderson lay bleeding out on the Carpark floor and later died.

**The police were called** and Burton was promptly arrested. Graeme Burton was found guilty of Murder in **1992**. He was sentenced to life imprisonment without possibility of parole for ten years, making him eligible for probation in **May of 2002**.

**Kelly Kirk and Burton** continued their relationship for one year into his sentence. When Kirk went to the visitors centre at the Rimutaka Prison in Upper Hutt to let Burton know she was ending the relationship, Burton exploded in rage. The glass barrier separating them barely containing him. She summed up the experience as such, "*He attacked me. I told him that was it.*"

**While police had stopped Burton** from being able to write to Kirk while he was in prison, he could still get his prison visitors to put threatening letters in the mailbox. The last time Kelly Kirk heard from Burton was shortly before **June 1998**. **She received a letter in her letterbox that read, "I'm coming for you, revenge will be sweet."**

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## ON THE RUN

**On the 15th of June 1998**, four prisoners fled from Auckland Prison; Graeme Burton was among them. After escaping prison the inmates buried themselves in a decaying bush. This stopped their heat signatures being detected by the infrared heat-seeking camera on the searching police helicopter.

**The prisoners** were able to slip away undetected and somehow made their way out of Auckland, to the Coromandel coast. Houses were found burgled in **Tairua** and police assessed that this was the work of the escapees. Burton and the other prisoners were thought to be armed with at least **a shotgun and a .303 calibre rifle**, based on discarded ammunition found at one of the burgled properties.

**Roadblocks were set up around Tairua and armed police stopped every car.** The search area covered about **8km** of Coromandel coast and inland west of the Tairua township, much of it thick bush. This was one of New Zealand's most intense manhunts involving more than **100 armed police searchers**, including members of the police special tactics group carrying sub machine guns, semi-automatic rifles and pistols. ***Police searched the Coromandel Peninsula on foot, by sea and by air.***

**On June 25th, 1998, 10 days after the escapees fled the prison,** Police spotted a man sitting with his back against a tree. His head was slumped over resting on his knees. This man was one of the escapees, exhausted from 10 days on the run. Problem was, he was alone. The three other men including

Burton were still free. The man later said from his prison cell that the escaped trio was armed and would not surrender without a gunfight and were prepared to die, **concluding with, “they will hold out to the last.”**

**Three days later on June 28th.** Police spotted a broken security light in a luxury holiday home in Tairua. This tipped the police off as they had already searched the property a few days earlier. Armed police searched the home again and found Burton and the other two escapees. They surrendered and came with the police without a fight. The escapers later claimed to be ‘shit scared’ of the armed police. Graeme Burton was given an additional 3 years for the escape and associated crimes. **The earliest Burton could now get paroled was May 2005.**

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## KELLY KIRK

**Kelly Kirk and her young daughters** were rushed away for their own safety during the 13 days Burton was free. Unfortunately this was not the end of tragedy and violence in Kirk’s life. By 1998 Kirk had developed a **heavy morphine habit**. The month after Burton’s escape in July of 1998, Kelly and her boyfriend **Adam Little** got ‘doped up’ in their lounge with a young girl, **Erana Hickmott**. The young woman slipped into unconsciousness while **Kirk and Little ate KFC**.

**Kirk stopped to smoke a cigarette** on her way to drop the unconscious girl off at Hutt Hospital, where she subsequently

died days later. Two jury trials did not convict Kirk or her boyfriend Adam Little, after arguments over whether it was the injection Kirk and Little gave the victim that killed her, or whether it was the cocktail of drugs she had been taking in the days before her death.

**In that same 2016 Stuff.co.nz interview with Kirk**, she looks back on that time, *"I really feel for Erana's family, especially her mother and father and her young daughter ... she was a young girl at the time and she's grown up without her beautiful mother and I do feel a lot of guilt about that."*

**In 2015**, Kelly Kirk was involved with another violent incident in Taita, a suburb of Lower Hutt. Kirk was now in a relationship with a man named **Adam Watkins**. Watkins was described by Kirk as, *"He was a bit of a larrikin you know, a bit of a Jack the lad. He was funny. He could be a very loving partner ... He was very proud of our son."* Yet, he was described by others as a man with a history of domestic violence, a fondness of smoking meth, and someone who would become incensed for seemingly no reason. He would then direct that anger at the women in the house, usually Kelly Kirk or her **19 year old daughter Daryl Kirk**.

**On the 5th of February**, Adam Watkins had smoked methamphetamine and was having a violent episode. Watkins was acting erratically and was swinging a clever around the house. He then went outside and plunged the clever into a car's windscreen. Daryl Kirk, saying she feared for her life, picked up a **.22 Mossberg semi-automatic rifle** that her partner kept in the house for protection from the local gangs. She pointed at Watkins and fired. ***She said she fired only once, or maybe twice, but in fact she shot six times.*** Two hit Watkins directly

and a third ricocheted off a door frame and struck Watkins in the back as he fled to the driveway. Bleeding out in the driveway, Kelly Kirk comforted her dying partner. Kelly spoke about that incident in 2016, *"I saw the amount of blood he was losing and I knew he didn't have long, so I just held his face and told him I loved him and that his son loved him. I said to him, 'I don't regret a minute of our time together.' He told me he loved me, he told me that he wanted his mother and just after that he said, 'I'm going now, Kelly. I'm going,' and then he drifted."*

**Daryl Kirk was found guilty of manslaughter in June of 2016.** At sentencing, Crown prosecutor **Seamus Woods** said a jail term of at least seven years was appropriate. Adding that no psychological conditions contributed to Daryl's state of mind before she killed Watkins, and there was an element of premeditation in the shooting. He also accused her of demonstrating *"limited, if any, display of genuine remorse."* Daryl was sentenced to 12 months home detention for the crime.

**During her daughter's trial,** Kelly Kirk said she wanted a different life for herself and her loved ones. She had achieved the lowest dose of methadone since starting the drug treatment programme at 18. *"I think now's the time. I mean, I turned 40 last month and I thought, 'Jeez, I don't want to be in this place in another 20 years. The majority of the bad choices I've made, I wasn't in the right frame of mind when I made them."*

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## PAROLE

**Graeme Burton continued to use drugs** many years into his prison sentence, failing many drug tests while serving his time. Burton attended a rehabilitation programme, targeting his propensity for violence, but was not required to attend treatment for his drug addiction. Numerous psychologists and psychiatrists who interviewed him pointed out that his addiction had not been addressed and recommended alcohol and drug assessment and treatment. The Corrections Department refused to provide one. Despite this, Burton seemingly got clean in 2003 as Burton would be eligible to be paroled soon, **in May of 2005.**

**Nick Lascelles**, a clinical psychologist contracted to the Corrections Department psychological services, was asked to assess Burton's risk of reoffending for the Parole Board. He discovered allegations that Burton had assaulted three other inmates and had offered **\$8000** to another prisoner to do "*a hit*" on a guard. A variety of clinical assessment tools found Burton had a moderate to high risk of reoffending. Previously his risk had been assessed as "*very high.*" Although he also thought that Burton had shown some apparent improvement, as he maintained a pleasant demeanour in his interviews with Lascelles and **showed some insight into ways of managing his anger.**

**He flagged these matters in his report to the board.** He offered two scenarios and conclusions on Burton's risk with the ultimate assessment depending on whether the allegations of violence were true. Concluding with, "*given those allegations, I*

*did not support Mr Burton being released.”*

**Katrina Casey, the Corrections Department's general manager of community probation and psychological services**, told the court in 2007 that information about the allegations against Burton were not in the report given to the Parole Board when they should have been. She explained a prison manager had given information to Lascelles and expected the board would seek more information from jail staff, but this was an incorrect approach, *“The information should have been put in front of the board.”*

**In March of 2006**, the only barrier that stood between Burton and freedom was the lack of a recent psychological assessment. The parole board proposed to release him three months later, providing he had been assessed by a psychologist who had addressed, *“Mr Burton's current risk to the safety of the community.”*

**On June 28th, 2006**, the board ordered Burton's release. The psychological assessment had been done which concluded that: *“Mr Burton's documented improvement in conduct and release plan supports a case for a carefully managed release under close supervision.”* **The decision to parole Burton** was made despite the failure to meet the board's request that he be eased back into the community by a process of home leaves.

**Home leaves is temporary release to**, *“assist in the prisoner's rehabilitation and their successful return to the community, such as learning practical living skills in the community.”* **The psychological assessment** made references to allegations of Burton committing violence in prison but acknowledged these were unsubstantiated and there was no documentation to

validate those claims. *It is possible that this is referencing the same violent incidents Nick Lascelles made reference to in his report.*

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## RELEASE

**On the 10th of July 2006**, Graeme Burton was released from prison. He served 14 years of his life sentence for the murder of Paul Anderson. Graeme Burton was now a free man. A free man such as any of us in this society. Free to use independent judgement. The freedom to make choices on what he thought would be positive contributions to the community. *The freedom to kill again.*

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## **PART II:**

**Karl Kuchenbecker**

## WAINUIOMATA, WELLINGTON.

**On the afternoon of January the 6th 2007.** Karl Kuchenbecker was riding his quad bike in the hills that connect Lower Hutt to Wainuiomata. Karl was riding through a firebreak on his way home when he was confronted by a drug frenzied, overly aggressive man wielding a shotgun. The man fired. Karl was hit and he fell to the ground. ***The man fired the shotgun two more times hitting Kuchenbecker.***

**Karl**, with what strength he had left, made a run for it. He was then grabbed and stabbed repeatedly. Puncturing his lung. Kuchenbecker lay dying, alone, as the man looked for more victims.

**This random act of killing** has chilling similarities to the 1992 murder of Paul Anderson. Both were a victim seemingly chosen at random, both were completely unprovoked, ***and both were committed by Graeme Burton.***

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## INTRODUCTION

**In part one we spoke about Graeme Burton at length.** We discussed his troubled upbringing, his history of drug abuse, his

ability to take another's life. We heard from people close to Burton who attempted to give us some insight into his mind. All of this built a world of a teen lost to drugs and a victim of his inability to connect with others in any meaningful way. Yet all that is conjecture when we haven't heard from Graeme himself.

**In 2007 Graeme Burton wrote a letter to the Parole Board.** Dated February 21st, 2007. In this letter Graeme describes his struggles upon his release in 2006. The letter was submitted to the Parole Board of Inquiry and was in regards to the handling of his parole. This letter gives a first hand account of Burton's thinking and situation leading up to the violence that transpired on the Wainuiomata hills.

**We will be** presenting an unedited version of this letter. A few things to keep in mind before we introduce the letter. This is Graeme's account of what happened. The parole board refutes many claims Burton makes in this letter. We will also be presenting the corrections staff responses when relevant, to be fair to all parties. The letter is presented in its entirety, although we will be intervening regularly to clarify points and fill in the details. This is Graeme Burton in his own words.

*“My name is Graeme William Burton and this is my version of events relating to my release on parole. I was released on parole on July 10, 2006, after spending approximately 14 years in prison on a life sentence. I was looking forward to getting out and starting a new life. I intended this to go well. The New Zealand Parole Board set out a number of conditions that were part of my release on parole. One of the conditions was that I reside in a suburb in Wellington.”*

## The other special conditions were as follows:

1. For the first month at least, Mr Burton's mother will reside at the flat as part of his reintegration process. Any breach of this condition could result in his recall to the prison.
2. Do not leave the Wellington region without prior written approval of the Probation Officer.
3. Undertake employment or employment related training as directed by the Probation Officer but he will not engage in the tattoo business without the prior written approval of the Probation Officer.
4. Undertake a psychological assessment and any treatment recommended as a result of that assessment as directed by the Probation Officer.
5. Attend any other counselling or programmes aimed at reducing his risk of reoffending in the community as directed by the Probation Officer.
6. Do not associate with any person nominated in writing by the Probation Officer.
7. Do not make contact with the Victim's family, either directly or indirectly, unless with the prior written approval of the Probation Officer.

*“The flat was a one bedroom flat and part of a block of four flats. My flat was the bottom one. Access to the flat was difficult. My birth mother was required to live with me for the first month of my release. I had met my mother about 12 times while in prison.” [Graeme Burton’s adopted mother had died of cancer in 1999, 7 years earlier.] “It was okay living with her for about the first two weeks. When my mother arrived from Australia we went into an empty house. There was no furniture, no*

*beds. She slept in a sleeping bag on the floor for the first three days. I slept on the floor with only a blanket; however, I didn't sleep for the first three days. It was also the adrenaline rush of freedom that didn't allow me to sleep."*

*"It was July and freezing in the middle of winter and a cold snap at that time. We had no power for a week. I had no ID and couldn't open a bank account for two weeks. I couldn't cash my Steps to Freedom". [Steps to Freedom is a \$350 cheque you receive on release from prison]. "My mother had to get the cheque changed into her name. I had no history with any bank and no credit rating with any power company. I didn't exist. Finally I got a letter from my probation officer and convinced a bank branch that I needed an account and opened one. My mother had to open a power account for me. The sensory deprivation of 14 years jail made me have heightened in senses. Everything around me I noticed. I missed nothing. The colours were brighter. My mother took me around to the Salvation Army Hope Centre in Newtown. We saw a fella who said he'd sort stuff out and send around to the flat later. The furniture took a few days to arrive. My mother and me set up the flat. The Salvation Army donated the furniture. The bed that arrived was no good — the springs had gone and it wrecked my back. I was used to the prison hard beds."*

*"In the first two weeks things went okay. Then we both started to feel holed up in the one-bedroom flat. We started getting at each other a little to begin with. I didn't really know her to live with. She didn't expect me to be so intense. She was quite relaxed. I was racing around town*

*because I felt under immense pressure by Probation because I had all the probation and parole conditions to keep to. All this had to be done by Friday July 14, 2006. I met my probation officer on the second day at the probation office in Newtown. I couldn't even get my Work and Income payment as I had no bank account. My mother gave me the money to start with, as I didn't have any of my own at all. I was given a food voucher for \$100 when I got out of prison but it had to be used on the day that I got out of jail and we didn't have time to get the food. It expired at the end of the first day and so we had no food. We never got any other voucher to replace it."*

**Burton's probation officer's response to these claims were as follows:** The Rimutaka reintegration team had extensive involvement with Burton prior to him being released. The organisations involved in his reintegration were **Housing NZ, Operation Jericho, Community Probation Service, Prisoners' Aid and Rehabilitation Society, Salvation Army, Winz, and a local marae.** From her perspective he had one of the best reintegration plans ever as he had housing, money, a course within a week of his being released from prison, family and support people.

*"I was on the unemployment benefit to begin with, which was \$160. This changed to a student allowance after a while. It was difficult to sort out the student allowance as my mother had gone by then. It was difficult to get an appointment at Study Link halfway through the year. I was at school at this time studying at the New Zealand Institute of Sport."*

*“On the first day when I moved into the flat I said “hello” to my neighbour. He just grunted at me and slammed the door. The neighbour was crazy. He would bang on the wall whenever he heard the slightest noise in my flat. He’d just start banging. He’d hear us come home — we’d be really quiet not to disturb him at first. He banged at anytime. It could be 4am and he’d bang for hours. He really loved to do loud power kicks and punches at the wall. This scared my mother and my auntie when she came to visit, especially when they found out he went into another neighbour’s house and pulled a knife and threatened to kill them. I talked to one of the other neighbours and they had the same problems with the crazy man. The flat I was in was empty for the previous nine months because of this mad guy.”*

*“I told the probie about the mad neighbour and that he’d threaten to kill the other neighbour and about my concern for my mother’s safety. It was a high-risk situation as well as a highly confrontational situation. I asked the probation officer to move me every time I visited the probation office once a week. The probation officer tried to get me moved because of the bad access as I had problems with my leg. I had to get a medical certificate and couldn’t afford the \$40 to see a doctor”.*

**The probation officer** states that at no time did he tell her he could not afford a medical certificate.

*“When I knew my neighbour was like he was I started arming myself and preparing myself mentally for when he was going to stab me and a possible confrontation. This guy wouldn’t talk, wouldn’t communicate, he refused*

*to. This did my head in, living next to a psycho. I got to a point where I'd had enough. He threatened to kill me. ”*

*“The opportunity arose to get a Mossberg Maverick pump action shotgun for protection against him and former enemies. I said to the probie: “I’m going to kill my neighbour, he’s keeping me awake and I’m losing it. I want to go back to jail. Put me in jail until you can get me another house.” She said: “You don’t mean that.” I said: “I’m going to kill him.” I looked her straight in the eye and said “Yes I do.” She goes: “You’d have to be recalled to go back to jail and have to commit a crime to do so.” I said: “Fuck that. It took me 14 years to get out the last time and will take 10 years to get out this time. I don’t want to commit a crime.” And she’d said: “You don’t mean that you’re doing well and being honest with me and expressing yourself and by telling me means you’re not going to do it.” She was all happy. I said:*

*“Well then I may as well go hard on the crime. I quit the course I had been doing for two months. The probie said I had to get a job. The probie thought I was venting my frustrations and didn’t take me seriously. I had a pump action shotgun at this stage two months after my mother went home.”*

**Graeme’s biological mother** returned to **Australia** after her legally mandated month was over. The probation officer refutes all the statements in regards to Buron saying he was going to kill. She states that Burton never said this ... *“I’m going to kill my neighbour . . . put me back in jail”* The probation officer also states that she knew he had concerns about the neighbour but that she was working with **Housing New Zealand** to have him relocated.

*“I was getting no sleep because the crazy man would keep me awake. I was trapped in my flat. I couldn’t go out as Work and Income were taking money back for grants they gave me when I got out of jail. They said I owed \$560. The probie sorted this out and I still ended up owing them money. After Work and Income took the money I was left with \$69 a week for everything — bus fare to school, food, clothing, medical expenses and phone. I had to pay \$200 in three weeks for medical expenses and I couldn’t survive on the \$69 so I couldn’t pay the bills. If you can’t pay the bills there is no medical treatment. I was in pain. You have to pay on leaving so I couldn’t attend to my medical needs. I needed to be able bodied for my sports course. I decided I had to move before there was a violent confrontation with the neighbour. I had no money, couldn’t afford medical treatment, a debt to Work and Income and couldn’t live on the money I was getting. My mother was back in Australia and I felt total lack of support. My support people stopped talking to me because I missed a Sunday lunch. I didn’t remember the lunch.”*

**The probation officer** refutes that Burton had no support available and says if he felt this way he never told her, although she admits he said he was very lonely.

*“The pressure got to me so I started using a kaleidoscope of drugs which I got for free because I knew everyone who knew me from jail and they wanted to stay on my good side. I started offending — taxing the criminals in the city establishing myself as the predominant gangster in the Wellington region”*

**It was now October.** Burton has been released for 3 months. Burton was “taxing” the drug dealers around **Wellington** city by committing a series of armed assaults on them, robbing or extorting their money. Through informants police heard that Graeme was trying to start a drug empire and was using a lot of methamphetamine.

*“During this time the police helicopter followed me for two days. I went with my workmates to collect money and the people attacked my workmates and then they called the police. The police pulled us up at Happy Valley Tip and arrested the driver of (our) car for not having a licence and arrested the other person for demanding with menace. The charges got dropped.”*

*“I provided false details of name to police but the real date of birth when I was detained on the side of the road for two hours. A detective arrived and asked to speak to my associate and myself separately. The detective told me he knew what I’d been up to. He mentioned that I’d allegedly broken someone’s legs and been robbing and taxing drug dealers in the city. I said I didn’t know what he was talking about”*

**Burton’s associate** was presumably **Scott Elliot** based on his own testimony in which he admitted his part in an aggravated robbery with Burton, where Elliot and Burton attacked a man in a **Courtenay Place** apartment building. Elliot supposedly said to a police officer during this confrontation “*We’re doing you guys a favour... We’re getting rid of a lot of gear from the streets. You guys should thank us*”.

*“The detective pulled out a large file. I don’t know what*

*it was but it was 11 inches thick. I knew the police had surveillance on me. The detective said: “We want you to stop offending in our city— go and do another city, we don’t want the paperwork when you kill someone.” He said: “We have your enemies under surveillance as well and from [what] we hear they have already dug holes for you and your mate. This is a message from the head of the Organised Crime Unit in Wellington. Stop taxing the drug dealers now before someone is killed and we won’t raid your house next week, we’d leave you alone.” I said: “I don’t know what you’re talking about considering what you seem to know. I’ll give you my assurance that I will not commit more offences if I was in the first place, but don’t tell my probie. I don’t want my parole conditions to get tougher.”*

*“The police breached the deal by raiding my house in Kingston the next week when they said they wouldn’t. The police told the probation officer. Nothing was found at my house. Once this happened I went to the probation officer the next week. I sensed a trap from the tone of the probie’s voice. She was hot on it because I’d been raided for an alleged aggravated robbery. I hadn’t been staying at the house but the probie wasn’t aware of it. I hadn’t been in the house for a month. I’d stay for three to four hours a time during the week when I was in the area. The probation officer said no one would sign an affidavit against me. I knew I was on shaky ground as the police were pressuring potential witnesses to sign an affidavit if they got busted for themselves”*

**The probation officer** says she said nothing about police pressuring witnesses.

*“Soon after this I went into hiding. I was acquiring a store of weapons for a final shootout with the police, as I didn’t want to return to jail. The parole system makes it so hard to get out in the first place. I knew it [would] take 10 years to get out again and I’d rather be dead than go back to jail for that long. I acquired a store of weapons that kept growing, as I’d take them off other criminals just because I could. I got a [series] of safe houses to stay under false names through someone else, ending in the one in Tory St above the Lone Star Restaurant. My contact with the probation officer was over. I was on the run with no dole, living on crime waiting for a big score to get enough money to get out of the country. It was difficult, as border controls are tight. I knew if I didn’t make enough money quickly I’d die at the hands of the police if I wasn’t got by my enemies first. I felt fully hunted under immense pressure determined never to go back to jail alive as I knew the lag would be huge. It would be so difficult to get out again if I ever finished the lag. In my mind I thought I was the good guy by doing society a favour shutting down all the drug dealers in the city. But when I shot the innocent people I realised I was the bad guy and I had to be shot quickly”.*

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## THE SHOOTINGS IN THE WAINUIOMATA HILLS

We will be coming back to Graeme’s letter later, but for now

we have to revisit the incident on the Wainuiomata hills on January the 6th 2007 from a more objective point of view. What exactly happened up on those hills? With the help of the **Independent Police Conduct Authority or IPCA** we have a detailed report of the *shooting of Graeme Burton*.

**As a result of the police search**, Graeme Burton had been dropped off by an associate early Saturday afternoon on January the 6th 2007 to hide in a network of fire-breaks between Lower Hutt and Wainuiomata, in order to evade police. He had with him a **loaded, sawn-off, pump-action Maverick shotgun, a loaded Smith & Wesson revolver, a large hunting knife strapped to his leg, a folding knife and an ASP extendable baton identical to that used by police**. He was also wearing a Kevlar stab and shrapnel resistant vest. The Maverick shotgun had been modified. It was capable of holding five shotgun cartridges, each of which contained nine lead pellets of approximately 9mm in diameter. Each pellet had the potential to inflict fatal injury.

**At approximately 3.30pm**, Karl Kuchenbecker (26) left his home in Wainuiomata on his quad bike. Karl, a farmer who was described as a loving father of two, rode the main fire-break that runs along the top of the hills between Wainuiomata and the Hutt Valley. He was expected back at 5.30pm.

**About 5pm, Burton was seen at the top of the Te Whiti fire-break.** Shortly after this sighting, Karl Kuchenbecker encountered Burton on the main fire-break track. Kuchenbecker was wearing typical motorcycle clothing and a full-face crash helmet. As Kuchenbecker rounded a corner on his bike he was confronted by Burton brandishing his loaded shotgun. Burton fired one round from the shotgun at Kuchenbecker causing him

to fall from his bike. As Karl lay on the ground Burton fired two further shots at him at very close range. The shotgun blast struck Kuchenbecker's right hand and his left palm and forearm, causing injuries consistent with Kuchenbecker trying to defend himself against Burton's attack. The injuries indicate Burton was firing at point blank range. Despite this, Kuchenbecker managed to get to his feet. Burton then took a large hunting knife and stabbed Kuchenbecker a number of times. A deep penetrating wound punctured his right lung, causing him to fall to the ground. As he lay on his back, unable to defend himself, Burton stabbed him in the upper centre of his chest. This wound was inflicted with such force that the knife passed through Kuchenbecker's chest cavity and again punctured his right lung before penetrating his spine. The pathologist concluded that this wound was the last and ultimately led to Kuchenbecker's death. Graeme later described the stabbing as what "*a hunter would do to put a wounded animal out of its misery*".

**It was approximately 5.20pm.** Within minutes two mountain bikers, **Jeremy Alan Simpson (34)** and **Karl Steven Holmes (33)**, came round a corner of the track leading to the scene of Kuchenbecker's murder. As Simpson rounded the corner, with Holmes a few metres further back, he came across Burton standing over the quad bike. Simpson glanced sideways at Burton as he rode past him and noticed Burton had a firearm strapped across his back. Nothing was said but he recognised Burton as the man described in recent media stories who was wanted by the police. ***Simpson then saw Karl Kuchenbecker's motionless body a short distance further along the track.***

**Karl Holmes**, who was riding behind Simpson, saw Burton remove the shotgun from across his back and take aim at

Simpson. Realising he was about to be shot, Simpson accelerated, attempting to round a corner on the track to get out of the line of fire. The mountain biker was approximately **20 metres** from Burton when he fired. The pellets from the shotgun blast struck Simpson in the left elbow but he managed to continue round the corner before falling from his bike to the ground, unable to use his left arm. Holmes reached Burton at the precise moment that Burton fired, shooting his friend. Holmes heard Burton work the action of the shotgun to reload it as he went on past. Believing that he was also about to be shot and fearing for his life, he rode as fast as he could. Burton fired his shotgun again, striking Holmes in the left arm and left side. Holmes was also approximately **20 metres** from Burton when he was shot.

**As Simpson and Holmes were fleeing**, two further mountain bikers were on the track approaching Burton. **Nicholas Rea (50)** and his daughter **Kate Rea (18)**, had come from Wainuiomata Hill, the same direction as Simpson and Holmes, having been overtaken by the two men only a few minutes before. Nicholas and Kate Rea rounded a corner and came across Burton attempting to start the quad bike. He had turned it around so it was facing downhill in an apparent attempt to pursue Simpson and Holmes.

**As Nicholas Rea passed Burton he saw Karl Kuchenbecker lying motionless** on the side of the track, about 20 metres in front of him. He stopped beside Kuchenbecker's body with the intent to administer first aid. Kate Rea stopped on the track halfway between Burton and where Kuchenbecker lay. Nicholas Rea asked Burton what happened. Burton replied, "*There has been an accident.*" Nicholas Rea pulled out his cell phone to call emergency services but Burton went up to him, said, "No

cell phones," and punched him in the face. Burton then told him, with some menace, that he had a knife and produced the hunting knife he had used to murder Kuchenbecker. Fearing for his daughter's life and also for his own, Nicholas Rea handed his cell phone to Burton who threw it into the surrounding bush. Burton then ordered Nicholas Rea to start the quad bike.

Nicholas Rea said he knew nothing about quad bikes and did not know how to start it, to which Burton responded, "*Your life depends on it.*" Still afraid of what Burton would do, Nicholas Rea got onto the quad bike to try and start it. Meanwhile, Burton ordered Kate Rea to hand over her cell phone. She said she didn't have one and gave him her backpack. ***He then demanded Nicholas Rea's backpack and placed both inside his own bag.***

**Burton told the Reas' that he had a gun and took out his sawn-off shotgun from his carry bag.** He was holding it, pointing it in the general direction of the Reas, when it discharged, firing a round into the ground about three metres in front of Kate Rea. Several of the shotgun pellets ricocheted off the ground, striking her. Burton immediately apologised, saying it was an accident and that he had failed to apply the safety catch. While Nicholas Rea continued his attempts to start the quad bike, without success, Burton remained aggressive and intimidating, warning him that "*it looks as though someone has already died; we had better make sure it doesn't happen to anybody else*".

**Eventually Nicholas Rea told Burton he could not start the bike.** Burton got him to remove the bike leads in order to disable it and to throw his daughter's mountain bike into the bush, which he did. Burton then took Nicholas Rea's mountain bike and rode north along the track in the same direction

Simpson and Holmes had gone. Nicholas and Kate Rea, terrified, ran in the opposite direction to find help. **They reached Wainuiomata Road about 3.1 kilometres away where they managed to flag down a motorist who contacted emergency services.**

**As Burton was confronting the Reas, Simpson and Holmes were still making their way along the fire-break towards the Summit Road access point.** As they ran, Holmes dialled 111 and contacted the ambulance service. That call was made at **5.28pm.** After obtaining some basic information, Holmes was told to hang up so police could call him directly. The ambulance dispatcher then called police communications (*Comms*) and provided police with Holmes' cell phone number. The Comms dispatcher then called Lower Hutt area commander Inspector **Bruce Dunstan** at **5.35pm** and provided him with brief details of the event.

**Shortly after 5.35pm,** two officers, who we will refer to as Officer A and B for clarity, were instructed to go to **Summit Road in Lower Hutt** to meet with the two shooting victims. There were very few details available but he told the officers that two mountain bikers were making their way down from the foothills, where they had been shot by a man fitting the description of Burton. **Both officers departed wearing body armour and carrying fully loaded Glock Pistols and with two Bushmaster Rifles in a secure cabinet in the boot of their patrol car.**

**Back on Wainuiomata hill,** Holmes and Simpson looked back along the winding track and could see Burton some **200 metres** away, heading towards them on a mountain bike. Realising they could not out-run the cycling Burton and still believing their

lives in danger, they leapt **30 metres** down a steep bank at the side of the track, crashing through the undergrowth, and hid amongst some gorse bushes. Not wanting to let Burton know where they were, Holmes turned his cell phone onto 'silent' so Burton could not hear it ringing when police called back. They watched as he rode down the Summit Road fire-break, past them and out of sight. They were then contacted by police. Holmes told them that the person who had shot him was "*the guy police have been looking for*". He described the gun as a pump-action shotgun and said he had seen another person on the track who looked dead. ***That call was logged at 5.43pm.***

**Just after 5.47pm**, the two officers arrived in Summit Road and parked at the end of the road, the start of the fire-break trails. From police radio traffic they learned that the shooting incidents being relayed by emergency services to police Comms in all likelihood involved Graeme Burton. Comms also told them that the two injured men were hiding in the bush near the top of the track, too afraid to come down to meet them. The Reas' first calls were received by police at **5.48pm**. Kate Rea told them of being confronted by an armed man, whilst another man was on the ground covered in blood.

**Officer A reassessed his options.** He decided to establish a cordon and called Comms to ask them to send uniformed police to the other exit points of the Wainuiomata hills to set up additional cordon points. As the latest emergency calls were coming from Wainuiomata he thought Burton might now be heading towards Stokes Valley, the other direction, towards them. He told Officer B that the circumstances had changed and they would get the Bushmasters out and loaded and move the patrol car out of sight. ***They would then hide in the bush on either side of the gates to the fire-break trail.***

**What happened next took place in quick succession.** Officer A was at the rear of the car with the boot open, stooped over trying to attach an ammunition holder to the duty belt of Officer B. Officer B was standing upright beside the car on the driver's side, facing toward the boot and watching Officer A when he heard the sound of a bicycle coming to a halt at the Summit Road gateway, about 10 metres away. Officer B looked up and saw Burton approaching the gate from the fire-break side. Drawing his Glock pistol, he took aim at Burton and shouted, "*Stop, armed police.*" **As he raised his pistol**, Burton raised his shotgun and levelled it at the officer. Officer B said he had a clear view of Graeme Burton: "*As he raised the shotgun, Burton smirked at me. He was looking directly at me, as he had been since I first saw him ...I thought he was going to kill me.*"

**Believing that Burton was about to shoot**, Officer B readied to fire when Officer A grabbed his shoulder and told him to run. Given their exposed position, threatened with superior firepower and with their own rifles unloaded and still in the boot of the patrol car, this was the only feasible response. The two officers retreated at speed down Summit Road for approximately **50 metres** until they were out of Burton's direct line of fire.

**Once they realised Burton was not following**, they took cover and radioed for assistance. They then reassessed their situation. They were in a residential area, as well as the two shooting victims in the fire-breaks, they knew there would be other members of the public in the general area. Officer A then made a decision at this point. Based on his fear that Burton was about to take possession of the police's Bushmaster rifles and ammunition as well. ***He decided to go forward, challenge Burton, stop him taking the police rifles, force him to***

*surrender, detain and arrest him.*

**Officer A moved up** the roadway towards Burton, using the roadside bush for cover. He was followed at a short distance by Officer B. Both had drawn their Glock pistols. As they approached the patrol car they saw Burton standing next to the boot holding the two Bushmaster rifles. Officer A shouted, “*Armed police.*” **Burton turned to face him**, the Bushmaster rifles in his left hand and his loaded shotgun in his right. He raised and pointed the shotgun directly at Officer A. The officer estimated he was about **30 metres** from Burton with no obstructions between them. He fired at Burton who stepped sideways as the rear window of the patrol car shattered. Burton did not drop his weapon or surrender. Officer A then fired twice in close succession, one of the shots striking Burton in the upper thigh of his right leg and incapacitating him. Burton dropped his weapons and fell to the ground.

**The two officers** approached Burton and placed him under arrest. While they were attempting to restrain him and assess his medical condition Burton continued to struggle against them. The sawn off shotgun he had been carrying was found to be fully loaded. So was his revolver. The time was 6pm. ***This whole incident took about 40 minutes.***

**Now that we have a detailed timeline about the shootings.** Let’s continue with Graeme Burton as he describes in his letter the same incident on the Wainuiomata hills, the way he remembers it going down.

*“When I shot the innocent people I realised I was the bad guy and I had to be shot quickly. So I ceased to hide and went out and sought the police out where I knew*

*they'd be at the end of the firebreak. I [saw] the police and thought "it's over", I was happy. I ran at them smiling thinking, "its over, thank god its over". The police shot me and I was hit in the artery in my leg. I thought I'd bleed out. I surrendered as I thought death was certain. Unfortunately that was not the case much to my disgust, as I wanted to be killed. **I was gutted I wasn't killed.**"*

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## AFTERMATH OF THE SHOOTINGS

**As a result of the injury Burton received to his leg it had to be amputated.** Graeme Burton pleaded guilty to 11 charges relating to the events of January 6th. The charges were one of murder, two of attempted murder, two of aggravated robbery, two of kidnapping, two of using a firearm against a law enforcement officer, aggravated injury and injuring with reckless disregard. **He was sentenced to life imprisonment with a non-parole period of 26 years for the murder.** For the other charges he was sentenced to preventive detention with a non-parole period of 26 years.

**In December 2008,** Burton was involved in a violent incident, this time in Auckland's maximum security **Paremoremo Prison.** At the time New Zealand's only maximum security facility. He stabbed **Headhunters** gang member **Dwayne Marsh** through the heart and in the shoulders, arms and legs, with a sharpened steel rod. Marsh was rushed to **Auckland**

**Hospital's emergency department** by ambulance and placed in the **Intensive Care Unit**. He survived his injuries. *Burton was charged with attempted murder for this incident.*

**Almost ten years later, in May 2018**, Graeme Burton was the person being assaulted at Paremoremo Prison. He was stabbed by another inmate. Corrections said that his condition was not life threatening. Adding the police and the corrections department would be carrying out investigations. **He also revealed that the prisoners involved with this incident were gang affiliated.**

**In the aftermath of the Graeme Burton shootings** an urgent debate was called in **Parliament**. Opposition and **National** party leader **John Key** shouted across the table, *"New Zealanders deserve to know that when people are released on parole there is a good reason why they are released, and they deserve to know that if people violate their parole, something will happen and they will be recalled, New Zealanders are pretty darned confused now. They do not know what zero tolerance means under a Labour government."*

**In October 2007**, the **Parole Amendment Act** came into force, incorporating changes that addressed issues raised by the Burton incident and making it even more difficult for prisoners to get out.

**In October 2008**, a month before the **General Election**, Key announced the National Party would abolish parole for some violent repeat offenders like Burton under its proposed '*life means life*' policy. A month later John Key became prime minister. *Between 2008 and 2010 the prison population crept up 8 percent.*

**In the succeeding years** the prison population continued steadily increasing due to more changes to the Bail Act, making it harder to be paroled. In 2017, **The Sensible Sentencing Trust or SST**, who are a victim advocacy group, still unsatisfied at the state of New Zealand's parole laws said *"We can only hope that the Minister of Justice stands up and implements serious changes needed to keep the greater New Zealand public safe and starts to hear and give the victims of serious crime a louder voice within the parole system. Now is the time for that change. Let us as a nation take our stand by showing respect to the memory and lives of both Karl Kuchenbecker and Paul Anderson by saying, enough is enough. If this Nation is ever to get on top of its high crime/prison problem we need to have a very hard look at the contributing factors. The break down in traditional families, drugs and alcohol are common factors in most crimes but there seemed to be very little political will to face these issues."* **One of SST's goals** is to abolish parole entirely for violent offenders.

**In 2018**, it was predicted that the prison population is forecast to increase to more than **13,400** in the next 10 years. If this forecast turns out to be correct a new prison will be needed every two to three years. ***The average cost of housing a prisoner is \$100,000 a year.***

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## CONCLUSION

**Graeme Burton's letter in 2007** concludes with his feelings

on why his situation lead him down the road he took and how he believes the parole board failed him.

*“I felt like I could get away with my offending because there were no checks and balances, no measures put in place by the Corrections Department. I had no real reintegration and rehabilitation in the community before I was paroled. I had three escorted outings with prison officers each of six hours before I was paroled. I don’t feel it was the Parole Board letting me out that was the mistake as without hope of parole I [would] have run rampant in jail.”*

*“When I was released initially I was fully intent upon going straight but was unprepared for living in the community after 14 years of my life in prison. I notice the police want more say in refusing parole yet they never checked up on me at all [once] I was out in the community until it was far too late. I already begged my probie that I wanted to go back to jail and was ready to start offending, but didn’t want to.”*

*“It is not my initial release that the community should be worried about but the lack of support and monitoring once I was out that led to such a tragedy. I don’t think it would be fair or just to refuse men who are not me and are probably nothing like me a chance to redeem themselves on parole, so that the police can expand their powers when they had ample opportunity to put me back before the tragedy had they done their jobs properly.”*

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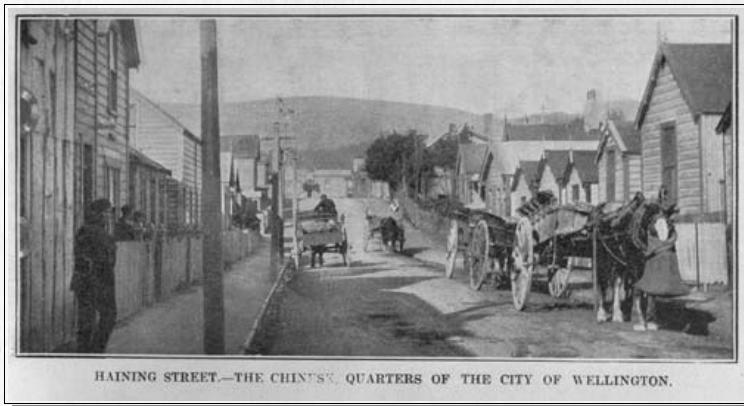
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## Case 9:

# Joe Kum Yung, 1905, Wellington



HAINING STREET.—THE CHINAMAN'S QUARTERS OF THE CITY OF WELLINGTON.

## **DISCLAIMER:**

*This story deals with a race based murder. Therefore by nature of the story, deals with racist ideology and contains some xenophobic language.*

*Reader discretion is advised.*

## WELLINGTON CITY, WELLINGTON.

**Joe Kum Yung** was born in **Canton, China** in **1837**. At 39 years old, in **1876**, he migrated to **Australia** to capitalise on the **Victorian Gold Rush**. Unfortunately, as of the late **1860s**, the gold had already *started to dry up*.

**Hearing about another gold rush** on the **West Coast of New Zealand**, just across the **Tasman Sea**, Joe Kum Yung immigrated to Aotearoa in **1880**. A mining accident sometime later left Yung with a broken leg and unable to continue mining. Whilst recovering in **Greymouth Hospital**, the local **Chinese** community raised money for the now elderly man who was down on his luck. *They thought with the funds he could return to China.*

**Evidently**, even with the means of supporting himself financially in question, Yung wanted to stay in NZ. So instead he travelled to the North Island and settled in **Wellington**. Sadly, the capital was not kind to Joe Kum Yung either. For the next few years *he wandered the streets*.

**Haining Street** is now occupied by mostly offices and boutique clothing stores. The street is located in what's known as the **CBD** or **Central Business District** of Wellington. But in the early **1900s** it was known as the '*Chinese Quarters of Wellington*' and was infamous for tenacious rumours of **illegal gambling and opium dens**.

**24th of September 1905, 7.45pm.** The now 68 year old Joe Kum Yung, still recovering from his mining injury, was limping down Haining Street. Footsteps quickly approached him from behind. *Yung may have sensed a wisp of dread* when he heard a revolver being cocked from the same direction. A loud gunshot quickly followed, *followed by a quicker bullet*. Joe Kum Yung was shot in the back of the head. He fought his injuries in hospital for the next two hours ***but later died at 10pm that night.***

**The unknown gunman** slipped back into the nearby crowds, escaping in the chaos. Police were lost. It was a random killing and they had no leads. The next day a man walked calmly into the **Lambton Quay Police Station**. He placed a revolver on the front desk, then proclaimed proudly, *"I have come to tell you that I am the man who shot the Chinaman in the Chinese quarters of the city last evening. I take an interest in alien immigration and I took this means of bringing it under the public notice."*

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## LIONEL TERRY

**Edward Lionel Terry** was born at **Sandwich, Kent, England**, on the **6th of January 1873**. He became known by his middle name, Lionel. He was one of eleven children to **Edward Terry** and his wife **Frances Lydia Thompson**.

**Lionel Terry** was educated at **Merton College, Wimbledon**.

Terry was described as an accomplished student who “*could do anything.*” At seventeen he joined his father’s firm. Considered to be a successful businessman, Edward Terry was originally a corn merchant in Kent, but by this time established a real estate firm in **Pall Mall, London.**

**Lionel’s father** Edward, claimed to descend from the former **French Emperor, Napoleon Bonaparte**, and was very proud those genes were passed on to his son, “*The inflexible will of the conqueror of Europe has been reproduced in my son. I never knew him to turn aside from any course he started on. Popular as he was, no one could bend or break his will. He would have his own way.*”

**Living up to that reputation**, Lionel soon became unsettled with office work and without his father’s knowledge, in **1892**, he enlisted in the **Royal Regiment of Artillery**. Three years later, in 1895, his father **purchased his military discharge**.

**Lionel Terry** left almost immediately for **South Africa**. He joined the mounted police at **Bulawayo** and participated in the raids of the **29th of December 1895** to the **2nd of January 1896**. These raids became known as the **Jameson Raid**. Named after the British colonial statesman carrying out the raids, **Leander Starr Jameson**. The intention of the raid was to trigger an uprising by the primarily British expatriate workers, in the now bygone South African Republic. ***The raids were a failure.***

**Lionel was also forced** to work alongside Chinese immigrants, something he loathed. Lionel would later write, “*The morals, methods of living, religious beliefs, and general customs of the black and coloured races, are totally strange and in many cases*

*revolting to the white race, and therefore alien immigration into British Possessions has a tendency to produce degenerate habits and to lower the moral standard amongst their white inhabitants.”*

**Lionel Terry** returned to London where he entered into partnership in the family firm, becoming unsettled a short time later. He left once more to travel overseas and explore the world. His travels took him to the **United States** and then on to **British Columbia**.

**In both locations** he worked alongside Chinese immigrants. He was upset that cheap Chinese labour was being hired instead of **Caucasians**. The experience engendered only deepening hatred of the Chinese. In a letter home to his father Lionel said, “*The lack of employment was due to the unscrupulous actions and inordinate greed of the Premier of British Columbia, who would conceal beneath his much vaunted anti-Mongolian mask a despicable scheme to force, by means of poverty and starvation, the men on whom future generations of Canada depend to accept Chinamen's wages.*”

**Before long this hatred had become an obsession.** Lionel later wrote about this in his manifesto, in reference to the press not covering what he describes as ‘*corruption*.’ “*Have they heard of the locked-out British workmen who were kept on the verge of starvation throughout a whole bitter Canadian winter in order to compel them to work for Chinaman's wages? Did they read of the poor Scottish coal-miners who were enticed by false pretences to emigrate to British Columbia by the then Premier of that province, and who, when they discovered the cruel trick that had been practised upon them, with true British pluck preferred to wander penniless into a foreign country*

*rather than work with Chinamen for wages upon which they could barely exist?... This then, is the vaunted prosperity of Canada: Gold is pouring into her treasury from the Chinese head-tax; her great mining, timber and fishing industries are flourishing under the cheap labour system; aliens of every colour, creed and nationality, including the notorious capitalist classes of the United States of America, are swarming over her borders and seizing upon her resources with the avidity of vultures. And the best and most resourceful province in the Dominion of Canada is called British Columbia. But its true name is Chinese Columbia."*

**In 1901**, upset with the state of British Columbia, he tried another British colony. One on the other side of the globe; **New Zealand**.

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## THE SHADOW

**When Lionel Terry arrived in New Zealand** he worked as a fieldworker in Auckland with the **Department of Lands and Survey**. When Lionel moved to Wellington in **May of 1903**, he worked as a draughtsman, drawing up maps and plans for the department.

**In 1904**, Lionel was sent to **Mangonui, Northland**, to work as a surveyor. Here, Lionel Terry put some of his ideas down on paper. The result was '*The Shadow, a book of verse on the need for racial purity*'.

**After an opening prayer,** the introduction for the book sets the stage for Lionel's ideology. *“Although the question of alien immigration into the British Empire has been frequently brought into prominence during recent years, there are comparatively few people who realize its tremendous importance. This ignorance is partly due to the growing tendency of the majority of people to avoid great questions because they appear to be abstruse and complex, but the chief reason lies, undoubtedly, in the fact that the press, throughout almost the whole civilized world, is so completely under the heel of the capitalist that it dare not make the truth known. For it is the capitalist who is chiefly responsible for such immigration. It enables him to work his great industries with cheap labour, and therefore, it is to his interest that the people should be kept in the dark as to the evil consequences arising therefrom.”*

**The book's introduction continues for another eleven pages,** making up almost half of The Shadow. Here, Lionel continues to propagate his position in plain English; ***what will be reiterated later in verse.*** The introduction calls for action on what he believes is corruption from the top down. He claimed that the government had been hijacked by outside negative forces, *“I declare that the Government of the British Empire is Jew-ridden and corrupt... I declare that certain members of the House of Rothschild are, and have been for many years past, the private advisers of the British Cabinet... and the now pending importation of Chinese labour into South Africa [is] attributable to the secret instigation of the Rothschilds, who are deeply interested in South African mining and land securities.”*

**The Rothschilds are a family at the centre of many conspiracies.** In 1905 they were the wealthiest family on the

planet. Money mostly generated from generations of Rothschilds working in the banking sector. Still to this day, *over 100 years later*, the family retains the wealthiest family moniker; *with a fortune estimated in the trillions of dollars*.

**The book's introduction** also lays out why each 'race' should only be working shoulder to shoulder with those that share a similar shade of skin. "*Nature has distinctly demonstrated that the strength of any race, whether white, black, or yellow, depends upon its purity. The violation of the laws of Nature means death.*"

**To support this point**, Lionel Terry had 'evidence' which he believed validated his position, seven reasons why "*the labouring classes constituting the British Empire must be composed wholly of British.*"

**The Shadow concludes** with Lionel's belief that the continued Chinese immigration into the British Empire was really an act of war, "*Amongst the ancient records of Chinese victories there exists one that possesses a terrible significance. The great battles of the hoary Chinese Empire were not always waged with the sword and spear, for at times its people would be commanded by the Emperor to enter peacefully the land of their enemies and to bow down to them and to become their slaves, tilling the soil and tending their sheep and oxen, building them great temples and palaces wherein they might dwell in great comfort. And in due time the people of that country, having violated the laws of Nature by neglecting and abusing the functions bestowed upon them by Nature, became weakened by luxury and idleness and by the vice and crime which are the offspring of luxury and idleness, so that their men became as weak women and their land became a portion of the*

*mighty Chinese Empire.”*

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## WALK TO WELLINGTON

**With his ideologies down on paper, Lionel Terry had to find a way of distributing his message. He advertised the book in newspapers but sales were poor. In an attempt to remedy this, in July 1905 Terry carried out a marathon walk of nearly 900 miles or 1450km from Mangonui to Wellington. Along the walk he distributed copies of The Shadow. At stops on his journey he would lecture to anyone who would listen about the dangers of the ‘yellow peril.’**

**This stunt worked,** at least in part. Lionel garnered some attention from the public. Reports at the time state that NZers who came in contact with Terry were impressed with his striking personality, conversational prowess, and overall breadth of knowledge. A police officer who met up with Lionel on his immense journey was impressed with Lionel. He described him, “*He looked a perfect picture. As fine a man as ever I saw – bolt upright and with as free an action as you'd see on an athlete.*”

**Lionel Terry arrived in Wellington on the 14th of September 1905.** Lionel attempted to convince members of the **House of Representatives** and immigration officials that all non-European immigration should be refused entry to NZ. ***He had little success.***

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## RACE KILLING

*“On Sunday, the good people go to church, the roasts are carved, the children play in their gardens, warned to stay away from that street where they will catch incurable diseases or disappear into some Chinaman’s shed, never to see daylight again, destined to become an example for other children. **On Sunday, Lionel Terry went hunting for a Chinaman.”***

**Ten days later, Sunday the 24th of September 1905,** Terry, apparently frustrated that his ideas were not being given the weight he believed they deserved, made a decision to do something drastic. ***Terry wrote a letter to the governor explaining himself, "I will not under any consideration allow my rights and those of my brother Britons to be jeopardised by alien invaders. To make this perfectly plain, I have this evening put a Chinaman to death."***

**That evening, 7.45pm,** Terry entered the ‘Chinese quarters’ of the city, Haining Street. Picking the easiest target, a limping, elderly and unaware Joe Kum Yung, Lionel crept up behind the 68 year old, ***placed the revolver to the back of Yung’s head and pulled the trigger.***

“Some say it happened so fast - the piercing bullet and the

*flesh, the blood, the fall, the cordite stench. But for one soul it all plays out so slowly, as his shapeless form is lifted in emergency and carried through the unkind night. The familiar sag of a hospital bed, beneath his fallen weight. The silhouettes of the doctors' hands at work. Everything fades - their voices, in fits of panic. Soon the memory of chance will leave his body. Hold this moment to collect and accept."*

***Joe Kum Yung was rushed to hospital. Two hours later he was dead.***

**Monday 25th of September, 1905** - the next day the **Evening Post** headlines read, "*Street Murder in Wellington. A Chinaman Shot.*" That morning Lionel Terry visited a local bookseller on **Lambton Quay**. He asked about how *The Shadow* was selling. The clerk replied - it was a slow seller to which Lionel replied, "*It will sell better tomorrow.*"

**Lionel Terry** then strutted into the **Lambton Quay Police Station**. He placed the murder weapon on the front desk, explaining to the watch house constable behind the desk, "*I have come to tell you that I am the man who shot the Chinaman in the Chinese quarters of the city last evening. I take an interest in alien immigration and I took this means of bringing it under the public notice.*"

**Lionel Terry repeated the statement in written form.** The arresting officer explains the moments that followed, "*Just before I charged him, he handed me two books called 'The Shadow' and he said, "If you read these you will understand the position."* **Lionel Terry was charged with the murder of Joe**

## ***Kum Yung.***

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### **TRIAL OF LIONEL TERRY**

**21st of November 1905**, the trial of Lionel Terry commenced. Terry wasn't denying he murdered Joe Kum Yung that September evening. Only that, in his mind, it was justified, "*Whereas the British law is the law of a nation constituting a portion of the white race, and whereas the laws of all races are moulded according to the different characteristics of their respective nationalities, all of which vary materially one from another therefore, inasmuch as it is naturally impossible for the people of two distinct races to possess the same characteristics, so therefore it must be equally impossible for the laws of a people of one race to beneficially control and govern those of another.*"

Soon the coroner present at the trial questioned Lionel Terry's sanity, suggesting he may have been suffering from sunstroke. Something Lionel denied, "*Although I believe that such rumours have in some instances emanated from those who were inspired by friendly motives towards myself, it is obvious that should they obtain general belief, the reforms which I am endeavouring to establish may be seriously delayed. I wish, therefore, to deny all such rumours or statements and to declare that I have never suffered from sunstroke or any other mental ailment.*"

**When given an opportunity to explain his actions**, Lionel pontificated further on his ‘meritorious deed.’ “My action was the result of careful deliberation and was impelled by merciful considerations for all concerned. In choosing as an example an old and crippled man, I realised that my purpose would be accomplished without the sacrifice of one whose existence was other than a painful burden. By thus quenching a flame which was already flickering towards extinction. I have not only conferred a merciful deliverance upon a world-weary man, but have also benefited those amongst whom he was living and the country in which he had come to live, by an act designed to arouse its people from a state of callous indifference.”

**The Chief Justice** told the jury the only real question was whether Terry was sane, explaining that Terry himself said he was guilty and there was no evidence to the contrary. **The jury took 32 minutes to reach their verdict**, “Guilty, with a strong recommendation to mercy, on the ground that the prisoner was not responsible for his actions, as he was suffering from a craze caused by his intense hatred towards the **mixing of British and alien races**. ”

**Even with the jury’s recommendation**, Terry was sentenced to death. He was reportedly without emotion as the punishment was read - **he was then taken away**.

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## AFTERMATH

**Apparently some agreed with the jury's recommendation of leniency.** It has been reported that a petition was circulated of people sympathetic to Lionel Terry, obtaining more than **1000 signatures**. The petition asked for mercy and for '*medical treatment*.' They argued he was suffering from temporary insanity and he was otherwise a man of "**high character and repute.**"

**The Government**, apparently taking all these factors into consideration, commuted Lionel's sentence to life in prison. But Terry then made such a **nuisance** of himself in prison, the prison personnel took these outbursts as evidence of his insanity. Medical authorities agreed and ***he was diagnosed with paranoid schizophrenia.***

Lionel Terry was transferred to **Sunnyside Mental Hospital** in **Christchurch**, evidently, continuing to be a nuisance. On the **29th of September 1906**, ***Lionel escaped.*** Although, he was recaptured later that day.

**In late December 1906**, Lionel was moved to the mental health wing of **Lyttelton gaol**, known at the time as a lunatic asylum. **Charles Treadwell** writes about this transfer in his **1933** writings, '*Famous New Zealand Trials — The Trial Of Lionel Terry.*' "*Terry went accordingly to Lyttelton gaol but did not last long there. No doubt such an eccentric and unmanageable man in a building that was built for the detention of sick men only, was unfit for Terry... He [was] transferred to Sunnyside Mental Asylum and on the 21st November 1907, he eluded his attendants. There was always a lot of morbid sympathy or admiration for the man. Letters poured in to the newspapers calling Terry a patriot and a hero ad nauseum. However, the hero was caught on the 12th*

**December** after three weeks' liberty. He had built himself a home in a niche in a cliff and had been able to feed himself well. After his recapture the publicity continued and reached such a fever that the **Prime Minister thought it necessary to make a statement**. The need of a strong asylum for **criminal lunatics** was strongly expressed."

As a result of this Lionel Terry spent most of the time between 1909 and 1914 isolated in solitary confinement at **Sunnyside**. In **May 1914**, Terry was moved to the historic **Seacliff Mental Hospital**, at the time of its construction, in the late 19th century, the largest building in NZ. Famed at that time for its gorgeous gothic-themed 'castle fantasy design.' **Unfortunately, history was not kind to Seacliff**. Soon it's fame was garnered less from the stunning architecture and more from a series of unfortunate events leading to its downfall in the late 1950s.

**Firstly**, the building was notorious for design flaws and only three years after opening, portions of the main building collapsed. **Secondly**, the hospital was also notorious for its extreme methods; including use of **electroconvulsive therapy and lobotomies**. **Thirdly**, perhaps Seacliff's most ignominious occurrence, a tragic fire in **1942**. The fire was in **Ward 5**. All 39 female patients inside the ward were unable to escape as they were trapped, locked inside. **They all died of suffocation due to smoke inhalation**.

**Back in 1914**, Lionel Terry's time at Seacliff was an improvement from his conditions at Sunnyside. He was given some privileges, including a suite - with a library and dining room. **Lionel was able to write poetry and paint**.

**Around this time**, Lionel turned increasingly towards religion.

This manifested as referring to himself as the '*Prophet*,' '*Messiah*,' and '*Superman*.' ***He began wearing white clothes. He grew a long beard and wore his hair below his shoulders.***

**In 1940**, Lionel assaulted a doctor who was trying to give him a typhoid vaccine. As a result he spent the ***last 12 years of his life in solitary confinement.*** Lionel Terry died at Seacliff Mental Hospital on **20 August 1952, aged 79.**

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## CONCLUSION

**24th of September 2005**, 100 years after the murder of Joe Kum Yung, ***a plaque was unveiled on Haining Street.*** A memorial to a man who immigrated to NZ for a better life, only to befall to misfortune, the victim at the end of a Nationalist. ***Being murdered as an advertisement for white nationalist ideology.***

**If any of this is sounding familiar**, that is perhaps the most disheartening thought. It bears similarities to the Horrific events of the **Christchurch mosque shootings on the 15th of March 2019.** 114 years after the tragic circumstances of Joe Kum Yung's passing, ***this story in NZ - is more timely than ever.***

*“You wished for water and received a storm. And with want of sunlight the stars explode. They have shipped your body home*

*where proper respects will be paid and offerings made in remembrance. No longer will you navigate this shift solo, afraid of the thoughtless tides the future can bring. Even if his name still hooks to yours there will be voices to say your name to clear the way. ***The rest is up to you.****

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## AFTERWORD

**The poems you read** during this story were taken from **Chris Tse's** book of poetry, '*How to Be Dead in a Year of the Snakes.*' ***There are many more beautiful poems in the book. Please check it out if you are interested.***

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## Case 10:

Brent Garner, 1996, Ashhurst



## **ASHHURST, MANAWATU.**

**On the 25th of August 1996**, a letter came across the desk of **Detective Constable Brent Garner**. Brent opened the letter and began reading, “*COP, you drew the straw. Chapter 1 starts. You will die, I guarantee. The Executioner.*”

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## **PART I:**

### **VENUS**

## BACKGROUND

**21st of April 1996, 10.58am. Hastings.** 25 year old Police Constable **Glen McKibbin** made a routine stop of a motorist. McKibbin was speaking to the driver of the **Toyota Corolla** he had pulled over when a mustard coloured **Ford Falcon** pulled up next to him. The driver of the Falcon was armed with a **.22 rifle**; *he pointed the weapon across the passenger's seat at the officer.*

**The rifle was fired. The bullet** went through McKibbin's hard-covered notebook, then his stomach, before penetrating his spine. The officer went down, calling for help via police comms, "*10/10. I've been shot.*"

*The driver of the Ford sped off a short distance up the road* only to slow down and do a U turn. The Ford and it's armed driver headed towards the downed officer. Taking aim once more - he fired two more shots. The bullets narrowly missed Constable McKibben, hitting the police car instead. ***The Ford exited the scene.*** Glen McKibbin lay on the road, awaiting assistance. When assistance arrived ***Constable McKibbin had already passed.***

**Police identified the driver as, 43 year old Terrence Thompson**, although he had dumped his Ford and escaped into the bush. Police discovered Terrence was on his way to a property he once had owned to evict the occupants. ***If they resisted, he was prepared to shoot them.*** Why Constable

McKibbin was chosen as his victim was unknown.

**A nine week manhunt** in the surrounding bushland of Hastings followed. ***Then on June 24th, 1996, 4.45pm***, police were briefed about a possible sighting of Thompson on the outskirts of **Havelock North, a suburb of Hastings**. An orchard owner spotted someone on his property fitting the description of Terrence Thompson - ***roasting a recently killed sheep on a campfire***.

**The Armed Offenders Squad rushed in** yelling, “*Police, get down, get down, get down!*” Caught by surprise, Thompson replied loudly, “***Shoot me, shoot me, shoot me, fucking shoot me.***”

**Terrence was armed with an M1 carbine rifle.** He ignored the instructions of the police and pivoted the barrel of his weapon. Police reacted when one officer fired his Glock pistol. The bullet entered Thompson’s chest, piercing his heart.

***Terrence Thompson died instantly.***

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## FIRST LETTER

**Brent Garner** was born on the **10th of October 1964**. In 1996, Brent was ***32 years old, 12 years married to his wife Sam Garner*** and already a 13 year veteran of the Police force. Brent and Sam had purchased a home on **Oak Crescent in Ashhurst**.

**Ashhurst** was a small community situated about **14km** outside

of **Palmerston North** proper, with a total population of approximately **3,000**. The Garners moved into the property with their cat and dog, Max. Soon two daughters were born to the family. Brent Garner was described by a neighbour as an “*excellent neighbour, an excellent bloke and an excellent family man.*”

**On the 25th of August 1996.** Detective Brent Garner was at work in the fraud department of the **Palmerston North Police Department**. A letter came across his desk, addressed to him. It read:

*COP, you drew the straw. Chapter 1 starts. You will die, I guarantee. The Executioner.*

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## SECOND LETTER

**Soon a second letter came.** This time it was sent to the editor of the **Manawatu Evening Standard**. It read:

*I am notorious. I am famous. I will be worshipped. They will hunt me - They will lose. McKIBBONS Killer was executed. The tables have turned. I have been chosen as the executioner. My subject has been chosen. My campaign has begun. He has 10 weeks to stop me if he can - but he won't. I will win. He will know my presence. Feel my presence. FEAR my existence. I will hunt him. He is my prey.”*

*Chapter 1: He will know the fear of the hunted.*

*Chapter 2: He will feel the destruction of the great god of FIRE.*

*Chapter 3: He will hate my very existence.*

*Chapter 4: He will see my face and accept his death sentence. His crime is his allegiance to the crown and his fight against evil.*

***EPILOGUE – There is nothing more noble than the death of a police. Palmerston North Police WILL bury a murdered colleague. I guarantee! His time has come. His blood will flow. He will die alone. No-one will be by his side. He will know the time. He has 10 weeks. He should cherish them. Mr Policeman. I am coming. The Executioner.***

Confused, police and the press, pondered whether Glen McKibbin was murdered as a sacrifice to the devil, *as the letter implied.*

**Police took this threat very seriously but wondered, why Brent Garner?** He worked as a detective in the fraud department not violent crime. He didn't deal with hardened thugs or have much to do with the underworld. On the other hand, Glen McKibbin was seemingly picked at random - *perhaps Brent was also.*

**This threat spooked Police and Brent enough that precautions were taken.** Brent's wife - Sam Garner and their two daughters, *both still infants, were relocated.* They stayed with family to the north of 'Palmy,' in Tauranga. ***Brent decided to stayed in Ashhurst.***

**The Palmerston North police** monitored Brent's property on Oak Crescent in Ashhurst. Brent was given a *pendant alarm that he could wear around his neck*. This alarm would alert police comms immediately. On top of this, patrol cars would regularly check in on Brent throughout the day and night, *keeping an eye out for suspicious characters*.

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### THIRD LETTER

**On the 25th of September 1996, a third letter arrived:**

*Officer Garner, are you foolish enough to think I have forgotten about you? I think you are. He is the master and I am his disciple. He has the wisdom and I am his earthly vessel. Let me tell you this, Officer Garner. Without a doubt, you will take me very seriously when I prepare you for my Lord. For to be prepared you must be pure, and to purify a subject, there can be only one way. Pain is the genesis of purity. And that it is by my hands that they make their way to pay homage to Satan himself. I have remained free to carry out his taskings and I will continue to do so. For I am notorious. I am famous. And yes, I will be worshiped. Officer Garner, accept your fate or challenge the great one. That decision is yours. Time is unstable. I am coming. Gilles de Rais.*

**The Executioner had rebranded**, now referring to themselves as one of history's most infamous men. **Gilles de Rais** was a

**13th century Knight** who famously fought alongside **Joan of Arc**. Rais was a commander during **The Hundred Year War**, a war that in actuality went for **116 years** - fought between the **Kingdom of England** over the right to rule the **Kingdom of France**. Rais' bravery was honored by **France** by being given the title of **Marshal of France**, *only awarded to generals for exceptional achievements*.

After retiring from the military, Gilles de Rais became interested in the Occult. In 1438, Rais contacted a priest who claimed to know *alchemy*, as well as being versed in the act of *demon summoning*, **François Prelati**.

Together, Rais and Prelati began doing experiments in the lower hall of Rais castle, **Château de Tiffauges**. After failing three times to summon the demon **Barron**, Prelati informed Gilles that the demon was angry. **Barron required the offering - parts of children.**

**Rais and Prelati** began kidnapping children. Sometimes the children would come willingly with the noblemen. They would bring their victims back to the castle. In his **1971** biography of Rais, **Jean Benedetti** explains what would follow. “[The boy] was pampered and dressed in better clothes than he had ever known. The evening began with a large meal and heavy drinking, particularly hippocras (**which is wine mixed with sugar and spices**), which acted as a stimulant. The boy was then taken to an upper room to which only Gilles and his immediate circle were admitted. There he was confronted with the true nature of his situation. The shock thus produced on the boy was an initial source of pleasure for Gilles.”

Gilles would then strip the child naked, hang them by ropes

and hooks, assure them he only wanted to play, *then murder them*. Usually by decapitation or breaking their necks. Gilles would sexually abuse his victims as well, **sometimes even engaging in necrophilia - using a decapitated head or a cut in the throat as an orifice.**

According to the writings of Jean Benedetti once again, Gilles took great pleasure in his whole event, “*... when the said children were dead, he kissed them and those who had the most handsome limbs and heads he held up to admire them, and had their bodies cruelly cut open and took delight at the sight of their inner organs; and very often when the children were dying he sat on their stomachs and took pleasure in seeing them die and laughed.*”

**On the 26th of October 1440, Gilles de Rais was hanged for these crimes.** Estimates of the number of Gilles’ victims range from **80 all the way to 600**. Just in case you were wondering, Gilles never got to summon his demon. **Was this new Gilles de Rais trying to pick up where his 15th century counterpart left off?**

## SATANIC ATTACK

**Police scrutiny of Brent’s Ashhurst property was dialed up.** A couple of days later, Brent expressed concern that he believed someone may be feeding his dog, trying to gain its trust. **Patrols were increased.**

**On the 19th of October 1996, around 4am.** Palmerston North police were alerted by a resident of Oak Crescent that something was happening at Brent Garner's house. As the police convoy pulled up at the Ashhurst property, ***they found the house ablaze.***

**Police exited their vehicles.** A neighbour called out for help. Responders rushed to the pleas for assistance coming from the backyard. There they found Detective Brent Garner in his underwear - ***covered in gasoline, bound and gagged with deep razor cuts carved into his back.***

**Brent communicated that he had been assaulted whilst he was asleep.** The assailant attacked him with a razor blade, cutting him multiple times before finally overpowering Brent and eventually restraining him. Something was stuffed in Brent's mouth before it was duct taped shut. **The assailant proceeded to pour gasoline over Brent before exiting the room to douse the rest of the house.**

**During this time, Brent's survival instincts kicked in.** He maneuvered, still bound and gagged, over to a nearby window; ***which was fortunately unlocked.*** With much difficulty, Brent managed to climb out and fall many feet to the ground. In much pain, Garner shuffled away from the house to join his dog Max in the backyard ***just in time to watch his property go up in flames.***

**The next day, "Is Satan in NZ?"** the headlines read. Many reports began appearing in the media about **Satanic ritual abuse and secret, underground, evil cults.** The Member of Parliament for Nelson, **Nick Smith**, noted that the attack on Brent Garner reminded him of a scene from the movie

**Reservoir Dogs** involving a *knife attack, gasoline, torture, and murder*. As such he called for the censoring of violent scenes from movies, convinced there was a link between this **movie and the attack**.

**The public were also very supportive of the Garner family.** Sending over \$11,000 in cash and large quantities of gifts to help with the rebuilding of Brent and his family's lives. Many toys were sent to the Garner children, the youngest being only 7 months old, while the oldest was celebrating her *third birthday the following day*.

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## OPERATION VENUS

*Operation Venus was headed up to investigate the attempted murder, being led by Detective Senior Sergeant (D.S.S) Grant Nicholls.* The Police utilised this new thing called 'The Internet.' People could visit a home page which gave details of the crime, a first for police in New Zealand. The public was encouraged to provide any information they could on the *occult or cults around NZ*.

**First port of call for Operation Venus** was to go speak with the only witness, Brent Garner. Garner reiterated what he had said earlier, *but elaborated*. Beginning with: Brent remembered seeing a car in his rear vision mirror which seemed to be following him. Brent told Sergeant Nicholls that he was up until *1am, cleaning*. He told the police he must have

forgotten to put his alarm pendant on after he showered.

**Then he awoke around 4am to find the attacker standing at the end of his bed.** In a “cultured English accent” the man spoke, “*Expecting me were you? Been wondering when I might come? Well, here I am.*”

**While Brent didn’t recognise the man’s face,** he did provide police with a description which was converted into an artist’s sketch, known as an identikit.

**Many Detectives commented**, as well as Sam Garner, Brent’s wife - the identikit sketch looked a lot like Brent himself. The only really noticeable difference was the man in the sketch had a goatee. *Brent was clean shaven.*

**The assailant then attacked Brent**, overpowering him with his strength. Brent was restrained with cable ties around his legs and hands. Garner then said something was stuffed in his mouth, that he almost swallowed, before he was gagged with duct tape.

**When police investigated** that ‘*something*,’ it turned out to be another letter. “*Brent Frederic Garner was chosen by the Great One. I was chosen to do the work of the Great One. Immortality is mine. Evil triumphs again. I will be watching. Goodbye. Advocatus Diaboli.*”

**The formerly named, The Executioner had renamed himself once more.** Advocatus Diaboli is latin and literally translates to ‘*the Devil’s Advocate.*’ As a quick side-note, the origins of this phrase are actually pretty interesting. A person from within the **Catholic Church** was assigned to be Advocatus Diaboli. Their role was to “[argue] against the

*sainthood of a candidate in order to uncover any character flaws or misrepresentation of the evidence favoring canonization.*" This is where the idiom '**playing devil's advocate**' derives from.

**After Advocatus had successfully restrained Brent**, he told him, "*I'm going to hurt you now,*" before proceeding to cut into Brent's back with a scalpel. Some theorised he was **trying to carve a pentagram**. When Police investigated the wounds on Brent's back closer they found multiple deep razor cuts. *What they thought was interesting though*, the cuts were quite clean and straight. If Brent was thrashing around on the bed, you could expect the cuts would be messier - **more haphazard**.

**Brent continued.** The assaulter then produced multiple cans of petrol and threatened his hostage, "**You are going to burn, Detective Garner.**" Petrol was poured over Brent, over the fresh cuts on his back. *Advocatus then exited the bedroom to douse the flammable over the rest of the house.*

**Brent explained** once more about escaping out the window, crawling to the backyard and finding Max. *The dog didn't bark?* the police asked. No, Brent replied. Which was weird, he added. It was weird to detectives as well. *Max had a reputation for being a noisy dog*, barking at all hours of the night. Tonight, he was silent. Brent pondered if he was right about his suspicions that someone was feeding Max to gain his trust. Also police wondered, *if someone has threatened your life, why was the window unlocked?*

**Brent Garner concluded his recollection**, explaining that his neighbour who had jumped the fence to help, eventually discovered him. **Fire crews arrived about 10 minutes later.**

**Something wasn't stacking up for D.S.S. Nicholls.** He asked for permission from his superior to start a *dual, covert investigation into the possibility Brent Garner was responsible for the letters*. Investigating a fellow officer is something of much disrepute in policing circles, described by one officer as a "*nightmare of nightmares.*" ***Nicholls evidence?*** A few inconsistencies in Brent's story and gut instinct. ***He was putting a lot on the line for this hunch.***

D.S.S. **Nicholls** obtained permission to launch the second covert investigation. The second floor of the **Palmerston North Library** was used as a space for the operation. Nicholls started recruiting trusted personnel for the assignment. The two investigations were to work in tandem as both possibilities could be the truth. It was their job to find which one. They christened the investigation. '***Operation Mars.***'

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## **PART II:**

### **MARS**

## OPERATION MARS

**Detectives on Operation Mars got to work analysing the evidence.** They had found a blood stain on Brent's fence.

**Could this have been where the attacker escaped?** Detectives were disappointed to discover that analysis of the blood found that it wasn't human, ***but possum.***

**Detectives put luminol,** which is a chemical compound that will glow blue when mixed with iron found in hemoglobin, which in turn, is a protein found in blood, along the trail Brent said he rolled and shuffled his way to the backyard. ***No blood was discovered.*** They had also uncovered that Brent had stopped at **K-mart** a couple days before and purchased ***duct tape, plastic ties, gas containers and a timer.***

**Brent Garner during this time was given a full time police escort.** They were with Brent simultaneously to protect and to 'keep an eye on.' In the weeks that followed, ***no new letters from Advocatus Diaboli arrived.***

A closer look at Brent's time off from work, showed he had taken a suspicious trip with a coworker. Looking further into this, found Brent and one of the ***female receptionists at his work were having an affair.*** Detectives looked into the receptionists husband, but he didn't stack up as a suspect. ***Brent had also expressed desire to leave his wife to his friends.***

**When Detectives looked into Brent Garner's finances closer,** they found debt, ***a lot of it.*** The Garners had borrowed

against their mortgage for a holiday earlier in the year. This left them with: *a \$99,000 dollar mortgage, \$3000 worth of credit card debt and another \$2000 to credit union.* Brent's \$1100 a fortnight wasn't enough to cover their mortgage plus other debts. **In September**, a month before the assault and arson, Brent's finances were in the red. *Could this be a possible motive for the arson? Insurance fraud?*

**On top of this**, in the months leading up to the incident, Brent seemed to be under an immense amount of stress - he was managing a caseload of over **100 at work**. He dealt with this pressure in perhaps unhealthy ways, as **David Burns - Director of Police Studies at Massey University** explains, “*... that kind of control and toughness is “overly reinforced” in a crudely macho police culture. Garner had visited massage parlours and made fantasy phone calls. Sexual exploits and getting “falling-down drunk” in police canteens are regarded as necessary to let off steam.*”

**As other leads were exhausted**, roads kept leading back to Brent Garner. Over the course of this investigation, Police completed **3,200 tasks**, **1,959 people** were interviewed and detectives took over **1000 photos**. *Ultimately, costing Police more than \$350,000.*

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## CONFESSTION

**All this evidence** was taken to the **Detective Inspector (D.I.)**,

who reviewed the information D.S.S. Nicholls and his team had compiled. Over the next couple of days, the D.I. read over the material before returning a verdict that there is something here, *enough to bring Brent Garner in for a chat.*

**37 days after the investigation started**, Brent Garner was brought into their Mars homebase at the Palmerston North Library. Present for the interrogation were D.S.S Nicholls and the D.I.. They presented the information they had: *they knew about the affair and about the finances, a possible motive.* Brent rebuffed, “that’s not evidence.” The Police responded that the absence of evidence is evidence - *why was there no blood on the trail Brent ‘wriggled’ down? Why leave the window unlocked? Why take your pendant off? Why did Max not bark? Why were the wounds on Brent’s back in a straight line?*

**Brent wouldn’t budge.** He asked for his lawyer and refused to speak. Operation Mars went home that night disappointed; knowing without a confession - *this would be much harder to win a trial in court.*

**The next day**, D.S.S. Grant Nicholls received a call from Brent Garner. He wanted to talk. **He wanted to confess.**

**A short time later**, Brent was brought back to **Mars HQ** to formally confess. **Yes**, Brent wrote the letters. He found information on **Encarta** about satanism and wrote the letters in kind. **Yes, he burned his house down for the \$100,000 insurance money.**

**Brent claimed** this was his plan to ‘*liquidate his assets*,’ so he could give the buyout to his wife and children; before he would

leave to start his new life with his mistress. **Neither woman knew about his plan by the way.** He told police he worked alone because, “*Each time you introduce a new partner to each offence you increase the risks of apprehension.*”

**One thing Nicholls** wanted to clarify with Brent was, how did he inflict the injuries on his back. Brent explained he hammered a scalpel blade through a piece of wood where this allowed him the leverage he needed to *carve into his own back.*

**On the 27th of November 1996**, Brent Garner appeared in the **Palmerston North District Court.** He pleaded guilty to forgery, arson, false pretences, wasting police time and making a false complaint. ***Brent Garner was sentenced to five years in prison for those crimes.***

**That day, Brent’s wife Sam Garner**, appeared on **Radio Pacific** to comment on the fiasco. She described their marriage as a ‘*sham*,’ with consistent infidelity on Brent’s part. When asked to comment on Brent’s most recent affair, Sam said, “***they can have each other. I hope they both get syphilis and die.***” Sam also expressed her empathy to all the kind people who had supported the couple in their ‘*time of need*.’ She expressed a desire to pay the money back but said she was left with a **\$99,000** mortgage with little to no chance of repaying, “*They’ve been through so much and for this egotistical self-centred nothing. He’s a nothing. He’s not worth people’s sympathy. He’s not worth people’s anything, anger or anything.*”

**Sam Garner remarried in 1998.** She got a two page spread in **Woman’s Weekly** in which she asserted much joy in her new relationship. She also expressed some forgiveness for Brent and

said she wanted him to be a part of their children's lives.

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## AFTERMATH

**In August of 1998**, Brent Garner was released from prison - *after serving almost 2 years of his 5 year sentence*. Eight weeks later, Garner did an interview with Woman's Weekly where he revealed that he is **now living with his parents in Tauranga**.

**When asked all these years later, why did he do it?** Brent answered, *"What made me do it? Had I gone crazy? I don't know. I remember being quite defensive about questions regarding my sanity at the time. A psychologist's report prepared while I was in prison cited inadequate stress-coping strategies, but I think it's too much of an easy way out to say I was just stressed."*

**Although** Brent went on to explain some of the stress he was under; he cited the marriage and financial trouble - but went a bit more in depth with the work stress, *"I recall one instance in early February 1996. There was a two-year-old girl - the same age as my daughter was at the time - who was stuck alone inside a house for 10 days with the rotting and maggot-infested body of her dead mother... She'd been sleeping next to the body. Beside her was a margarine container and you could see her little finger-prints inside where she'd scraped out margarine to eat... I was just so shaken up... It's such a stupid*

*attitude to take. Everybody sort of wanders around trying to look as if they're not affected by it all... The resources available to help deal with things are good resources, you've just got to stand up and use them."*

**Brent explained that the plan** was solidified in his mind when he discussed the second letter with Sam. Brent asked her about the possibility of the house being burned by this attacker, *"She said it wouldn't be so bad because the house was fully insured, and at least then we wouldn't have the hassle of trying to sell it... That was quite influential as far as I was concerned because, sure, we had built it ourselves and we had a lot of good memories in it, but the insurance money would have outweighed the emotional ties."*

**Garner explained that originally he was going to kill his dog** to sell the idea of the satanist attack further. But when the time came, he just couldn't bring himself to do it. *He loved that dog too much he explained. He had also scared the cat away before the fiery explosion.*

**There will always be a little bit of debate** over what exactly happened on the morning of the **19th of October, 1996 in Ashhurst**, but that same Woman's Weekly article gives a really good overview based on what Brent says, so thank you to journalist **Judith Thompson** for doing the hard work here. *"Brent returns to his empty home after a midnight shift. He frightens the cat away but cannot bring himself to kill his dog. He feeds him a large plate of sausages instead and then, wearing gloves, douses the house with about 18 litres of fuel. After leaving footprints leading down an alleyway, he returns to the house. Stripped to his underwear, Brent lies down on his stomach on his bed, which is near a slightly open window.*

*Using a scalpel glued to a wooden handle, he slashes his own back and garrots his neck, later pouring petrol in the wounds. He opens the window, stuffs a fourth Satanic attack letter in his mouth, gags himself, then ties his wrists and feet. He triggers a fire using a timing device wired to the toaster, and squeezes through the open window, then manoeuvres himself along the ground. He is later found lying in the long uncut grass near a tree after the house explodes and catches fire.”*

**The followup article in the Woman’s Weekly a week later** was less about looking back at the past and more about looking towards the future. Brent was hoping to rebuild his life, explaining that his time in prison gave him time to, ‘*reevaluate his life and built effective stress coping strategies.*’

**Brent explained** that through all of this his parents had supported him immensely through this whole process, “*My parents have been my rocks, they’ve been wonderful, just wonderful. I can’t say any more than that.*”

**Ultimately the followup carried a message of hope.** That everyone deserves a second chance, *if you pay the price for the crimes you committed.*

## CONCLUSION

**On the 13th of October 2003,** Brent Garner was found dead in his car, three days after his **39th birthday** and five days before

the five year anniversary of the incident. ***He had committed suicide.***

**When District Commander Mark Lammas**, who had previously known Brent, was asked for a comment, he replied, ***“It’s the final tragedy in Brent’s life really. For those close to Brent at the time of his death, we certainly extend our condolences. I think most people would have hoped that he would have moved on personally ... I suspect that he was not able to move on.”***

**We’ll end our coverage on the Brent Garner story on this quote**, as we feel it carries tragic significance. In that Woman’s Weekly article mentioned earlier, **when asked if Brent could ever forgive himself for what he did, he replied**, ***“That’s a tough question because I’m still so aware of how much hurt I caused. If only I’d been able to talk to someone about what was happening, maybe I wouldn’t have ended up where I am today.”***

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## Case 11:

### The Crewe Murders, 1970, Pukekawa



## **PART I:**

### **PROLOGUE**

### **PUKEKAWA**

## PUKEKAWA, WAIKATO.

**Pukekawa** is a small district in the Waikato, **approx. 66km** from central **Auckland**. In the early years of New Zealand, Pukekawa was used as a battleground for the early New Zealand wars. **By the early 1900s**, Pukekawa was known as a ‘rural Pakeha settlement.’ The area was known to have fertile soil and over time it became a popular farming spot.

**On the night of August the 24th, 1920**, Pukekawa farmer **Sydney Eyre** was murdered, shot dead in his bedroom in front of his wife. The shooter fired through the bedroom window. The man accused of the murder was a former employee of Mr Eyre, **Samuel Thorn**. **His motivation? He was in love with Mr Eyre's wife.**

**The trial was a national sensation.** The **Waikato Times** covered the details as they came out during the trial. “*The night of the murder was one of two nights when Thorn had been left alone in his whare. The evidence would show that while Sydney Eyre was away (serving during World War I), and after his return, Thorn had forced immoral relations on Mrs Eyre. Thorn had threatened Eyre's life before witnesses and had said to Mrs Eyre, “don't you wish he was dead?” Eyre's sons had heard Thorn sneaking into their mother's room at night. The motive suggested was revenge for being discharged from a good position and being deprived of the opportunity for continuing his relations, which were enforced on Mrs Eyre.*”

**Samuel Thorn** was convicted in the **Auckland Supreme Court** and later hanged for the crime. Samuel protested his innocence until the day he died. His last words were, “***I did not commit this crime and do not know who did.***”

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## THE DEMLERS

**In 1937**, farmer **Len Demler** took control of a farm on the corner of **Sharpe Road** and **State Highway 22** in Pukekawa. He married the daughter of the farm next to his, **May Constance Chennells**, known by friends as **Maisie**.

**On the centennial of Waitangi Day, the 6th of February 1940**, Len and the recently bestowed **Maisie Demler** had their first daughter, **Jeannette Lenore Demler**. Two years later, a second daughter joined the family - **Heather Demler**.

**In 1950**, Maisie’s brother **Howard Chennells** was killed by his own tractor. His farm in his will, the property next door to the Demlers, was passed to Jeannette and Heather, aged **10** and **8** respectively. Under the terms of Howard’s will, the farm would be managed by others until the Demler children turned **25**; ***with all profits being retained in a trust on their behalf.***

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## JEANNETTE AND ARTHUR

**In 1951**, Jeannette was attending **Pukekawa School**. She was **11**. That year Jeannette Demler shared a classroom with another pupil, a boy who would weave in and out of her life for the next two decades, **Arthur Allen Thomas**.

**Arthur Allen Thomas** was born in **Pukekohe** on the **2nd of January 1938**, one of nine children to Allen and Ivy Thomas. **In 1951**, Arthur was **13**, he was resitting standard six as he had been held back the year before.

**On Arthur's 14th birthday, the 2nd of January 1952**, his father, **Allen Thomas** pulled him out of school to start working on the family farm in Pukekawa. ***He would work unpaid on the family farm for five years.***

**In 1957**, aged **19**, Arthur began working on the **Mercer Ferry**. This job, as most jobs are, was financially motivated. Arthur's goal was to make enough hay to buy some wheels. Arthur's hard work paid off, quickly moving his way up to '*Ferry Captain.*'

**Concurrently in 1957**, Jeannette Demler applied and was accepted as a trainee teacher at **Ardmore Teachers College**, situated in the rural locality of **Ardmore** - found **27km** outside of Auckland. Jeannette graduated in **1958** at **18 years old**.

**1958 to 1960.** Jeannette spent working at **Pukekohe North School**. She was then reposted at **Mangatangi School**, about a **30** minute drive from Pukekawa. During her time working in

**Mangatangi** Jeannette stayed in a teacher's hostel in **Maramarua**.

**Maramarua was the local village** where the locals would congregate to stock up and socialise. Occasionally Jeannette would spot her former classmate Arthur Thomas around the village. *Cordial hellos or waves usually followed.*

**In 1961**, Arthur Allen Thomas decided he wanted to ask his old classmate out on a date. When he looked into the whereabouts of Jeannette Demler, *Arthur found out she was overseas on her big O.E.*

**Arthur decided to write Jeannette a letter anyway**; along with a gift of beads and stockings. He sent the package to her last known **London** address. A couple of months later in December, Jeannette replied, *“Dear Arthur, what a surprise to find a present of beads and stocking at the O.V.C. (Overseas Visitors Club, a hostel in London). Thank you very much. The beads were lovely and you were a good guess with the size of the stockings... Life is still just as hectic as ever over here. I am stopping work to go for a skiing holiday in Austria early next year. Yours sincerely, Jeannette.”*

**The next Christmas**, in **1962**, Arthur sent Jeannette a Christmas gift, a brush and comb set. Jeannette replied this time explaining she had a boyfriend. **Jeannette returned home to NZ a short time later.**

**1962.** Jeannette's father was not so good; he got pinged for tax evasion. To cover the **£9,540** fine, equivalent to about **\$416,000** in **2019**, **Len Demler was forced to sell half his farm to his wife Maisie.**

## HARVEY CREWE AND VIVIEN CARTER

*When Jeannette returned from England*, she took a few relief teacher jobs before deciding she wanted to stay with her old school friend in **Wanganui**. During her three year stay in the small city in the **Manawatu**, *Jeannette met a man named Harvey*.

**David Harvey Crewe** was born on the **20th of October 1941**. As **David** grew he became known by his middle name - **Harvey**. Coming from a family of farmers, Harvey took up the family business. Sometime during Jeannette's extended stay in Wanganui, she crossed paths with Harvey and on the **18th of June 1966** they married in **Epsom**, a suburb of Auckland.

**In 1966**, Harvey was **24 years old**, Jeannette was **26** - she was old enough to take control of her Uncle Howard's farm. Harvey took out a **£30,000** loan to buy out Jeannette's sisters ownership of the farm, **equivalent to about 1.2 million dollars today**.

**In case you were wondering**, as I was, **1966** was the last year '*the pound*' was used in NZ. The next year, on '*Decimal Currency Day*, **'10th of July 1967**'; the country was introduced to the NZ dollar.

**The newly bestowed 'Crewes'**, on the day of their wedding, moved in to the Pukekawa farm; with Jeannette's mother Maisie and father Len still working the farm next door. The

Crewes were described by friends as a “*very happy couple*.” Soon after moving in, the Crewes adopted a cat together, **Rasty**.

**In 1961**, Arthur Allen Thomas left his job working on the Mecer Ferry and picked up a job working for the **Barr Brothers Aerial Topdressing**. Aerial topdressing is the act of applying fertiliser for pasture or crops via the sky by small aircraft.

**Arthur wasn’t flying the planes but he was loading them.** This work took him all over the North Island. **In January 1964**, Arthur was doing some topdressing work in **Wellsford**, a small town about **77km** north of Auckland. ***There he met 21 year old Vivien Carter.***

**Vivien Carter** was on her big O.E., hailing from the town of **Farnham in Surrey, England**. Arthur explained about those early days with Viven. “*I didn’t have a car up at Wellsford there, so I just used to go and meet up and socialise with her. Yeah, she was good to me.*”

**Ten months later**, Vivien Carter became **Vivien Thomas** when she married Arthur in the **Wellsford’s Presbyterian Church**. **The Thomas’** bounced around a couple of different farms before accepting the offer of Allen Thomas, Arthur’s father, **to lease the family farm off him.**

**The Thomas’ moved back to Pukekawa**; this was in **June 1966**, coincidentally the same month the Crewes moved into their farm. They were technically neighbours but the two properties were about **15km** apart. Just to put that in perspective - **15km** is approximately the distance from central **Wellington to Lower Hutt; or from central Auckland to**

*Ranui.*

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## STRANGE OCCURRENCES

**On the night of the 26th of July 1967**, the Crewes were across the farm having dinner next door at Jeannette's parents, the Demlers. When they returned home to their farm, *the couple discovered the property had been burgled.*

**How the burglar entered the property wasn't a mystery.** Leaving your property unlocked was a relatively common custom in rural '60s and '70s NZ. The interesting part was what was taken, jewellery was left behind but small seemingly inexpensive things were taken, *including a brush and comb set.*

**In March of 1967, Jeannette discovered she was pregnant.** Up to that point life for the Crewes on the Pukekawa farm was mostly smooth sailing; other than the burglary. While the Crewes mostly kept to themselves, they were well liked in the district and would often have neighbours over for a 'cuppa.' "

**The couple had acclimated well to living in Pukekawa.** They seemed happy with their new life. **Edith Judge**, a friend of the Crewes described the couple as, "They had a real appreciation of each other and a deep respect for each other... A well-suited, wonderfully happy, strong, and mature couple, completely capable of working out life in a harmonious, positive manner.

*Both intelligent, witty, fun to be with if they knew you well, otherwise reserved, but not awkward... [they] could be described as a very private couple."*

**In December 1968, Rochelle Crewe** was born. While Jeannette was still in the hospital after having given birth, Harvey returned from dinner over at the Demlers to his farm property. ***He discovered it was on fire.*** The fire was eventually wrestled under control, still, twenty percent of the house was damaged. ***The cause of the fire was never discovered.***

**One year later,** fire would reintroduce itself to the Crewes. On the **28th of May 1969**, around **9pm**, the Crewes ***discovered their barn filled with 800 bales of hay was on fire.*** Ultimately, the barn along with the hay was lost. ***The cause was again unknown.***

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## MAISIE DEMLER'S DEATH

***On the 26th of February 1970,*** Maisie Demler passed away as a result of a brain tumor. The fallout of her death ***would centre around her will and where her assets went.***

***Maisie had drafted a new will in July of the previous year,*** cutting her daughter Heather out of her will. Apparently Maisie was not fond of Heather's choice in men, disapproving of her new husband - a bankrupt, divorcee. ***This meant Jeanette Crewe technically owned 50% of the family farm.***

**In return Len Demler**, Maisie's surviving husband, drafted a new will making Heather the primary beneficiary. *There were also rumours that Harvey Crewe wanted to buy his father-in-law out.*

**Investigative journalist David Yallop** explains in his **1979** book '*Beyond Reasonable Doubt?*' how this fallout could have manifested in Len, "*Maisie Demler's will, which had only recently been probated, made it clear that not only had she cut Heather Demler off without a cent but she had also ensured that the entire farm would no longer be her husbands. He would only retain a life interest in her half of the farm which would then pass to Jeannette. Her will stripped him of his mana, and it would ultimately strip him of half the land that he'd worked and owned since before the Second World War.*"

## LAST DAYS

**By mid 1970**, Jeannette Crewe was **30 years old**; Harvey was **28** and Rochelle was a toddler, **18 months old**. On the evening of the **16th of June 1970**, the Crewes had dinner with Len Demler at the Crewe farm.

**This family dinner** had become a tradition every Tuesday since the passing of Len's wife Maisie in February earlier in the year. This week Len had cooked up some corned beef and onions. The food lay uneaten though, as conversation was overshadowed by debate over *Maisie's will, which still hadn't*

*been finalised.*

**Evidently**, Jeannette had accidentally inherited the Demler family's car - a **Morris 1100**. According to Len Demler, Jeannette agreed to sell the car to cover the higher than expected death duties, also known as death tax, but better described as an inheritance tax - a now bygone law, abolished in 1993. *This dinner was reportedly an acrimonious occasion.*

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## 17 JUNE 1970

**17th of June 1970. 9.45am.** On the eve of their four year wedding anniversary; the Crewe's opened their day with a 'cuppa' with stock agent **John Gracie**. *Harvey and John then left to go view a bull that was up for sale.*

**11am.** Jeannette hosted a family friend, **Thyrlle Pirret**. Pirret's three year old daughter had outgrown her favourite blue jacket so she thought Jeannette and Rochelle could make some use of it. Jeannette asked Thyrlle to stay and have some tea and biscuits.

**Thyrlle Pirret** explains to author **Ian Wishart** about that day. *"It was an awful day, as I remember, and we headed out about 11am... I had to be back at 1pm because my husband had to go to the chiropractor and have his back treated, and Jeannette had said, 'oh, stay and have a cup of tea,' which I did. Then Harvey came in and we just talked for a little while. It was just*

*before lunch and I think they were going out to the sale. I think one of the stock agents was going to be in after me, but I was there in the morning and I had no feeling of any bad atmosphere at all. It was a happy, welcoming morning tea. There didn't seem to be any ill feeling or anything like that... Everything was neat and tidy. Harvey and Jeannette seemed a very happy couple. That was the only time I'd been out there - that particular day."*

**12pm.** The Crewe's car is spotted by locals outside a vegetable stall.

**12.45pm.** The Crewes are seen at the local stock sale. The rain was heavy enough that Jeanette stayed in the car with Rochelle. Harvey spent a couple of hours at the clearance sale then left with his wife and child sometime after **3pm**. They made the approx. 25 minute drive home.

**4.45pm.** A couple of local farmers spot Harvey's car about **7km** away from the farmhouse. They spot a man out in the distance herding some sheep. They presumed it was Harvey Crewe.

**7pm.** Local stock and station agent **Joseph Moore**, called the Crewe residence in regards to payment and delivery of his purchases from the stock sale. ***There was no answer.***

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**22 JUNE 1970**

**Five days later, June 22nd, 1970. 6.55am.** Stock agent **Joseph Moore** calls the Crewe property. The call was unanswered. He then immediately called Len asking if Harvey and Jeannette were away. ***No, they are at home, Len reassured him.***

**8.45am.** Joseph Moore visited the Crewe property where his knock on the door went unanswered. So he left. When he returned to town, he called Len once more asking if he knew where the Crewes had got to. ***Len did not.***

**9.30am.** The local delivery man, **Emmett Shirley**, opened the Crewe's delivery box. He had brought them their daily delivery of bread, milk, and the **New Zealand Herald**. ***However, Emmett found the uncollected deliveries from the previous three days.*** Emmett then took the old bread and threw it into a nearby paddock for the farm life.

**12.35pm.** **Ronald Wright**, the **Transport Foreman for Tuakau Transport Limited**, was scheduled to pick up some sheep from the Crewe farm. After trying to get Harvey on the phone for the next **25 minutes**; he frustratingly called Len. He asked him to get around to the Crewe farm and tell Harvey to get his sheep ready for the collection.

**1pm.** Len Demler travelled over to the Crewe farm. **He knocked on the door. No answer.** Len walked around to the back entrance. There he found a key in the door's outside lock. When Len turned the handle and entered the property he found, ***"stains of blood on the kitchen floor and then large stains of blood on the carpet in the lounge."***

**Len tried the master bedroom** for any sign of his daughter

and son-in-law. They weren't there. The next logical place was the other bedroom, **18 month old** Rochelle's bedroom. There he found Rochelle in a "distressed condition." **Len noticed that Rochelle was unable to stand; she smelled terrible as well from wearing a full nappy.** Her eyes were 'sunken back,' presumably due to dehydration.

**Len then panicked.** He had a thought that someone might be still lurking in the house so he hurried out of the house and drove home; **leaving 18 month old Rochelle behind at the Crewes.**

**Len got home.** He called Ronald Wright to cancel the sheep pick up, although Ronald was out. Len waited until Ronald returned his call where **they confirmed the cancellation of the pick up.**

**Then Len visited a neighbour, Owen Priest.** Priest explained the events that unfolded next to David Yallop. "I was working in my paddock between my house and the hatchery. Heard a car pull up on the road. When I got to the gate I recognised it as Len's red **Cortina.** He asked me to go up to the Crewe farm with him and said, '**I don't know what the hells happened up there. But there's a terrible bloody mess.**' With that Len turned and walked back to his car. On the way up Len turned to me and said, '**they're not there. I wonder where the bloody hell they've gone to.**' He made no mention of any bloodstains. Then when I went in and saw all this blood, it stopped me stone dead. Len was behind me. I recall him saying, 'I want to know what's happened. But I don't want to find them'... I moved forward to search not knowing what to expect. I comforted myself with the thought that if there was any funny business going on, Len was right there behind me. Although I was pretty composed and my

*mind was working clearly I was nevertheless apprehensive. I found Rochelle and then continued to explore the house. When I got to the bathroom and toilet I looked around to make some comment to Len. He was standing by the back door! I realised that I had gone over the entire house on my own, with perhaps some joker waiting to attack me. That rocked me a bit. Initially when we entered the house Len kept saying, ‘the bugger’s killed her and done himself in. I tell you Harvey’s killed her.’ It began to play on my nerves, after he’d come out with this two or three times. I turned to him, ‘Look Len, we don’t know what’s happened. It could have been a third party.’ He was silent after that.”*

**After an extensive search of the farmhouse**, the twosome checked the haybarn to no luck. Thinking Harvey might be out on the tractor, they checked the barn. The tractor was there. After searching for about **20 minutes**, the twosome split up. Len Demler retrieved Rochelle. He then took her over to the residence of a family friend, **Barbara Willis**.

**Owen Priest** returned to his property and called the **Tuakau Police Station** to report the disappearance of Harvey and Jeannette Crewe. *An hour and twenty minutes after Len Demler originally discovered the blood and the ‘distressed’ Rochelle.*

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## **PART II:**

### **INVESTIGATION**

#### **Looking for Evidence**

## INTRODUCTION

**On the 3rd of January 1970**, the body of **Tasmanian** school teacher **Jennifer Beard** was found in **Haast**, a small town on the **West Coast** of the **South Island**. She was found washed up ashore and badly decomposed. ***Police never solved the mystery of what happened to Jennifer.***

**12th of April 1970. 12.30am.** **35** year old mother of three, **Betty McKay** was dropped off by a friend near her brother's house in **Thornton**, a small settlement **13km** west of **Whakatane** in the **Bay of Plenty**. She was never seen again. ***Detectives never solved what happened to Betty.***

**On the 15th of May 1970**, **Rotorua** teenager **Olive Walker** began walking to her sister's house to babysit her nieces and nephews. Shortly after leaving, her desperate screams were heard. When the screams were investigated - ***Olive was gone.*** Her body was found later that night, **8km** outside of the city. Her skull was found broken in several places, the result of a frenzied attack with a blunt object. ***Olive's killer was never found.***

***A fourth active homicide investigation would stretch police resources to their limits.***

**22nd of June 1970. 2.20pm.** **Tuakau** police constable **Gerald Wyllie** answered a call from **Owen Priest**. Owen explained that **Harvey and Jeannette Crewe**, farmers in **Pukekawa**, were

missing. ***There were bloodstains in their kitchen and lounge.***

**Furthermore, Rochelle**, the Crewe's 18 month old daughter, was found to be without her parents in the house for five days. Although, most peculiar, ***it appeared Rochelle had been fed and looked after for those five days.***

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## BRUCE HUTTON

**Bruce Hutton** was born in **1942** to a family of **21** children in **Dargaville**, a small town of approx. **4,000**, located **55km** south-west of **Whangarei**. Bruce left school at **12**, then at **17** he joined the police force, in **1956**. He married soon after, having three daughters. Hutton worked hard, quickly rising through the ranks of the police force. By **1970**, Bruce Hutton was the **Detective Inspector**, one rank above **Senior Sergeant** and one rank below **Superintendent**; the equivalent military rank would be **Captain**.

**22nd of June 1970. 5.10pm.** Detective Inspector (D.I.) Bruce Hutton arrives at the Crewe farm in Pukekawa. The crime scene was searched, fingerprinted, photographed, and samples of blood were taken for analysis.

**The Crewe house** had a large pool of blood in the lounge with a bloodstain indicating that a body was dragged. '*Watered down blood*' was found on the kitchen cupboards with bloodstains on the kitchen floor. Brain tissue was found on the arm of Harvey's

favourite chair. With this information *police had to assume the Crewes were murdered.*

**A search of the surrounding garden and grass area around the house was completed. *Nothing of relevance was found.***

**Bruce Hutton** took statements from **Len Demler** and **Owen Priest**. Len explained about finding the blood and Rochelle, before leaving the 18 month old behind to cancel the transport company, then retrieving Priest and heading back. **Hutton was immediately quizzical at some of this behaviour.**

**By sundown on June the 22nd**, police already understood that the last time the Crewes were seen was the **17th**, five days before. They had stopped answering phone calls as early as **7pm** that day. **Police were working on the assumption that the Crewes had been missing since then.**

**As Bruce Hutton was cleaning up**, the Crewe's family cat **Rasty** was hanging around. Witnesses had told Hutton that Rasty would curl up on Jeannette's lap on cold winter nights while she knitted in front of the fire, possibly what Rasty was doing when the Crewes were attacked. Feeling bad for the poor little guy, **Bruce took the cat home.**

**Over the succeeding months** as Bruce Hutton investigated the disappearance of Jeannette and Harvey Crewe, working exhausting **18** hour days, Bruce would come home and unwind with Rasty. **Erin O'Neill**, one of Bruce Hutton's daughters explains: her father would come home, sit with the former Crewe family cat and talk with him about the case, "*It drove mum up the wall... she thought it was a bit spooky... [he would say to Rasty] By God I wish you could talk.*"

## SUSPECT NUMBER 1

**June 23rd, 1970.** Day two of the investigation. Bruce Hutton received a report from a **Dr. Fox** on the condition of toddler **Rochelle Crewe**, “*On physical examination Rochelle was of good build and well covered. The tone of her skin and muscles suggested that she had recently lost one to two pounds (half to one kilo) in weight... A child such as Rochelle, living under the conditions outlined above, might survive five days, but she would be seriously ill at the end of that time.*”

**Dr. Fox’s report** concluded with the most likely scenario being that Rochelle was fed on the Saturday based on her physical condition; ***48 hours before she was discovered.***

If Harvey and Jeannette Crewe were already murdered on the **17th**, and Rochelle was fed on the **20th**, ***did the killer or killers return to care for Rochelle?*** Police already had their first suspect as well, ***Jeannette’s father Len Demler.***

**Len Demler** wasn’t passing the police ‘sniff’ test. His behaviour was odd. Not only his actions with Rochelle but his behaviour subsequent. Len was very defensive when police asked questions regarding his whereabouts on the relevant dates.

**On top of this** Len did not participate in the searches of the area in the days following the **22nd** of June. Bruce Hutton

wrote in his police report, “*I questioned him as to why, since the disappearance of his son-in-law and daughter, that he had shown no interest nor had he offered in any way to help the searchers... He said that on the Monday when he had discovered Mr and Mrs Crewe missing, he had gone out with the searchers for a little while, but he did not offer any explanation to make as to why he had not offered his services since then.*”

**Len had a reputation** for being a bit of a ‘grump’ around town. **Detective John Roberts** wrote in his police report - quoting neighbours of Len, “*They did say that Demler was extremely callous at the time his wife was dying... He was absolutely steaming drunk at times and they detested Demler... they said he is inclined to be very mean, tried to defraud income tax. They hated Demler.*” **Whatever it was, Len was ‘suspicious’ to detectives.**

**On June 24th, 4.15pm.** Len Demler was questioned by Bruce Hutton for an hour and fifteen minutes in regards to his whereabouts on the dates in question. Detectives had spoken to a witness, **Bruce Roddick who** said that on the **19th of June**, two days after the Crewes were already missing, he saw a woman and a ‘green hillman’ car on the Crewe property. This ‘mystery’ woman still to this day remains unidentified. **Although, there are many theories as to who she could have been.**

**Detectives at the time pondered** the idea that the woman could have been Len Demler’s new girlfriend, **Norma. Was she the person feeding Rochelle?** Something she denied to the **Sunday Star Times** newspaper, although she did admit to ‘sort of’ knowing the Crewes, “*It was the most dreadful, dreadful*

*thing... Who the heck did it? I don't know. I had nothing whatsoever to do with it. I have a clear conscience. I can put my head on the pillow every night and go to sleep. ”*

**The next day**, on **June 25th, 1970**, police conducted a search of Len Demler's home looking for “*anything connected to the disappearance of the Crewes.*” Police found a “*wooden handled knife.*” **Len said he used it to kill sheep.** Len's cars were also searched, looking for signs of blood. Police notes write, they couldn't find, “*anything that would point to the vehicle being used to transport bodies.*”

**The next day**, Len Demler was called into Hutton's office once more. D.I. Hutton began with asking Len why was he not helping with the searches. Len answered, “*You think I did this, don't you?*” Hutton answered the question, “*I think you are the person who removed Harvey Crewe's body from the Crewe household. In fact, I'm quite certain you've done this.*” According to Hutton's notes from that interview, **Len had no answer.**

**According to Bruce Hutton** in late June, in an operation strategy meeting, when Jeannette inherited her mother's half of the farm; this left Len Demler financially compromised. ***This was a possible motive.***

**A few days later, Detective Sergeant Mike Charles** wrote a report to D.I. Hutton, “*It appears that Demler would have had no financial gain by disposing of these two. The death duties would have been adequately met by cash in Mrs Demler's savings account plus a Morris car... Most of the action that Demler has carried out recently as far as a new Will is concerned was done on the advice from his accountant. As far*

*as motive goes we have not found anything.”*

**Without any evidence** other than ‘*he acted weird*’ and no progress on a motive, Hutton and his team ‘*cooled*’ their pursuit of Len Demler. ***Focus shifted back to finding the missing Crewes.***

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## FINDING JEANNETTE

**16th of August 1970. 9.26am.** Two men were downstream of the **Tuakau Bridge**, a bridge crossing the **Waikato River**, the largest river in NZ. The twosome had found a good spot for whitebaiting when they spotted something partially submerged on the riverbank. They investigated further. ***It was the body of Jeannette Crewe*** wrapped in “*bedspreads [and] curtain material.*” These were secured with copper wire.

**2.15pm.** Len Demler was collected from his farm and taken to the location on the Waikato River to identify Jeannette. Bruce Hutton told investigative journalist **David Yallop**, “*I was watching him like a damn hawk, looking for any glimmer of reaction.*” ***Len positively identified the body as his daughter.***

**Dr. Cairns**, the pathologist who performed the autopsy on Jeannette found that she was hit across the face with a blunt instrument, “*There were injuries to the tissues about the right eye but the bones beneath were not fractured. There were injuries to the skin of the bridge of the nose and the end of the*

*nose with a fracture of the nose beneath. This group of injuries could have been caused by a single blow with a blunt instrument."*

**The lungs also showed no signs of drowning** indicating Jeannette was already dead when placed in the Waikato river. Fifteen fragments of a bullet were recovered from a wound on her head. Police determined from this, ***Jeannette was shot in the head by a .22 rifle.*** Dr. Cairns report concluded with, "*in my opinion, death was due to a bullet wound of the head.*"

**The hunt was on to find a .22 rifle that would fit the bullet.** Police started collecting rifles from all the properties within an **8km** radius of the Crewe farm. Even though **Arthur Allan Thomas** was outside that radius, his weapons were taken for analysis. The reason for this was, ***Arthur Thomas was already on their 'person of interest' list.***

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## SUSPECT NUMBER 2

**In June of 1970 Jeannette's sister, Heather, arrived from the United States.** With the passing of both Rochelle's parents, Heather became her primary caregiver. Police had caught word from one of Jeannette's friends that she was "*pestered by a local boy (prior to 1961).*" In July, detectives conferred with Heather about who that could be. ***She had an answer: Arthur Allan Thomas.***

**On July the 2nd, Detective John Hughes** visited Arthur Thomas. *You may remember John Hughes, who was the Detective Inspector on the Urban Hoglin and Heidi Paakkonen case.*

**Hughes asked Arthur questions about his whereabouts on the dates in question.** Arthur said he was at home nursing a sick cow on the **17th of June**. Arthur confirmed he had a schoolyard crush on Jeannette and he had asked her out before he met his wife, *"He [Arthur THOMAS] admitted that he had telephoned her on a number of occasions stating his name and asking her to go out with him. She always refused. He also admitted having written her several letters both while she was here in New Zealand and while she was in England. He said that at no time did Jeannette show him any encouragement whatsoever and he soon gave up. Although he was given no encouragement Jeannette would still speak to him when they met in Pukekohe or Tuakau. They had been in the same class together at the Pukekawa Primary School. THOMAS said that he had been to the CREWE home while working for one of the local Agriculture Contractors when sowing manure. He had met Harvey then who appeared to him to be a decent type of bloke. He had had morning and afternoon teas in the home. This would have been as late as 3 or 4 years ago. He said that he had not been to the house since and had not seen either Harvey or Jeannette for approximately 8 or 9 months. He was unable to assist the enquiry further. His wife is Vivian [sic] Susan THOMAS and they have been married for 3 years."*

**John Hughes** then investigated Arthur's 'green Hillman car.' *He didn't see any blood or evidence bodies were transported in the vehicle.*

**On the 7th of August 1970, the Trustee of Harvey Crewe's estate, Colin Harvey** informed he had uncovered something that may be important to the investigation, “... *a duchess set which includes an expensive brush and mirror with [a] card. This article was in a box and never been used. We found it in the junk room where all the old furniture was stored.*” **The card was from a name police recognised - Arthur Allan Thomas.**

**A detective visited Arthur** once more on the **12th of August**, he asked Arthur about the brush and comb set they had found. Arthur said he had given this to Jeannette as a gift for Christmas in 1962. Arthur explained this exchange to author **Ian Wishart**, “*One of the police came around with a Christmas card. He made sure I didn't touch it though - fingerprints! I just told him, 'Yeah, that's my card, and he said 'alright' and walked away.*”

**Now certain that at least one of the Crewes were shot**, police returned to the crime scene and carried out extensive searches of the section surrounding the house. The police were looking for “*lengths of wire, bullet lead and cartridge cases.*” **No cartridge cases were located.**

**On the 19th of August 1970**, Police test-fired all forty eight .22 rifles collected - only two could not be excluded as the murder weapon. One was a .22 rifle belonging to the Eyre family and the other was a .22 rifle belonging to, a now familiar name - **Arthur Allan Thomas.**

**On September the 7th, 1970**, Jeannette Crewe's funeral was held and she was laid to rest. Concurrently, Arthur Thomas was called into the station. He sat down and detectives opened their questioning, “*Arthur, it was your rifle that was used to kill the*

*Crewe's. What do you say to that?" Arthur replied, "If you say it was my gun, it must have been, but I didn't do it."*

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## FINDING HARVEY

**One month to the day** of finding the body of Jeannette Crewe, on the **16th of September 1970**, two police constables located a body approx. **5km** downstream from the Tuakau Bridge. The body was "*snagged amongst weed approx. 150 metres out from the northern bank of the river.*"

**The body was facedown in the water.** When search and rescue teams tried to recover the body they discovered wire connected to a vehicle axle; likely used to weigh the body down. The body was eventually recovered. At **6.30pm** that evening, Len Demler viewed the body at the **Auckland Mortuary** at the request of D.I. Hutton. *Len confirmed that this was the body of Harvey Crewe.*

**The pathologist report** confirmed the suspicions of the police that Harvey was shot also, "*At the back of the head on the left side there was an entrance gunshot wound. It was in a line three inches above the bottom of the ear and posterior to it. The bullet had passed in through the parietal bone adjacent to the squamous part of the temporal bone and had caused radiating fractures extending into the parietal, temporal, sphenoid, and frontal bones.*"

**Police took a closer look** at the axle used to weigh Harvey's body down. On the **19th of September** two detectives visited **David Keruse**, a member of the **Vintage Car Club**. Keruse identified the axle being a "*1928 Nash Standard Six 420 series front axle, part number 17600.*

**From this, police uncovered** that this particular part came from a trailer built by a man named **Charles Shirtcliffe**. In **1959** he sold that trailer to Allan Thomas. The trailer now resided at his farm; *the farm now run by Arthur Allan Thomas.*

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## ROADS LEADING BACK TO ARTHUR

**On the 11th of October 1970, Detective Len Johnston** was looking at crime scene photos of the Crewe farmhouse. He noted that the Crewe's louvre windows looking into the lounge were open, even though June 17th was a cold, rainy night. *This lead to a theory that the shooter may have shot through the open window.*

**On the 13th of October 1970**, Arthur received a visit from detective Len Johnston. Arthur explains this visit to Ian Wishart, "*Yeah, he came on the axle business, questioned me about the axle and all this stuff. 'There's no bloody axle,' I told him. 'I don't know anything about axles on this farm'... They grabbed my bullets, a whole packet of bullets.*" Before Len Johnston left, he took some wire samples from the Thomas

farm. ***It turned out the samples matched the wire attached to Harvey's body.***

**That evening Detective Johnston's theory** of the shot from a .22 rifle coming through the louvre window was tested at the Crewe farmhouse. This theory was found to be feasible. ***The theory was as follows, according to the Crewe Homicide Review completed in 2014:***

***"Rochelle had already been fed and was put to bed. After this Harvey and Jeannette prepared their evening meal of flounder, potatoes, and peas. Having finished dinner it is likely that Harvey retired to his armchair in the lounge and Jeannette to a larger sofa to his left. Both would have been in a position to look at and feel warmth from the open fire."***

***"It is likely Harvey was shot first. He posed a serious physical threat to any assailant and the evidence suggests he was sitting in his chair when shot from behind. Jeannette appears to have been in the act of knitting a jumper (for Harvey) when her husband was shot in front of her. A single .22 bullet entered the left hand side of his head, above and behind his left ear. The bullet travelled downwards and lodged slightly in front of his right ear causing almost instant death. The shot, in all probability, came from the direction of the kitchen. This could have occurred from the kitchen itself or from outside the dwelling through an open kitchen louvre window."***

***"Having shot Harvey, the offender either gained entry to the house through the back door, or if already in the***

*kitchen, advanced into the lounge and encountered Jeannette. It is likely that Jeannette verbally challenged the offender in some way, possibly by screaming or shouting. One of Jeannette's slippers was located between Harvey's chair and the back wall of the lounge to the right of the fire-place. This may suggest that Jeannette sought to avoid physical confrontation with the offender or had moved from the couch after Harvey had been shot to the vicinity of his chair."*

***"The evidence suggests that the offender struck her in the face and possibly under her left arm-pit. This would account for the injury to her right eye, bruising to the bridge of her nose and a bruise to her left arm-pit, which were observed by the pathologist. It is highly likely that Jeannette's head made contact with the front left corner of the hearth at some point, and that she was incapacitated and lay prone on the carpeted lounge floor. The offender shot Jeannette with a single .22 bullet on the right hand side of her head in a manner that replicated the injury to Harvey, but from the right hand side. It is probable that the end of the firearm barrel was touching, or close to touching, her hair/skin, since there was evidence of tissue scorching at the point of entry. The shot would have caused immediate or almost immediate death."***

***"Having killed Harvey and then Jeannette, the offender elected to remove their bodies from the scene via the front door."***

**The Thomas farm tips** were searched by Len Johnston on the 15th of October for any sign of the back axles that would go

with the front axle used to weigh Harvey down. Arthur even helped look, “*Len Johnston and I were scraping all the bits and pieces through and I threw some stuff, trailer parts, onto the top of the grass for them.*” **The stub axles were not found.**

**On the 20th of October**, Len Johnston returned to the Thomas farm where he searched one of the three farm tips. Len Johnston uncovered the two back axles within minutes, fitting the model police had been looking for. Detective Johnston put the back axles in his police vehicle. The detective then asked Arthur for his .22 rifle once more, “*Sorry, Arthur. We’d like your gun back to do some re-testing.*”

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## ARREST

**25th of October.** Arthur Thomas is called into Hutton’s office. The result of this meeting was a statement signed by Arthur:

**“I am a married man 32 years of age. I reside with my wife Vivien Thomas on my father’s farm at Mercer Ferry Road, Pukekawa. The phone number is Pukekawa 838. I lease the farm from my father Allen Thomas who is living at Pt Wells, Matakana.”**

**“I am being spoken to by Detective Inspector Hutton about the deaths of Jeannette and Harvey Crewe in June of this year. I have been warned that I am not obliged to say anything more about this matter or to answer any**

*further questions unless I wish to do so and that anything that I might say will be taken down and may be used in evidence. I was brought up on the farm that I am now leasing from my father. In 1966 my father agreed to lease the farm to me for \$2,000 a year. I have been on the farm ever since. My marriage is quite a happy one. We do not have children but that is my fault.”*

**“I remember going to Pukekawa Primary School with Jeannette Crewe. We were both in the same class right through primary school. On second thought I was a class ahead of her until she caught up when I failed a year in standard one. I had quite a schoolboy crush on Jeannette at school. When I finished primary school I went and started work on the farm with my father. Jeannette carried on her education by going to Cuthbert’s. After this she became a schoolteacher at Maramarua. At this time I was working in the Forestry at Maramarua.”**

**“I met Heather Demler one night at a dance at Pukekawa and she mentioned that Jeannette was a school teacher at Maramarua. She told me that I should look Jeannette up. On my return to Maramarua I went and looked Jeannette up. I actually visited her a couple of times but I never took her out. Not very long later I heard Jeannette had gone overseas to England. I went round and saw Len Demler and asked him for Jeannette’s address so I could write to her. I think I wrote to her twice whilst she was away. She was away for about two years. She replied to my letters. I now hand one of the letters from her to the police. Later when Jeannette returned I took her round a Christmas present. The brush**

*and comb set I have just looked at is the one I gave her. The card has my handwriting on it. I did not take Jeannette out. **She did mention at the time I gave her the present that she had a boyfriend.**”*

*“I have been asked about my movements on the night of the ratepayers' meeting of 17 June 1970. I remember soon after Jeannette and Harvey were missing, Vivien and I discussed what we were doing that night. I recall remembering that we were home attending a sick cow. Peter Thomas was home also. The cow had been sick for some time and I think Peter helped me the previous night but I am not sure. This cow was in a sling in the tractor shed and was sick for some time. I finally had to shoot this cow with my .22 rifle. I also remember that day as I think both Vivien and I went to our dentist in Pukekohe. We arrived back home at 4pm. We attended to the cow between 5pm and 6pm. **I think I intended to go to the ratepayers' meeting but by the time we had tea it was too late to go.**”*

*“I have been shown the axle which was found with Harvey Crewe's body together with the two stub axles found by the police on my farm tip. After looking closely at these and also some photographs I agree that the axle and stub axles belong together. I cannot recall any of these articles being on my farm. I cannot explain how the axle got with Harvey Crewe's body. **After looking at the axles I think they must belong to the old trailer.**”*

*“I faintly recall the old trailer and the fact that there was some blue on it. I do not know what happened to that old trailer. Seems like the axle must have been on my*

*farm but I cannot help any further.”*

**“I have been asked about my .22 rifle and where it was on the night of 17 June 1970. I am almost certain that this rifle could not have been taken out of my house without me knowing. I certainly did not lend it to anyone around that time. I remember using this rifle to shoot the sick cow I have mentioned, about two weeks after Jeannette and Harvey went missing. That dead cow is now on the tip on the farm where the stub axles were found. I also used the same rifle to shoot rabbits with. Vivien does not shoot and Peter Thomas has never used this rifle to my knowledge.”**

**“I have been told that samples of wire found on my farm are similar to wire found on Harvey Crewe’s body. I can only say that someone must have come on to my farm and taken the wire and the axle. I have been told that the .22 bullets in Harvey and Jeannette’s body had the figure 8 stamped on them and that similar ammunition with this number has been found at my farm. I cannot explain this. I was aware however that ammunition does have numbers stamped on the bullet.”**

**“I have viewed the brush and comb set I gave to Jeannette. I think this present cost me about 4 to 5 pounds. This was in 1962. I know Len Demler quite well but he has never been to visit me at my farm. I have been told that a detective overheard me say to Vivien when I was planting seeds on Friday something to the effect that if the police thought I was guilty then I must be guilty. I cannot remember saying anything like this to Vivien.”**

***“I have been told about a pair of overalls found in the boot of my car having blood on them. I do not remember getting blood on these. I use these overalls to fix punctures or other repairs to the car when I am in good clothes.”***

***“The rubbish tip on my farm is used by me when necessary. I use it regularly and take all sorts of things to it. I remember a few weeks ago, taking some stuff out of the horse stable to the farm dump. I also remember some time ago cleaning stuff out of a stable to put the Dodge truck inside. This was about two years ago. I remember seeing one of the wheel rims found by the police on my farm dump but I have not seen the axles there.”***

***“I did not help the police and local farmers with the search for Jeannette and Harvey Crewe but by the time I finished my daily chores by 1pm I thought it would be too late to go. I thought that unless you could get to the Crewe farm by 9am you would not be able to assist. I was busy at that time of the year as my cows start calving on 10 June. I do not know how many cows I had in when the search started. I suppose I could of helped for a few hours but I was fairly busy.”***

***“I know I have been a suspect all along in this case. I suppose I did use to chase Jeannette along a bit and used to write to her. I have read this through and it is true and correct. I have nothing to add. A. Thomas, 25 October 1970.”***

**On the 26th of October 1970, with the current running theory being that Harvey was shot through the louvre windows,**

Detective Inspector Hutton directed the area around the *window to be searched once more.*

**The next day, around 10.30am**, two detectives carried out a search around the window. After three hours of searching they uncovered a .22 cartridge case. “*The soil was searched to a depth of about 6 inches. After between 1-2 hours of searching, i.e. some time between 11.30am and 12.30pm, Detective Charles found the shell case which was to become exhibit 350. The shell case was buried in the garden and we accept Detective Charles’ estimate that it was buried to a depth of approximately 2-3 inches.*”

**On the 11th of November 1970**, almost five months after discovering the Crewe’s missing, D.I. Bruce Hutton and Detective Johnston pulled up at the Thomas farm. Arthur was about to go out on his tractor when Hutton spoke, “*Look, Arthur. A .22 shell was found near the rear door of the Crewe house by the police. Scientist say that that shell was fired by your rifle... Arthur Allan Thomas, I am arresting you for the murders of David Harvey Crewe and Jeannette Lenore Crewe, on or about June 17, 1970 at Pukekawa. You have the right to remain silent...*” Arthur wasn’t silent, “*Look, I told you where I was when it happened... I was bloody well home!*” **According to Arthur**, Hutton just shrugged, “*We don’t believe you.*”

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## TRIAL

**The question was, would a jury believe Arthur's story?** Over the 16 days of the trial, they were introduced to all the evidence previously cited. The question that the crown needed to answer, with all the evidence pointing to Arthur Allan Thomas was, **what was his motive? Why did he want to murder the Crewes?**

**He was in love with Jeannette Crewe, obsessed.** Evidenced by his own admission that he had a schoolboy crush on her, the letters sent to her and the gifts sent. The evidence supporting the motive was thin, but the shell case matching **Arthur's gun and the trailer back axles being found in his farm tip was difficult evidence to ignore.**

**The crown also asserted that the 'mystery woman,'** the brown haired woman seen at the Crewe house on the 19th of June was Vivien Thomas, alleging she was the person feeding and caring for Rochelle Crewe. Arthur's wife Vivien, and his cousin, both testified that Arthur was home with them the night of the murders **therefore could not have committed the crime.**

**On the 2nd of March 1971,** the jury retired. Two hours later the jury reappeared. **Arthur Allan Thomas was found guilty of double murder and sentenced to life imprisonment.**

**Arthur explained** his reaction to author Ian Wishart, "You know when I was found guilty I could remember I just absolutely - I had no words to talk, you know. My lawyers. I looked at them. I said, 'Well what the fuck?' I was sort of going on. I was swearing a bit and going on, but this - I shouldn't swear but you know, why has this happened? Where are we going? What appeals have I got? The judiciary's failed me! [My lawyer reassured me]. We'll appeal. We'll take it to the Court of Appeal... **I just turned to the side, tried to blink**

*away the tears in my eyes and walked down into the hole in the floor.”*

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**PART III:**  
**EPILOGUE**  
**Nine Long Years**

## PAREMOREMO

**Paremoremo** is a mostly rural locality, about **8km** southwest of **Albany** on the northern fringe of **Auckland**; currently home to approx. **3,000** New Zealanders. In the early **19th** century, **Paremoremo** was a place known for its plenteous farms and orchards.

**In 1968**, New Zealand's only maximum security prison was opened in the area, **Paremoremo Prison**. Soon the prison became known to those who frequented it as '**Pare**.' Pare was hailed as the most technologically advanced prison on Earth in **1968**. It's sleek, modern design was devised to contrast Mt Eden Prison's gothic, '*Victorian*' inspired design.

**Pare could** hold up to **650** prisoners; built with humane living conditions and rehabilitation in mind. Pare was designed to provide maximum freedom for the inmates, *even allowing prisoners pets and plants*.

**Even with these 'luxuries,'** Pare became known as a harsh place, in particular **D Block**. This area of the prison housed **NZ's most disturbed individuals**. Each prisoner in the block had three prison warders assigned to them and *the prisoners' freedoms were tightly controlled*.

**Even with these precautions in place** violence was a relatively common occurrence in Pare. Many stabbings of other prisoners occurred. **Prison staff were also attacked over the years.**

**On the 2nd of March 1971, Arthur Allan Thomas**, having been found guilty of double murder, was driven from the **Auckland District Court, 30km** north over the **Auckland Harbour Bridge**. Exiting at Albany, the police van eventually got onto **Paremoremo Road**.

The ‘*paddy wagon*’ drove another **5km** before taking a left. Soon after the van pulled over. When Arthur exited the vehicle he was greeted by, what would be his home for the foreseeable future, **Paremoremo Maximum Security Prison**.

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## APPEAL

*Time in New Zealand went on.*

**Post 1971**, Arthur’s wife **Viven Thomas** continued to petition to anyone who would listen. Arthur was innocent - he was home with her and his cousin **Peter Thomas** that night, “*You don’t just leave an innocent man to rot in prison. What frightens me most is that the murderer is still free and the person who committed this crime is being protected by others.*”

**Arthur’s legal team** continued to push for a retrial to the **Court of Appeal**. On the **18th of June 1971**, the Crewe’s **5th** wedding anniversary, the Court of Appeal reached the verdict that they were satisfied that evidence proved the fatal **.22** bullets were shot from Arthur’s gun. Until Arthur’s defence could prove that bullets did not come from said gun; **they**

*would not be pursuing a retrial.*

**The 44 page report wrote.** When a ballistics expert was asked his opinion on the .22 ‘garden cartridge,’ “*he gave a confident opinion that the cartridge could have been fired only by the appellant’s rifle. His opinion was based on a microscopic examination of the cartridge.*”

**In 1971, Pat Vesey founded the Arthur Thomas Retrial Committee.** Pat was the man who introduced Arthur to his niece Viven in **Wellsford**, all those years ago. That year **Viven Thomas**, a part of that committee, said to a local newspaper, “*I feel that this is the gradual realisation growing from facts being exposed now... things such as the incredible irregularities in the trial itself and the inevitable exposure of evidence apparently not followed up. I think that we probably got some unwitting assistance from the Crewe murder magazine published by Wilson and Horton. Anyone studying the story and pictures in that closely must see the incredibly flimsy evidence with which my husband lost his freedom. This magazine has turned the people of NZ into a jury.*”

**The Retrial Committee** also circulated petitions asking **Prime Minister Keith Holyoake** for a retrial of Arthur Allan Thomas. The petition ended up getting **22,500** signatures nationwide, including **150** from Arthur’s fellow prisoners in Paremoremo.

**Around Christmas 1971**, the petition was given to the **Governor General Arthur Porritt**. Porritt ordered **Supreme Court** judge, **George McGregor** to review the case. A couple of months later on the **17th of February 1972**, McGregor returned a verdict, “***In my opinion, there has been no miscarriage of justice.***”

**In June of 1972**, on request of the Arthur Thomas Retrial Committee, the New Zealand government sent the shell case found in the Crewe garden, along with Arthur's gun, to conclusively determine whether the cartridge was fired from Arthur's .22 rifle.

**Bullet tests in England** could not prove or disprove Arthur's .22 was involved. They did find something curious however. **British** scientists were "*amazed to learn that the cartridge case had been found in the garden more than four months after the killings. The shell apparently was not as badly corroded as might have been expected after such a period.*"

**In August of 1972**, the Court of Appeal was asked to examine the Thomas case once more and **consider this new evidence**.

**During this time**, the stress had gotten to Viven. She had been popping Valium to deal with the stress, **which soon developed into a benzodiazepine habit**. Viven confessed to the **Sunday News** in **November 1972**, "*I was living on pills and smoking like a chimney.*" She had returned to **England** a few months before to **kick the habit and get some time away to clear her head**.

**In January 1973**, the **Sunday News** reported that **Len Demler** had married his girlfriend **Norma** and was moving out of Pukekawa, "*On the doorstep of his neat, green and white painted home he said his decision had nothing to do with the Crewe murders or any of the rumours in the district. 'Me knee's crook and I've had enough. And that's all there is to it.'*"

**In February of 1973**, after considering all the new evidence, the Court of Appeal ordered a new trial for Arthur Allan

Thomas. By that point, Arthur had been in prison for almost two years.

The **NZ Herald** wrote on the **27th of February 1973**, “*The judges said, after hearing the new evidence, they were not satisfied that, if that evidence had been before the Supreme Court, a jury could have come to no verdict other than guilty.*”

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## THE RETRIAL OF ARTHUR THOMAS

**The retrial of Arthur Allan Thomas** commenced on the **26th of March 1973**. The major focus of Arthur’s defence was proving that the cartridge case found in the Crewe garden ***did not come from Arthur’s .22 rifle.***

**The bullet used to kill the Crewe’s** was a ‘*number eight*’ bullet, a bullet manufactured by munitions company **ICI**. The ‘*number eight*’ bullets were last manufactured in **1962**. This meant that the killer had hoarded these bullets for at least eight years ***before using them to murder the Crewes.***

**Dr Jim Sprott**, a scientist on behalf of the defense, testified that when he examined the ‘*number eight*’ bullet and the cartridge alleged to be shot from Arthur’s rifle, he saw the ‘*ICI logo*’ embossed on the bottom of the bullets, was slightly different. The ‘C’ was slightly smaller on the older ‘*number eight*’ bullets.

**Dr. Sprott** petitioned the public to send in any ‘*number eight*’

bullets so he could confirm this theory. In the end, **22,000** bullets were sent in. What the Dr. discovered was: yes the logo on all ‘number eight’ bullets had the same smaller ‘C’. This meant - ***the cartridge case found in the garden could not have come from either bullet that murdered Jeannette and Harvey.***

**ICI Australia** backed this up, confirming that the ‘*garden cartridge*’ could not have contained either bullet that killed the Crewe’s.

**To combat this evidence**, ICI NZ testified on behalf of the Crown, “[there was] no reason whatsoever why the garden shell should not have contained the bullet of Harvey or Jeannette.”

**After twenty days of the retrial**, the jury returned a verdict. **Guilty** to both counts of murder - ***Arthur Allan Thomas was resentenced to life imprisonment.*** The NZ Herald wrote of the chaos that ensued in the immediate aftermath, “*Screams, tears and angry protests threw the Supreme Court at Auckland into an uproar late yesterday... Pandemonium continued, with fists being waved from the public galleries to the jury.*”

**As the jury stood to leave**, Viven Thomas yelled, “*What sort of people are you?! He’s innocent - you’re murdering him!*”.

***Arthur went back to Pare.*** The Court of Appeal rejected Arthur’s case once more, five weeks later. Arthur was running out of options in regards to a legal route; in reality he had one: ***do the time.***

**In 1975, Viven Thomas divorced Arthur.** She had been having an affair since **1974**. Viven told journalist **Chris Birt** in **2010**, “*That second trial jury ended our marriage. I had always*

*thought, in my own head, that if Arthur had been freed, we would have picked things up. At that time, it was still retrievable, for me anyway. I had not talked to Arthur about that. But when he was convicted again, I knew it wasn't retrievable and that was the end of my marriage. I had made that decision inside me, but I didn't do anything about it for another two years."*

**Arthur heard about the news of his divorce on Radio Hauraki.** Arthur took the news pretty bad. He told author Ian Wishart in 2010, "*It was back in 1975, yeah and I still wasn't too happy. I wasn't happy about that. Okay, I had nothing else, you know, just my mate- (PAUSE)... I was buried as an inmate, I was a prisoner and I need something when I get out, you know, just beside me, you know?... Yeah, I don't want to talk so much about tears and things but by crikey I tell you. I wasn't a happy man for months in that time. Months I was down in the... oh I don't know what words to use, just how I was. Everything had let me down. Everythings let me down.*" **By this point, Arthur had been in prison for four years of his life sentence.**

## ALLEGATIONS OF CORRUPTION

**Covering the Arthur Thomas case for The Auckland Star** was journalist **Pat Booth**. Booth was similarly perplexed that Arthur was found guilty the second time. He had sat everyday listening to the same evidence as the jury - ***yet he had come to a different conclusion.*** This lead to Pat investigating the case

further. The result was his **1975** book, ‘*Trial by Ambush*’, for which Booth won the **National Investigative Journalism Award**.

‘*Trial by Ambush*’ detailed police corruption, including evidence that Hutton and the Crown precursed the ‘*jury pool*’ months in advance. Then they investigated the potential jurors for ‘*pro police*’ attributes and **selected them based on that criteria**.

**On top of this**, the jury was sequestered in a hotel, the **Station Hotel** - a local haunt for police. In **May 1973**, Rolling Stones journalist **Terry Bell** wrote, “*When the jury confinement move was made, defence counsel Kevin Ryan protested impotently. He had good reason not to want the jury confined - especially at the Station Hotel. For the Station Hotel, with its cosy sixth floor house bar, is a regular haunt of the local constabulary. Police wanting to create the best possible conviction atmosphere could not have chosen better than the Station Hotel... in court the jury looked bored, tired and impassive. Kevin Ryan was worried when they retired to consider the verdict. He whispered to his brother Gerald, ‘The jury could be hung. ’ They weren’t. Only hung-over.*”

**Allegations of police corruption** went all the way back to the first trial in **1971**, when Arthur’s defense pondered the idea that the cartridge and stub axles were planted to frame Arthur. These allegations would only intensify. In **July of 1973**, under the order of Detective Inspector Bruce Hutton, 135 exhibits of evidence pertaining to the Arthur Allan Thomas case were disposed of at the **Whitford Landfill**; including the infamous ‘*garden cartridge*.’

**When the Minister of Justice** found out about this, he demanded the police go retrieve the exhibits. But their efforts were fruitless. ***The evidence was gone.***

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## PUBLIC SCRUTINY

**By this time**, the story of small town farmers being murdered, with the killer returning to feed their 18 month old had gone international. The ‘*whodunit?*’ nature of the case attracted **British** investigative journalist **David Yallop**. The result of his investigation was **1978’s ‘*Beyond Reasonable Doubt?*’**.

**‘*Beyond Reasonable Doubt?*’ alleged police corruption once more**, building on the work already laid down in Booth’s **1975** book. Something both books agreed on, Arthur Allan Thomas did not commit this crime. Jeannette’s father **Len Demler did - well sort of.**

**The Pat Booth theory goes as follows:** Harvey and Jeannette were having a domestic dispute. Harvey attacked Jeanette with a blunt object - this accounts for her blunt trauma wounds. **After this Jeannette grabbed an unidentified .22 and shot Harvey in the head.** She then called her father, Len Demler who helped her remove the corpse and dispose of it in the **Waikato River.**

**In the aftermath**, Jeannette realised she could not live with her actions and committed suicide, also with the same rifle. Len

Demler disposed of her body to cover up his part in the first murder. In this theory, the woman seen by **Bruce Roddick** on the **19th of June**, perhaps the person who fed **Rochelle, was Norma - Len's now wife.**

**The David Yallop theory goes:** Len Demler was upset about the financials involved with how Maisie's will was divided up, in his mind, the Crewes were taking over his farm. In this theory, Heather, **Jeannette's sister was the woman seen by Bruce Roddick.**

**More and more people** were agreeing, the person responsible for this crime was not Arthur Allan Thomas. These voices only got louder; so loud, it reached the highest rank in NZ: **the Prime Minister.**

**Both Pat Booth and David Yallop** had written to the Prime Minister's office in regards to the Thomas conviction. Pat sent a dossier, filled with evidence he had uncovered of police corruption. **Both men appealed to the Prime Minister for a royal pardon of Arthur.**

**On the 28th of October 1978, Prime Minister Robert Muldoon** ordered **Robert Adams-Smith** of the **Queen's Council (QC)** to conduct an enquiry into all aspects of the Crewe Murder case. A Queen's Counsel lawyer is appointed by the monarch to be, "*Her Majesty's Counsel learned in the law.*" A prestigious title in **Commonwealth** countries.

**On the 16th of January 1979,** Adams-Smith QC recommended more enquiries into the case. Then in late December of the same year, Robert Adams-Smith QC returned a verdict to Prime Minister Muldoon, "... *I have real doubt*

*whether it can properly be contended that the case against Thomas was proved beyond all reasonable doubt.*" By this point, *Arthur had been in prison for almost nine years.*

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## RELEASE

**The morning of the 17th of December 1979.** Arthur Thomas was examining some contraband he had snuck in, a bottle of whiskey; an early **Christmas** present from his brother **Des**. Suddenly, from down the hall, *Arthur heard the superintendent's voice*, "*I've got a Christmas present for ya, you've been pardoned.*"

**The next day, the 18th of December 1979**, Arthur Allan Thomas returned to his **Pukekawa** farm. Greeted by a horde of reporters, they began firing questions at Arthur, "*Did you commit the murders?*" Arthur replied, "*I am innocent of the Crewe murders.*" A voice from the crowd yelled, "*Do you swear you are telling the truth?*"

**Arthur answered**, "*I am a Christian and I swear my innocence before God... There is no way I did it. My name is clear and I'm innocent of the crime. I came pretty near being mental there during part of my imprisonment. I didn't know if I'd end up in **Lake Alice** or in **Kingseat** [mental hospitals]. I just didn't know where I'd end up. But I didn't blame God for the situation. I knew it was caused by man-made greed and corruption. I've lost 10 years of my life, my farming career*

*and my marriage - I'm washed out. If I hadn't been wrongly imprisoned I'd be well off now with a farm, a wife and possibly and family. I feel sad about not having all that. But I've just got to start as a new man as from yesterday - pick up what I can and take it from there. It's a challenge after ten years and I've got to meet that challenge, or I'm nothing."*

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## ROYAL COMMISSION REPORT

**In 1980**, the ‘*Report of the Royal Commission to Inquire into the Circumstances of the Convictions of Arthur Allan Thomas for the Murders of David Harvey Crewe and Jeanette Lenore Crewe*’ was released.

**This report found allegations of police corruption were valid.** The report writes the most likely scenario was the ‘*garden cartridge*’ was planted by detectives, “*Mr Hutton and Mr Johnston planted the shellcase, exhibit 350 in the Crewe garden, and that they did so to manufacture evidence that Mr Thomas's rifle had been used for the killings.*”

**The report** was not kind of Hutton’s decision to dispose of crucial evidence either, specifically ‘*exhibit 350*,’ the much debated ‘*garden cartridge*,’ “*We find the disposal of these exhibits and the reasons for it has an added significance. It strongly supports the case against Hutton of planting 350 to procure the conviction of Thomas.*”

**The Royal Commission of Inquiry (RCOI)** also found that reports of ‘jury tampering’ had some truth, “*In our view, the thoroughness of the checking of the jury by the Police was excessive, improper and calculated to prejudice the fairness of the subsequent trial.*”

**The RCOI wrote nearing its conclusion,** “*It is clear that at the outset, Mr Thomas put his trust in the Police. That trust must have been shaken when the Police arrested him. Even then, he may have seen the arrest as an honest mistake. Such trust as remained must have been shattered when exhibit 350 was produced as an exhibit. Mr Thomas must have known from the first that it had been planted by the Police. He must then have realised that the Police were determined to convict him. It is undoubtedly a deep form of mental anguish to listen to false evidence being given against oneself... Money cannot right the wrongs done to Mr Thomas or remove the stain he will carry for the rest of his life. The high-handed and oppressive actions of those responsible for his convictions cannot be obliterated. Nevertheless, all these elements are to be reflected in our assessment, as also are his suffering, loss of enjoyment and amenities of life, and his pecuniary loss. We recommend that the following sums be paid to Arthur Allan Thomas as compensation: \$950,000.00.*”

**For Arthur,** this compensation roughly broke down to about **\$8,500** for each month he was in prison; roughly equivalent to **\$42,000** a month in **2019** dollars.

**In the aftermath** of the Royal Commission Report, Arthur visited **Sir Robert Muldoon** at his Auckland home. Arthur wanted to thank the Prime Minister for looking into his case.

**This encounter had further revelations for Arthur.** Sir Robert Muldoon went on to explain who originally introduced the possibility of Arthur's innocence to him, *'Well Arthur, I thought you were guilty. Then I had a visit from your ex wife and she told me exactly where you were when the murders happened. I looked her in the eye and I changed my mind.'*

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## JENNY CRESSWELL

**A 21 year old Jenny Cresswell** was watching all of this unfold on her television. She watched as the now **41** year old Arthur Thomas was released from prison.

**Moved by his story** she wrote Arthur a letter, accompanied by a flower for every month he was in prison - **112 red roses**. The gesture moved Arthur and he wrote back. The twosome began corresponding back and forth. Soon romance blossomed and **Jenny Cresswell became Jenny Thomas**.

**Arthur bought a farm** with his compensation money and moved to that farm with his new wife. **In 1982**, Arthur and Jenny had their only child, **Bridgette**. Arthur spoke of the moment of meeting his daughter for the first time to author Ian Wishart, *"Absolutely, it made me very proud, this little girl in my arms, after all the crap I'd been through and here's this little wee baby in my arms. It's a great feeling, yessiree."*

*Over time, all the attention around Arthur Allan Thomas*

***moved on.*** After this the small town farmer retired mostly from public life; *presumably wanting to live a life less eventful than the previous ten.*

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## AFTERMATH

**In 2010**, Rochelle Crewe now **41**, asked the NZ government to look into the Crewe case once more. She specifically questioned what action had been taken by Police after Arthur had been pardoned and why **Bruce Hutton** and **Len Johnston** had not been prosecuted when the RCOI had found that they had corruptly fabricated evidence. *A four year investigation followed.*

**In 2013**, Bruce Hutton passed away at **83** years old. To the day Bruce passed away, he denied he ever planted any evidence. When asked by **Detective Inspector Andrew Lovelock**, who led the review into the Crewe murders, if he had any regrets in the investigation, Hutton reposed, *"No, I've got my man."*

**During the funeral**, police **Deputy Commissioner Mike Bush** was asked by the Hutton family to make a statement. During his eulogy, Bush included the line, *"His integrity is beyond reproach."* ***This statement was seen as a 'defense' of Hutton's actions.***

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## ROCHELLE CREWE

**Rochelle Crewe** has kept much secrecy around her life. Rochelle has changed her name to maintain that secrecy; hence - details are extremely scarce. We do know that she was brought up by her aunt **Heather**. She attended the prestigious **St Cuthbert's College** in **Auckland**, the same secondary school her mother Jeannette attended. She had spent some time in the **United States** as well.

**In 2010**, it was known that Rochelle had a daughter of her own and she was living somewhere in the **South Island**.

The '*Crewe Homicide Investigation Review*' was released in **2014**, totalling **328** page, concluding much the same as the **1980** Royal Commission report.

**The report wrote, in regards to planting evidence,**  
*“Notwithstanding the RCOI findings with regard to the actions of Detective Inspector HUTTON and Detective JOHNSTON, there is insufficient evidence to support a prosecution against any individual for a crime associated with corruption.”*

**The review really stirred up** the hornet's nest in regards to the firearms involved. The report concluded, "*Reliant on expert ballistic evidence, it is highly probable that Police Exhibit 317, the THOMAS rifle, fired the fatal shots that killed Harvey and Jeannette.*"

**The review also said** that it is most likely no '*mystery woman*'

existed and **Rochelle was not fed or looked after at all for five days.**

**Deputy Police Commissioner Grant Nicholls**, who you may remember as **D.S.S Nicholls** from our investigation into the case of **Brent Garner**, said at the release of the report, the review's goal was to give Rochelle as many answers as possible.

**Nicholls continued**, admitting the police could have done more, *"The report shows some aspects of the original investigation were done well, but there were shortfalls that led to missed investigative opportunities which have left her with the enduring uncertainty over the deaths of her parents. I have apologised to her for that and for the anguish caused to her and her family over the years."*

**Nicholls admitted** the most disappointing aspect of the review was, *"we still do not have an answer to certain key questions, particularly who killed the Crewe's."*

**Rochelle expressed disappointment** that there were shortfalls on behalf of the police but acknowledged gratitude that the police admitted that. She also expressed some closure knowing her grandparents *"were not involved in any way."*

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## CONCLUSION

**Almost 50 years** after the horrific crime in the small district in

the Waikato, the double homicide of **David Harvey Crewe** and **Jeannette Leonore Crewe** remains unsolved.

**Many have been accused** over the last **49** years and one of those people spent **9** of those years falsely incarcerated for the crime.

**The fallout** of the alleged police corruption had a lasting effect on the people of Pukekawa and greater NZ. A distrust of the police, as a friend of the Thomas family **Brian Murray** told the **NZ Weekly News** in **August 1971**. Murray explained the realisation that the police cheat and that cooperating only gave them opportunity to frame you - saddened him the most.

**Furthermore**, Murray explained, from now on he tells his own children, “*... the minute a police officer questions you, say nothing and get a lawyer.*”

**The 2014 review** into the Crewe murders really ruffled the feathers of the Thomas family. As of **2019**, the Thomas family continues to petition the government for a formal apology. Arthur’s brother, **Des Thomas**, speaking to **Stuff.co.nz** in **2019** said, “*He's maintained his innocence for all these years. He's been proven innocent and he wants closure. How the hell do you get closure if the Crown, the politicians and the police are not going to accept that he was pardoned for the murders... I think an apology would give this man who is 82 years old some peace of mind for the rest of his life.*”

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## POSTSCRIPT

**As time goes on**, facts get confused, evidence disappears or is destroyed, and memories fade.

**One thing is evident.** While peace may still remain elusive for those affected by this horrific crime, even **50** years after the event, there is one feeling will never fade for NZ: **hope**.

*This story is dedicated to the memories of Harvey and Jeannette Crewe.*

*As we continue to look for answers, we hope you are resting in peace.*

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## ACKNOWLEDGEMENTS

If you would like to know more about this case, the book mentioned in the podcast '*Arthur Allan Thomas: The Inside Story*' by Ian Wishart is a vital read. The chapters describing Arthur's time in prison are particularly fascinating, unfortunately we couldn't find a way of fitting this time in Arthur's life into the flow of the story, but if you are interested, check the book out from your local library or purchase the book to support the author.

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## Case 12:

# The Rainbow Warrior



## AUCKLAND CITY, AUCKLAND.

***“One day, the Earth will get sick. The birds will fall from the sky, the seas will darkle and the dead fish will be floating on the river. When this day arrives, the Native Indians will lose their spirits. But the will get them back to teach the white man to bow to the holy Earth. And then, all the races will be united under the rainbow icon to put an end to the destruction. It will be the era of the Rainbow Warriors. ” - North American Cree Prophecy***

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# **PROLOGUE:**

## **NUCLEAR PROLIFERATION**

## ERNEST RUTHERFORD

**Ernest Rutherford** was born on the **30th of August 1871** in **Brightwater**, a small town **20km** southwest of **Nelson**. After studying at **Nelson College** Ernest won a scholarship to study at **Canterbury College**.

After gaining a **Master of Arts** degree and a **Bachelor of Science** in **1895**, Ernest received the **1851 Research Fellowship**. A three-year research scholarship awarded to “*young scientists or engineers of exceptional promise.*”

**At 23 years old**, Ernest chose to work at the **University of Cambridge’s Cavendish Laboratory** in the **United Kingdom**. In **1908**, Ernest was awarded the **Nobel Prize in Chemistry** for his investigations into the disintegration of elements and the chemistry of radioactive substances.

**In 1918**, while bombarding nitrogen atoms with alpha particles, Ernest observed outgoing protons of energy larger than that of the incoming alpha particles. With this, ***Ernest Rutherford had become the first person to split the atom.***

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## NUCLEAR ARMS RACE

**In the 1930s a nuclear arms race began.** All the major players had their best scientists on the job; **Britain**, the **Soviet Union**, the **United States** and **Nazi Germany**.

**In 1934**, building upon the work of Ernest Rutherford, two **French** scientists observed that splitting an atom, with an atomic nucleus, created man-made **radioactivity**.

**This led US scientists** to their own discovery that **uranium ore** was (*in essence*) the largest atomic nucleus to split, for it would then continue to split over and over again - releasing a huge amount of nuclear energy. ***This could be harnessed for peaceful or destructive means.***

**On the 6th of August 1945**, the United States **B-29 bomber Enola Gay** took flight, flown by **Brigadier General Paul Tibbets**. The plane, named after his mother Enola Gay, made the six hour flight to **Japan**, continuing on to **Hiroshima - home to 350,000 people**. The Uranium Atom bomb codenamed '**Little Boy**' was dropped at **8.15am**.

**Little Boy** missed its intended target of the **Aioi Bridge**. Ground zero became **Shima Hospital** - **16 kilotons of TNT were unleashed on the city**. **146,000** people were killed by the explosion and the effects of the radiation in the months following. **12km<sup>2</sup>** of Hiroshima was destroyed from the blast.

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## NUCLEAR TESTING IN THE PACIFIC

**In 1954**, United States scientists were working on **Operation Castle**. They were stationed in **Bikini Atoll** in the **Marshall Islands** **5,000km** north of NZ - which at the time was an **American** colony.

**On the 1st of March**, the US test fired thermonuclear weapon **Castle Bravo**. The result was **15 megatons of TNT**, at the time, the most powerful artificial explosion in history. **1,000 times more powerful than Little Boy, which had previously been dropped on Hiroshima**.

**Billiet Edmond**, a school teacher from the nearby **Rongelap**, an atoll 150km downwind from the blast zone, detailed the **1st of March 1954** in his diary:

*“It was between five and six [am] when the first flash came... from that overwhelming and most frightening event... As the lightning faded, a huge and fiery sun-like object rose up in the western part of the lagoon. It was the sun, for it was round, but it was much bigger than our sun. It was a sun for it was lighting the sky and giving off heat... yet its intensity was far greater and invincible and it was much brighter, which left all of us aghast. As the terrible fireball completely rose above the western horizon, its upper portion erupted and a combination of blended particles spurted out and upward, burning. None of us could move, but everyone stared at the fireball without a word. In just one fraction of a second, the queer-looking fiery object became a giant mushroom and then another one and then another, and still another grew upon another.. The whole atmosphere turned bloody coloured - and the heat... the explosion! Louder than any 100 of the strongest Second World War bombs*

*bursting together... the ever frightening sound accompanied by a tornado-powered wind sweeping through our land, twisting coconut trees, uprooting bushes, smashing windows, doors and overturning one house."*

In 1963, the United States, Britain and the Soviet Union all signed the '**Partial Test Ban Treaty**' to abandon atmospheric nuclear testing, instead to detonate the weapons underground. France was not one of the signatories, believing it was in need of its own **nuclear deterrent**.

France chose two uninhabited atolls in **French Polynesia** as test sites for their nuclear initiative; **Mururoa** and **Fangataufa**, about **4500km** northeast of New Zealand. **Winiki Sage** the president of the **Economic, Social and Cultural Committee of French Polynesia** told journalist **David Robie** in **1985** when he asked if the testing was safe; he was assured it was, "*We didn't understand what was happening, a lot of Tahitians and Polynesians went to France for the war. And when Mr de Gaulle* (the French President from **1959** to **1969**) *came here and said 'we're going to do some tests,' no one could imagine it was going to be so bad for us... All the Tahitians were led to believe that it would be safe. I can tell you that in the house of my grandmother, there was a nice picture of a big nuclear bomb test and everybody was thinking it was something nice. We didn't really know that it was something bad for us.*"

**French atmospheric testing** continued into the **1970s**. In **March of 1973**, **New Zealand Prime Minister Norman Kirk** wrote a strongly worded letter to the French Government claiming the testing was a "*violation of New Zealand's rights under international law.*"

**In May 1973, the New Zealand and Australian Governments took France to the International Court to cease nuclear testing in the Pacific. Radiation had been detected in both countries in the aftermath of the tests. *France refused to follow the court's ruling to cease the tests.***

**During this time, New Zealand sent the HMNZS Otago, an 85m Navy frigate to Mururoa to protest French actions; with Rules of Engagement to, “fire upon French vessels in self-defence if the need arose.”**

**The Minister for Immigrations and Mines, Fraser Colman, was selected to sail on the Otago. During a dockside press conference, Fraser said his mission was to “ensure that the eyes of the world are riveted on Mururoa.”**

**The ongoing protests and overall negative attention led to France taking their nuclear testing underground in 1974. The Evening Post** saw this as a victory for the people of New Zealand. They wrote in an editorial at the time, “*The full effect of the protest can only be speculated upon. But let there be no doubt that New Zealand's stand has captured worldwide attention and admiration. Perhaps those among us who were inclined to dismiss the New Zealand government's decision as a senseless and theatrical gimmick may now re-form their opinion.*”

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## NZ NUCLEAR FREE ZONE

**In 1984**, campaigning on an anti-nuclear policy, a **Labour** government was brought to power with **David Lange** at the helm. During the late **1970s** to early **1980s**, New Zealand had been dealing with the issue of US nuclear powered navy ships docking at New Zealand ports.

**The previous National government** had relaxed its anti-nuclear sentiment and allowed nuclear powered US ships to dock at New Zealand ports. This was unpopular with the public. In a **1984** poll; **30%** of New Zealanders agreed with allowing US warships to dock while **58%** disagreed.

**In February 1984**, Lange refused entry of US warship, **USS Buchanan**, to New Zealand ports. This action created a strain on US/NZ relations. As the US refused to disclose which ships contained nuclear material, Lange refused all US ships from docking in New Zealand.

**In March of 1985**, David Lange participated in a debate at the **Oxford Union in England** with US conservative political figure **Jerry Falwell**. It was here, David said perhaps the most famous line in NZ politics, “I’m gonna give it to you if you hold your breath! I can smell the uranium on it as you lean toward me!”

**In 1985**, protests around French underground nuclear testing continued, with hope that France would cease their pursuit of weapons of mass destruction altogether. The French government refused. France saw its nuclear testing programme as *essential for the republic’s security*. Over **30** years, **France tested 193 atmospheric and underground nuclear weapons**.

## **PART I:**

### **WARRIORS OF THE RAINBOW**

## FERNANDO PEREIRA

**Fernando Pereira** was born in the town of **Chaves** in **Portugal** on the **10th of May 1950**. In his youth, Fernando joined the armed forces - serving as a pilot. Fernando, a man of principle, refused to fight in the government's war to maintain control of the Portuguese colonies of **Angola** and **Mozambique**.

**This refusal** led to Fernando fleeing his homeland for **Spain**, to escape the corporatist authoritarian government that ruled Portugal until **1974**. He eventually found his way to the **Netherlands** by way of hitchhiking, where he settled. Fernando married a local **Dutch** woman and had two children, a daughter - **Marelle** and a son - **Paul**.

Fernando always had a passion for photography as well as having a deep interest in environmental issues. In 1985, Fernando combined these two passions when he became a freelance photographer for Greenpeace on their six month voyage of peace through the Pacific Ocean.

**Journalist David Robie**, who would travel with Fernando during this time, described him thus, "*His charming Latin temperament and looks betrayed his Portuguese origins. He liked tight Italian-style clothes and fast sports cars. Pereira was always wide-eyed, happy and smiling.*"

**In April 1985**, Fernando Pereira said goodbye to his children in the Netherlands. His departing words were, "*Just take care*

*of your mom, I'll do my trip and I'll be home soon."*

**With farewells said to his loved ones**, Fernando travelled to **Hawaii** and reported for duty.

**Fernando boarded the ship** that would be his home for the next six months as he travelled around the globe - ***the Rainbow Warrior***.

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## THE RAINBOW WARRIOR

**The Ministry of Agriculture, Fisheries and Food** was a government department of the **United Kingdom**; established in **1955**. The department was created to handle the responsibilities of the **British** food industry.

**In the same year**, the Ministry commissioned a research ship to be built. The boat would be a trawler, a commercial fishing vessel. **Trawling** is a method of fishing that involves actively dragging or pulling a trawl (*which is a large fishing net*) through the water behind one or more trawlers.

**The boat was built in Aberdeen** - a city of **200,000** on the northeast coastline of **Scotland**. **Hall, Russell & Company** built the **49m** and **418t** vessel. The ship was the first diesel electric ship built in the UK. Diesel-electric ships work by fuelling multiple diesel engines, with each driving an electric generator, which produced electric power that energised electric motors connected to the propellers. **This had the benefit of**

**lower fuel consumption, less pollution and more maneuverability.**

**The boat was finished in 1955.** The vessel was named after a former archivist of Scotland's National Archives: **Sir William Hardy.**

**By 1978,** Sir William Hardy had completed her tour of duty for the UK. The Ministry was looking to sell the old research boat. They had an interested party as well – **Greenpeace.**

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## **GREENPEACE**

**Greenpeace is a non-governmental organisation (NGO)** started as anti nuclear committee, '***Don't Make a Wave***' in **1969**. Formed in **Vancouver, Canada** to protest the United States government testing nuclear weapons on the small island of **Amchitka in Alaska**.

**In their protest,** the committee captained a boat to the island. The mission was halted when they were turned back by the **US Coast Guard.**

**During one '*Don't Make a Wave*' Committee meeting,** one member said '*Peace*' to farewell another member - to which the other member responded '*Make it a green peace.*' In **1972**, the committee formally changed its name to the **Greenpeace Foundation.**

**In 1978,** Greenpeace was trying to scramble **£37,000** together (*equivalent to approx. \$236,000 in 2019 dollars*) for the

downpayment on Sir William Hardy. The ship would lead their protests of commercial whaling in **Iceland**.

**With help from the Dutch branch of the World Wildlife Fund**, who agreed to help finance the purchase to help the whales, Greenpeace took ownership of Sir William Hardy in **1978**. *Their first vessel in Europeon waters.*

**Referencing** the **North American Cree Indian** prophecy: ‘*When the world is sick and dying, the people will rise up like Warriors of the Rainbow...*’, Sir William Hardy was given a fresh coat of paint with rainbow patterns accenting its green hull. A white dove carrying an olive branch was painted on the bow. **On the 2nd of May 1978** the boat was relaunched as the ‘*Rainbow Warrior*.’

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## PACIFIC PEACE VOYAGE

**In 1985**, the Rainbow Warrior received an upgrade. The fitting of sails allowed the ship to travel further distances. This was to prepare the boat for its voyage into the **Pacific Ocean** later in the year. *With this the Rainbow Warrior became Greenpeace's flagship vessel.*

**In April of 1985**, the Rainbow Warrior set sail on its ‘*Pacific Peace Voyage*’ to protest French nuclear testing in the Pacific. A ship was manned by a crew of 13 including, **Skipper - Peter Wilcox, Chief Engineer Davey Edward, freelance journalist**

**David Robie and freelance photographer Fernando Pereira.**

**First stop was Rongelap Atoll**, which had been polluted by American nuclear testing from **1946 to 1962**. The Pacific Islander's living near the fallout site were suffering from the nuclear radiation decades after the testing; ***this manifested as cancer, leukemia and birth defects.***

**In May of 1985**, Greenpeace began their relocation of the Rongelap islanders to the safer **Mejato Island**. During that time, one Rongelap native John Anjain described the '*day of the double sunrise*' to journalist David Robie, the day the US government exploded **H-bomb Castle Bravo**. A bomb 1,000 times more powerful than the one dropped on Hiroshima, 150km upwind at Bikini Atoll:

***"[One sun rose from the east, and another from the west]. We heard a noise like thunder. We saw some strange clouds over the horizon. But the sun in the west faded away... In the afternoon something began falling from the sky upon our island. It looked like ash from a fire. It fell on me, it fell on my wife, it fell on our infant son. It fell on the trees and on the roofs of our houses. It fell on the reef and into the lagoon. We were very curious about this ash falling from the sky. Some people put it in their mouths and tasted it. One man rubbed it into his eye to see if it would cure an old ailment. People walked in it and children played with it."***

***"Later on in the evening it rained. The rain fell on the roofs of our houses. It washed away the ash. The water mixed with the ash which fell into our water catchments. Men, women and children drank that water. It didn't taste***

*like rainwater and it was dark yellow, sometimes black. But people drank it anyway.”*

*“Then, the next day, some Americans came to our island. They had a machine (geiger counter for detecting radiation) with them. They went around the island. They looked very worried and talked rapidly to each other. They told us we must not drink the water in our catchment tanks. They left - without explaining anything. By now most of the people were sick. Many vomited and felt weak. Later, the hair of men, women and children began to fall out. A lot of people had burns on their skin.”*

*“On the third day some ships came. Americans again came on our island. They explained that we were in great danger because of the ash. They said, “If you don’t leave, you will all die.”*

**The Rongelap residents** were moved by the American Navy **160km** away to another island. **Three years later**, American scientists declared Rongelap safe, although admitting it may still have “*slight lingering radiation.*” **18 years later**, John’s son, who was only one-year-old when Bravo exploded, passed away from acute myelogenous leukaemia, ***along with numerous others in the fallout zone.***

**On the 12th of May**, two new nuclear tests were announced by the French government. Crew from the Rainbow Warrior sent the **French President Francois Mitterrand** their feelings on that idea, “*We wish to express our outrage over these tests, not only for what they represent in terms of the nuclear weapons race, but also because of France’s callous disregard for the*

wish of Pacific peoples everywhere to make their oceans a nuclear free zone. We are now engaged in an evacuation of the people of Rongelap Atoll... [who] were heavily contaminated by American nuclear tests in the 1940s and 1950s - and their island remains dangerously reactive to this day. Must France continually repeat the mistakes of the United States and Britain in the Pacific? Must France continue to pompously ignore the tide of public opinion regionally and around the world which says, ‘**enough**’?”

**Fernando Pereira** was there to photograph the event. His photographs of the evacuation were described as “*profoundly moving.*”

**The relocation to Majuro** was completed on the **12th of June 1985**. As the Rainbow Warrior set sail for NZ, with Majuro in the distance, Chief Engineer Davey Edward reflected on how the evacuation had affected him to journalist David Robie, “*When I joined Greenpeace my contribution was to be mainly technical - but the evacuation saw that approach take a back seat. We were faced with uprooting a people from their homeland and setting them down on a place which, to them, may as well have been light years away. The first encounter had me scurrying for the engine room. An old lady on the welcoming launch looking tearfully, forlornly at the island which would have, should have, been her final resting place. The farewell ... had really got to me. We ate, we drank, we sang, we danced; they shook our hands, they gave us money; I cried. How could anyone do to these shy, gentle people what has been done? The only excuse of the guilty was: ‘it’s for the good of mankind’.*”

## ARRIVING IN AUCKLAND

**On the 7th of July 1985**, the Rainbow Warrior harboured in **Auckland**. The large **40m** ship was to spearhead a flotilla of vessels to **Mururoa Atoll**, located **4,500km** northeast of New Zealand, to protest upcoming French nuclear tests.

**In the years leading up to 1985**, Greenpeace had many encounters with French military. These confrontations escalated in 1974 while protesting nuclear testing in the pacific. Greenpeace yacht Vega was boarded by French commandos.

**The French Military** viciously assaulted Skipper **David McTaggart** as well as one other crew member. McTaggart was hospitalised as a result of this attack and *lost vision in one eye for several months*.

**The French government** claimed McTaggart's injuries were from a fall, but photos from the Greenpeace crew told a different story. *This caused outrage toward France from the international media.*

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## 10 JULY 1985

**The evening of the 10th of July 1985**. The Rainbow Warrior

still remained docked in the Auckland port, gearing up for the big voyage. The 10th of July was a special day for one crew member: **Steve Sawyer**, who was celebrating his **29th** birthday.

**Margaret Mills**, the ship's cook, had baked Steve, a chocolate birthday cake with a jelly bean rainbow. The Rainbow Warrior was open to the public and others from the protest to come join the celebrations. On board, people enjoyed the jovial atmosphere, *eating, drinking and socialising*.

**About 30 people** were on board the Rainbow Warrior.

'*Birthday boy*' Steve saw an unusual looking man at the ship's bow. Steve noted, the man in his mid **20s** looked more like a bank clerk than a peace activist. When the man left, he said to Steve, "*Happy Birthday! I hope you make it to Mururoa.*" **The man was French.**

**8.15pm.** The skippers of all the protest vessels heading to Mururoa descended into the hold for a planning meeting. The members discussed possible rendezvous points, safety and schedules.

**9.30pm.** A French made **Zodiac** (*a motorised inflatable boat*) pulled up ashore at **Hobson Bay**. One man, wearing a wetsuit and a red woolen hat, occupied the Zodiac. The man stashed the Zodiac engine under the **Ngapipi Bridge** before breaching the inflatable boat and concealing what remained.

**Soon after**, a man and a woman driving a **Toyota Hi-ace** campervan, pulled up alongside the mystery man. He entered the vehicle and the three exited the scene.

**Members of the Outboard Boating Club on Tamaki Drive** were looking out on the harbour, drinking coffee and

socialising. They viewed all this from afar. Thinking something was off about what transpired - they jotted down the number plate of the van: **LB8945**.

**11pm.** The planning meeting concluded. Some members left for Piha beach. There was to be an international meeting of some of the biggest names in Greenpeace in the early morning hours of the next day.

**Others**, including Chief Engineer Davey Edward and photographer Fernando Pereira stayed and had a drink in the mess room for *the night was still young*.

**11.50pm. CRUMPPPP!** A massive explosion is felt coming from below. As the ship shuddered, some of the crew were violently hurled to the ground, others to the walls. Chief Engineer Edward yelled, “*Bloody hell... It's from the engine room.*”

**The engine room** was located around the centre of the ship, directly below the mess room. Edward scrambled down the stairs. He turned the crank to open the engine room. What Edward witnessed was water gushing in a sizable breach in the hull. Soon the main engine was underwater. The water started to steam. It was inevitable; *the ship was going down*.

**Soon someone yelled from the top deck**, “*Look out, the mast is coming down!*” Fernando Pereira was concerned about the cameras located in his cabin. He quickly travelled to the back of the ship. ***He descended the stairs.***

**11.52pm.** A second explosion came from below deck. This time towards the rear of the vessel. Skipper Peter Wilcox yelled, “*Abandon ship. Everybody get the hell out of here!*”

**The crew regrouped on the dock.** They watched as Greenpeace's pride and joy, the Rainbow Warrior sunk, 60 seconds after the second explosion.

**Wilcox did a quick headcount.** Everyone was accounted for, *except for Fernando Pereira.*

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## AFTERMATH

**Back in the Netherlands:** It was around 1.30pm when Fernando Pereira's family found out about his missing status. **Marelle Pereira**, Fernando's daughter recalls that moment, *“During the summer we went to camp, we were playing a game with a ball with my friends, then one of our teachers came up to me and asked if I could join her because she had something to tell me. My mom was there and I thought that was pretty strange. I did not know what to think of that, so I walked with her to where my mother was sitting with an uncle of mine, but over there I got a strange feeling, I don't know how to explain that, but I knew something had to be wrong with my dad. It had to be; otherwise my mom would have come over there and talked to me. By the time that I got to my mom she was in tears. The moment that she said he was missing, all the pieces fell together and I cried together with my mom. We packed our bags that afternoon and she took me home. We waited for the news which eventually was of my dad turning up dead.”*

**That moment would come 4am New Zealand time**, when

Navy divers recovered Fernando Pereira's body from his cabin. ***He had drowned with the straps of his camera bags tangled around one of his legs.***

**Navy divers** also discovered a hole about two metres by three metres blown inwards on the starboard side of the ship's engineroom, **meaning the blast came from outside the hull.** The second breach was similar in size around the propeller shaft.

**That day**, Greenpeace International sent a memo out to all **15** of its member countries:

***"ATTN: GREENPEACE, ALL OFFICES 10 JULY 1985  
FROM: GREENPEACE INTERNATIONAL URGENT...  
URGENT... URGENT... RAINBOW WARRIOR SUNK BY TWO  
EXPLOSIONS IN AUCKLAND HARBOUR, NEW ZEALAND.  
SABOTAGE SUSPECTED. VERY LITTLE NEWS  
FORTHCOMING... WILL HAVE MORE INFO SOON."***

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## POSTSCRIPT

**French Prime Minister Laurent Fabius** was quick to condemn the act of terrorism against Greenpeace, "*I want to return to the outrage against the Rainbow Warrior... our condemnation... is an absolute condemnation against a criminal act. The guilty whoever they be, have to pay for this crime.*"



## **PART II:**

# **OPERATION SATANIC**

## INTRODUCTION

**In late 1984, French Defence Minister Charles Hernu** caught wind of **Greenpeace's** plan to protest upcoming **French nuclear** tests. After reportedly '*exploding with fury*,' Hernu ordered the French security service, the **General Directorate for External Security** or in French, **Direction Générale de la Sécurité Extérieure (DGSE)**, to investigate the rumours.

**A comprehensive dossier** was presented to the **French Defence Minister** in **January 1985**. The report had uncovered Greenpeace plans to sail an '*armada*' of small boats into French territorial waters around **Mururoa**, led by their flagship vessel, the **Rainbow Warrior**.

**The report hypothesised** that the Rainbow Warrior may be fitted with the latest devices, equipment for monitoring nuclear testing, some of which could ***perhaps even sabotage the tests.***

**To ensure the security of France**, discussions surrounding '*neutralising*' the Greenpeace mission commenced. Ideas in the form of reports began coming across Charles Hernu's desk.

**Hernu came across one he liked**, mostly for the price. The report claimed the French secret service DGSE could complete the mission for just under **1 million French Francs**.

**Two army colonels** were dispatched to NZ in **March 1985** to assess the practicality of the plan. They found the plan was doable. With that, the mission to sink the Rainbow Warrior on

the **10th of July, 1985** was set in motion.

**In late March 1985**, the DGSE was given the green light to go ahead with the plan. The mission was codenamed “***Operation Satanique.***”

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## FREDERIQUE BONLIEU

**On April 3rd 1985**, director of Greenpeace New Zealand **Elaine Shaw** received a letter from a trusted friend, someone she had known for ten years, **Jean-Marie Vidal**, “*Very soon one of my friends, Frederique Bonlieu, is coming to New Zealand... She's a young woman who is coming to your country to study geography. She is a scientist, an excellent sailor and shares our beliefs. Help her and share your views and actions with her.*”

**On the 22nd of April 1985**, Frederique arrived in **Auckland**. The next day Frederique met Elaine at the office. Frederique explained she was a **33 year old** geomorphologist from France and she always had a deep interest in environmental issues so would love to help. Frederique suggested she could gather information on **South Pacific** people and politics and write about her findings for French newspapers.

**Elaine commented** on Frederique’s patriotic attire; ***blue jeans, a white sweatshirt and a red scarf,*** “*You look very patriotic.*” This red, white and blue combo became Frederique’s signature

look during her time in the **Land of the Long White Cloud**.

**As Frederique was low on funds**, Elaine organised a place for her to crash in **Grey Lynn**, the home of Greenpeace NZ **National Coordinator Carol Stewart**.

**The next month** Frederique pottered around the Greenpeace office where she helped translate some Greenpeace publications into French, otherwise Frederique kept busy collecting information for the articles she was writing and sending back to the motherland.

**One day** Frederique had an unusual request for her housemate Carol Stewart, “*Carol, could you phone around some diving shops to find out the cost of diving equipment for me? I've got some friends coming on a tourism trip later in the year and I'll need the information for them.*”

**Frederique explained** she had difficulty understanding the details on the phone. Carol obliged. She gathered information on the diving kit. Frederique also asked Carol to find out about costs relating to the hiring or purchasing of small boats and dinghies.

**Then on the 24th of May**, Frederique left NZ - she flew to **Tahiti** to attend the **Reef and Mankind Congress**, a conference on conservation of ocean reefs. Elaine Shaw never saw Frederique Bonlieu again.

***Elaine would hear from Frederique once more. One week after the Rainbow Warrior sank***, Frederique sent a letter to Elaine from her current address; an archaeological dig in **Pardes Hanna, Israel**, “*The news about the sunk [sic] of the Rainbow Warrior just reached me... What can I say after such*

*news? I feel so chocked [sic]! If the French Government is behind this work, he [sic] has probably missed his goal because I see two French newspapers and never the popularity of Greenpeace has been so important or so well defended... Why such a monstrosity!? Could you say to everybody in Auckland that I am with you, with all of my heart. Love Frederique.”*

**In reality**, Frederique Bonlieu was **French Lieutenant Christine Cabon** from the French secret service DGSE. Her mission was to ‘infiltrate’ Greenpeace offices and collect as much information about the upcoming ‘*Pacific Peace Voyage*’ as possible.

**Christine completed** reconnaissance into the cost of diving equipment and the renting of vehicles. She took a ‘*sightseeing*’ tour North of Auckland and along the **Coromandel** coast, looking for possible landing spots for the upcoming mission.

**Christine also uncovered** possible plans to pick up Tahitian anti-nuclear campaigners from the atolls near Mururoa to join the protest. The plan included taking doctors to the atolls to assess the health concerns of the islanders. The Rainbow Warrior would then link up with a small flotilla of Tahitian protest boats and canoes.

**In her report back home**, Christine interpreted this as an ‘*invasion*.’ All this information was compiled and sent back home to France, before Christine skipped town for Tahiti on **May 24th, 1985.**

## THE MISSION

**26th of May 1985.** French DGSE agent, **Chief Petty Officer Roland Verge** arrived in **Noumea**; the capital city of **New Caledonia** - a French territory. Roland's first job was to find a suitable yacht to get the team to New Zealand. He discovered a yacht he liked, the **Ouvea**, a **12m** French made yacht named after a small island in New Caledonia. He confirmed the charter of Ouvea with the owners for **18,000 francs**.

**13th of June 1985.** The day the Rainbow Warrior was leaving Majuro Atoll after relocating the residents of Rongelap. Chief Petty Officer Roland Verge was joined in Noumea by DGSE agents **Petty Officer Gerald Andries**, **Petty Officer Jean Michel Bartelo** and **Doctor Xavier Maniguet** - The first piece of the mission was assembled. '*Ouvea team.*'

**The Ouvea** was loaded with equipment for the mission, including a French made Zodiac (an inflatable boat), an outboard motor for said Zodiac, diving equipment and magnetic mines. The four men departed New Caledonia on the '*Ouvea*' for New Zealand.

**22nd of June 1985.** The Ouvea arrived at **Parengarenga Harbour**, **36km** from **Cape Reinga**; the northernmost point of **Aotearoa**. The same day, two French agents flew into Auckland, **Major Alain Mafart** and **Captain Dominique Prieur**. Their cover was that they were a couple from **Switzerland** on their honeymoon - **Alain and Sophie Turenge**.

This twosome made up the second squad involved with Operation Satanic, the '*support team.*' '*The Turenge's*' hired a

**Toyota Hi-ace campervan** with the number plate: **LB8945**. The ‘couple’ made their way up the North Island toward the ‘Ouvea team.’

**What transpired** next can only be speculated on. A released report into the sinking of the Rainbow Warrior by **NZ Security Intelligence Service** in **2017** redacted the specifics of the activities of the Ouvea team. Although, it is assumed the support team linked up with the Ouvea team and transferred the incriminating equipment into the campervan to be transported back to Auckland. Once the equipment pertaining to the mission was removed from the Ouvea. The vessel with its crew started to make its way down the east coast of the **North Island**.

**23rd of June 1985. Operations Commander Lieutenant Colonel Louis Dillais** arrived in Auckland. He checked in to a **7th floor room** at the **Hyatt Hotel** with a delightful view of the harbour.

**28th of June 1985.** The Ouvea harboured in **Whangarei - 160km north of Auckland**. The crew had some time to kill, so they hit the town. The Ouvea team spent the next days *eating, drinking, and seducing women*.

**7th of July 1985.** Operations Commander Lieutenant Colonel Louis Dillais looked down from his 7th floor hotel room on to **Quay Street** below him. He watched as the Rainbow Warrior harboured in **Marsden Wharf**. *The target had arrived.*

**The same day** the final four DGSE agents arrived in New Zealand, Military divers, **Jean Cammas** and **Jean Luc Kister** - posing as physical trainers for a girls school. The other two

were **Gerard Royal**, who was the man who is believed to have piloted the zodiac and finally **Mission Coordinator Francois Verlet**. The final piece of '*Operation Satanique*' had reached NZ shores. The '*attack team*.'

**9th of July 1985.** The support team, still maintaining the charade of being '*tiki touring*' honeymooners in their **Toyota** campervan, transferred the explosives, diving equipment and the zodiac to the attack team at **Hinemoa Motel in Parakai**; **50km** north of Auckland.

**That same day**, the Ouvea with its crew departed Whangarei for **Norfolk Island**, a tiny island of **2,000** in **Australian** territory - **1,000km** northwest of New Zealand.

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## 10 JULY 1985

**The evening of the 10th of July 1985.** Mission Coordinator Francois Verlet was seen mingling with the crew and guests on the Rainbow Warrior as the ship celebrated Steve Sawyer's birthday. When Francois left, he gave Steve his well wishes, "*Happy Birthday! I hope you make it to Mururoa.*"

**Sometime after 8pm.** Witnesses recall seeing three men at **Stanley Point, Devonport** lowering a zodiac into the water. They disembarked Stanley Point and *disappeared into the darkness*.

**8.30pm.** The attack team put on the diving equipment and

entered the frigid ocean water. The zodiac pilot towed the two divers within 500m of their target - the Rainbow Warrior.

**From below**, the two divers approached the unsuspecting Rainbow Warrior crew. An unsuspecting **Fernando Pereira**. One mine was attached to the outside of the hull of the engine room, on the starboard side - the other smaller mine was placed towards the rear of the ship, near to the propeller shaft. The divers swam towards the **Auckland Harbour Bridge** to make their escape.

**9.30pm.** The man believed to be zodiac pilot **Gerard Royal**, wearing a red woolen beanie and a wetsuit, was seen by locals driving a zodiac near Hobson Bay. He was picked up by Swiss honeymooners '*The Turenge's*' in their Toyota Hi-ace campervan. The number plate was recorded by locals due to a number of thefts recently in the harbour.

**11.50pm.** The first mine is detonated; two minutes later the second exploded - killing Dutch photographer **Fernando Pereira**. ***The Rainbow Warrior was sunk.***

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## AFTERMATH

**On the 12th of June 1985**, France denied any involvement in the attack. Swiss tourists '*The Turenge's*' returned to Auckland. They returned the campervan to the **Newmans** depot in **Mt Wellington, Auckland**. This was earlier than the original

agreement as they had an **11.30am** flight to **London** to catch. There was a family emergency back home they explained to the clerk. '*The Turenge's*' requested the refund for the early return. ***This created a delay.***

**The attentive members of the Outboard Boating Club** had turned the number plate of the campervan they spotted over to the police a couple of days previously. Detectives had the rental company delay the couple long enough for two officers to show up. Upon arrival the officers took a closer look at the 'tourists' passports and recognised them as forgeries. The police released the couple while they checked out their credentials. But with no passport - ***they had nowhere to go.***

**The Customs Officer** who had cleared the Ouvea to leave Whangarei on the **9th of July**, thought that in hindsight the crew manning the Ouvea were not the typical deep sea yachties they usually saw. The Customs Officer informed the police of the '*suspicious*' French vessel.

**On the 15th of June**, police interviewed the crew of the Ouvea in Norfolk Island, but without any evidence connecting them to the sinking of the Rainbow Warrior, ***they were released.***

**The Ouvea never made it back to New Caledonia.** The ship was scuttled somewhere in the pacific and the Ouvea crew hitched a ride on a French submarine back to the motherland.

**The attack team** crossed the **Cook Strait** to the **South Island** and kept a low profile reportedly skiing in **Queenstown** before blowing town on false passports on the **26th of July 1985.**

**The fate of '*The Turenge's*'** would not be as fortuitous. Police knew who they really were; **Major Alain Mafart and Captain**

**Dominique Prieur** - officers of the **French Security Forces**. They were both arrested on the **15th of June** for possessing false passports.

**Using their own intelligence services**, New Zealand detectives quickly uncovered French involvement in the act of terror. By this point, **New Zealand Security Intelligence Service (NZSIS)** was pretty confident this was state sponsored terrorism - *backed by NZ ally: France*.

**The government** stopped referring to the bombing of the Rainbow Warrior as '*an act of terror*' and began referring to it as, "*a criminal attack in breach of the international law of state responsibility committed on NZ sovereign territory.*"

**On the 4th of August 1985**, captured French conspirators Alain Mafart and Dominique Prieur were officially charged with arson, conspiring to commit arson of the Rainbow Warrior and the murder of Fernando Pereira.

## FRENCH INVOLVEMENT

**On the 8th of August 1985**, **French Prime Minister Laurent Fabius** announced an inquiry into who was responsible for the bombing in New Zealand on the **10th of July**. The French inquiry was completed on the **23rd of August, 15 days later**.

**The inquiry** cleared French authorities of any involvement in the bombing, stating that the French agents were only in New

Zealand to monitor the Rainbow Warriors movements but had no involvement in the bombing. New Zealand **Prime Minister David Lange** dismissed the report as "*too transparent to be called a whitewash.*"

**On the 17th of September 1985**, French newspaper **Le Monde** alleged that the French Government was involved in the sinking of the Rainbow Warrior. Citing anonymous sources the paper broke down the mission in detail; referring to the scandal as a "*French Watergate.*"

**French Defense Minister Charles Hernu** responded to **Le Monde's** allegations the next day as just one more piece in "*the campaign of rumours and insinuations being waged against French military officials over the attack on the Rainbow Warrior. Everything will be done to find out the truth... [if anyone has disobeyed orders or lied, I will] ask the Government to take appropriate action.*" **Three days later**, Charles Hernu resigned as Defence Minister and the head of **DGSE Pierre Lacoste** was fired.

**On the 23rd of September 1985**, French Prime Minister Laurent Fabius made an official statement regarding the Rainbow Warrior. The address was broadcast live on television all over the country - and it was heard around the world, "*Agents of the DGSE [French secret services] sank this boat. They acted on orders... The truth about this affair is cruel. But it is essential that it be clearly and thoroughly established... The people who merely carried out the act must of course be exempted from blame, as it would be unacceptable to expose members of the military who only obeyed orders and who, in the past, sometimes have carried out very dangerous missions on behalf of our country.*"

**The New Zealand government disagreed.** They continued to prosecute the captured agents Alain Mafart and Dominique Prieur and on the **4th of November**, the agents plead guilty to a reduced charge of manslaughter and wilful damage. They were both sentenced to **10 years** in prison in New Zealand. **Chief Justice Sir Ronald Davison** gave an explanation for the lengthy sentence. *"People who come to this country and commit terrorist activities cannot expect to have a short holiday at the expense of our Government and return home as heroes."*

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## **EPILOGUE:**

### **NUCLEAR FREE NEW ZEALAND**

## RESOLUTIONS

**In January 1986**, NZ exports began facing ‘*restrictive measures*’ when attempting to get their products into French markets. The **French External Trade Minister** was applying political pressure. He was heard on a French radio station even contemplating a total ban of New Zealand butter imports. Things were getting messy. Both New Zealand and French governments decided to take this whole issue to the **United Nations (UN)** in **June of 1986**.

**On the 6th of July 1986**, the UN returned a verdict, “*The Prime Minister of France will convey to the Prime Minister of New Zealand a formal and unqualified apology for the attack, contrary to international law, on the Rainbow Warrior by French service agents which took place in Auckland on 10 July 1985. Furthermore, the French Government will pay the sum of US \$7 million to the Government of New Zealand as compensation for all the damage which it has suffered. The Government of New Zealand will transfer Major Alain Mafart and Captain Dominique Prieur to the French military authorities. Immediately thereafter, Major Mafart and Captain Prieur will be transferred to a French military facility on the island of Hao for a period of not less than three years.*”

**France paid the financial reparations** promptly and apologised for ‘*the harm done to France/NZ relations*.’ The two agents were moved by the New Zealand government to Hao

Atoll in French Polynesia to serve their time in a French Military prison.

**Dolefully**, France would break the agreement when they brought both agents home within two years. The official story was Alain Mafart was brought home after he complained of ‘serious stomach pain’ and Dominique Prieur was recalled home after falling pregnant to her husband.

**The New Zealand government** protested these actions ***but their outrage fell on silence.*** Upon returning to their homeland, the two DGSE agents were honoured, decorated and promoted.

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## NUCLEAR FREE NZ

**On the 8th of June 1987**, the Fourth Labour Government passed the **New Zealand Nuclear Free Zone, Disarmament and Arms Control Act** “*to establish in New Zealand, a Nuclear Free Zone, to promote and encourage an active and effective contribution by New Zealand to the essential process of disarmament and international arms control.*”

**With the signing of the Comprehensive Nuclear-Test-Ban Treaty**, a UN multilateral treaty banning all nuclear explosions in all environments, nuclear testing in the pacific came to an end. **184** countries signed the treaty including New Zealand and France. France upon announcing an end to their nuclear testing in the pacific on the **29th of January 1996** proclaimed, “*The*

*safety of our country and of our children is assured.”*

**The remaining crew** of the Rainbow Warrior joined the Greenpeace ship **Vega** and continued with their voyage to **Mururoa** to protest French testing. As the flotilla of ships left for the protest, **Wellington** newspaper **Dominion** wrote, “*The principal weakness of the idea to destroy the Rainbow Warrior, however cocked-up the execution though, was that the sinking was never likely to divest the protest movement of its courage or its conviction. The contrary was the likelier outcome, so it has proved. Greenpeace enjoys more firepower than ever in the form of public support and its replenished armada is certain to be resolved to embarrass the French.*”

**On the 2nd of October 1987**, the UN ordered France to pay **US\$8.1 million** in damages to Greenpeace at an international arbitration tribunal. The money went to the replacing of the Rainbow Warrior. In **1989**, Greenpeace launched their new vessel, the **Rainbow Warrior II**. In **2019**, the **Rainbow Warrior III** continues to carry the name as a reminder of the tragedy that occurred **almost 35 years ago**.

**The original Rainbow Warrior** was towed and eventually scuttled on Matauri Bay, just north of the Bay of Islands. The site was to serve as an historic dive site and an artificial reef to promote marine life. The masts of the original are displayed outside the **Dargaville Museum**. The Rainbow Warrior will forever be a part of New Zealand history.

## REMEMBERING FERNANDO

**The French government** paid Fernando Pereira's family an undisclosed sum, along with an apology from the French government addressed to Fernando's ex-wife, "*Madam... The investigations ordered by the French Government show that the Rainbow Warrior was sunk by French agents. On this occasion, Mr Pereira, the father of your children, Marelle and Paul, unfortunately met with his death. The French Government expresses its deep regrets for the **deplorable consequences of an act it condemns.***"

**At the 25th anniversary of Fernando's death**, Rainbow Warrior **Skipper Peter Willcox** said, "*Fernando did not have to die... We will never forget him. I hope the generations of activists who sail on the new ship will be as determined and as exceptional and as inspired as he was.*"

**In 2015**, the man who led the '*attack team*,' Jean Luc Kister spoke to **TVNZ** about his feelings on the attack. Jean explained that the orders came from the President at the time, François Mitterrand.

**During briefings** the team had expressed reluctance to bomb a non-violent organization like Greenpeace. They were then told by their superiors that Greenpeace had been infiltrated by **Soviet Union KGB** spies. He went on to explain that no one was ever supposed to die.

**Furthermore**, he added – he would like to apologise to Fernando's family, Greenpeace and the people of New Zealand.

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## CONCLUSION

**We are going to end** our coverage on the Rainbow Warrior by allowing Fernando's Daughter Marelle Pereira the final words. The words of **Reverend Nuku Stewart**, who attended the **20th** anniversary of the death of Fernando so eloquently said, *"We must never forget that first and foremost the bombing of the Rainbow Warrior was a tragedy for the people close to Fernando Pereira."*

**Marelle has become** an outspoken critic of the French government, how they treated the people of the Pacific and how they have never apologized to her for the death of her father. Speaking at the **20th** anniversary of her father's death, Marelle conveyed how much she is still affected, *"What I would like to see happen now... Justice for us, justice for the family. If they could tell the truth that would be a beginning, and Mitterrand promising justice at the highest level, if that is justice, letting so many agents escape jail, then that is not justice, not in our eyes and I hope not in the world's eyes. And it is never too late for justice... One of my fondest memories was when I helped my dad paint a rainbow (on the Greenpeace ship Sirius)- I painted the red stripe, my brother Paul the green one... We knew you were fighting for a good cause ... but we love and miss you every day of our lives."*

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***Jessica – for editing this whole book for me; and for always being there for me. I love you.***

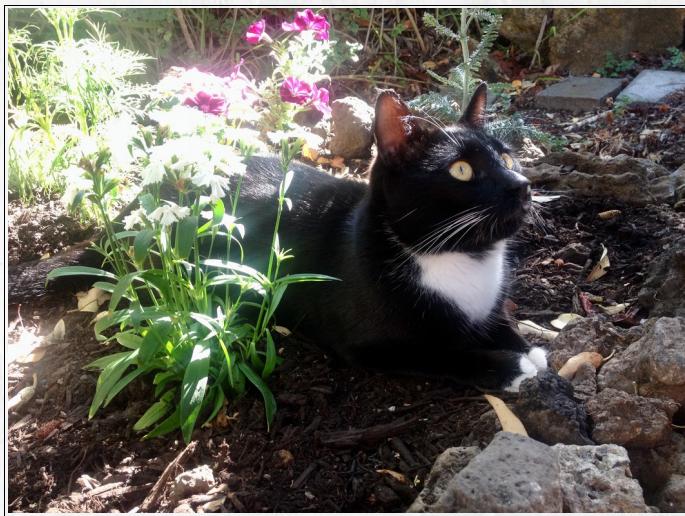
***My family – for being supportive. Thanks mum and dad for everything, I don't say it enough.***

***Sirius – my inspiration everyday. I would not be here without you. Wherever you are, I know you are doing good things. Thank you for everything.***

*You – it has always been a dream of mine to release a book and in our own little way we did. Thank you for your support and for reading. Much love.*

# Rest In Peace

## SIRIUS



**Put here only to do good.**

**We miss you everyday.**

**We love you.**

**We will never forget you.**

END.

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