



**Selection of Medical & Psychiatric documents
relating to Peter Thomas Anthony Manuel
located on Scottish Government file HH60/703/1**

(Part 2)

Copy medical report by Dr Angus MacNiven, 28 Mar 1958.
(NAS reference HH60/703/1/279-284)

Report by [AB Hume] of the Manuel Case and post-trial medical report on Peter Manuel in Barlinnie prison by Dr Anderson, Dr Inch, Prisons' Medical Adviser, and Dr Boyd, Scottish Home Department's Consultant Psychiatrist, 23 Jun 1958.
(NAS reference HH60/703/1/217-220)

P.W. 146^{incl}
279

COPY MEDICAL REPORT BY ANGUS MacNIVEN, M.B., Ch.B.,
F.R.C.P.Ed., D.F.M. (Lond.)

1055 Great Western Road,
Glasgow, W.2.

28th March, 1958.

At the request of J.C. Patterson Esq., Procurator Fiscal, County Buildings, Hamilton, I examined Peter Thomas Anthony Manuel of 32 Fourth Street, Birkenshaw, Viewpark, Uddingston on the 21st January, 1958. In my report of that date I expressed the opinion that the accused was sane and fit to plead.

Since then I have made four examinations of the accused: one on the 27th February, one on the 18th March, one on the 20th March and one on the 27th March.

I also questioned his father, Samuel Manuel, and his mother Mrs. Bridget Manuel of 32 Fourth Street, Birkenshaw, Viewpark, Uddingston, at 2 Whittinghame Gardens, Glasgow, W.2. on the 28th January, 1958, and, on the same date and at the same place I questioned the accused's sister, Teresa Manuel.

His parents confirm the information given to me about his life history by the accused himself. They state that there is no history of mental illness known to them in their family. They state that the accused was born in New York and that he went to school in Motherwell and later in Coventry, and that while he was still at school he was sent to an approved school and from there to a borstal institution.

His father describes the accused as "a very clever boy". "He could draw before he went to school". They describe him as "a model boy in the house". His father said that he believed his son was "rather difficult to discipline" but he could not give any reasons for this statement.

His mother says that the patient was a full-time child. His birth and his development were normal. He was a healthy infant. He never suffered from infantile convulsions. She described him as a normal child. "He was full of mischief but he was not a bad boy". She says that he has always been a "good boy in the house". He was affectionate to his parents as a child but his mother said that she never felt that she had his complete confidence.

Both parents say that they have never noticed any signs or symptoms of mental disorder in their son. His behaviour at home, they say, has never caused them concern. He has never been violent in the home. His father describes him as very "kind and generous". He says, "he would give away anything; he would give you the shirt off his back". He was a good cook and he could quickly and efficiently provide a "really fancy tea" for the family. "He could bake a good cake and cook a roast". His father emphasised that the accused was intelligent. He said he knew the answers to "all the questions on the radio quiz". "He reads dictionaries and encyclopaedias". He has a typewriter which he frequently uses and his father believes that he was going to write a story.

His mother said that he had never discussed his criminal behaviour with her. She feels that he "took it all too light-heartedly". He never expressed any regret for his criminal conduct. His mother says that she thought he showed a "hard core somewhere". Nevertheless, he was always helpful and correct in his behaviour at home and he would do anything to help his mother.

His/

His sister, Miss Teresa Manuel, who is a certificated mental nurse and who is now taking her general nursing training, said that she had always thought that the accused was a psychopath. When I asked her why she had come to his opinion she said that he was always indifferent to other people's opinions. She told me that three years ago when the accused was detained on a criminal charge in Barlinnie Prison she went to the Procurator Fiscal in Hamilton and suggested that he should be certified insane.

I understand that at this time the accused was examined by two medical men who found that he was not insane.

She told me that five years ago he had quarrelled with her and he had threatened her with a bread knife, but he did not actually assault her.

She spoke of the accused "talking nonsense" at times but her evidence in support of this statement did not seem to me to indicate that the nonsense she said the accused was talking was indicative of mental disease. I do not, however, regard the informant as an unreliable witness.

She also said that two nights before his recent arrest the accused's home was being kept under surveillance by the police. She said that the accused appeared to be in a state of frenzy and he took hold of a poker and said that he was going out to assault the policemen. She said that this was the only occasion on which she saw him in this state of frenzy.

The informant said that two of the accused's maternal cousins suffered from epilepsy.

Examinations of the Accused:

On each occasion when I saw him the accused has not varied in his mental state. At no time when I examined him has he shown any abnormality in his appearance, in his behaviour or in his conversation indicative of mental disease.

Each time he has been composed and easy in his manner.

The first time I saw him on the 21st January, 1958 the accused gave me an excellent history of himself, but although he spoke freely about his past criminal record, he said that he would prefer not to discuss anything in relation to the offences with which he is now charged. In other interviews I have had with him - on the 27th February, 18th March, 20th March and 27th March, the accused spoke freely about the offences with which he is charged.

The accused, who is quick and alert and who appears to have a remarkable memory, gives what appears to be a lucid and connected narrative of the events leading to his arrest. He never hesitates in his speech and he is never at a loss to remember a detail. He gives the exact time and place, and when and where each event occurred, and the names of the people concerned. He seems to be able to remember the most minute details in connexion with the events of which he speaks. He tells a story in a remarkably detached manner, never showing any emotion and speaking in a quiet, matter of fact way as if the experiences he was describing were someone else's and not his own.

He never expresses any self-criticism, nor does he express any moral judgment on the conduct of the other characters in his story some of whom, according to him, have committed crimes and have produced what he alleges is false evidence against him.

The accused denies that he committed the offences with which he is charged and he believes that his arrest is the result of a conspiracy on the part of certain police officers of the Lanarkshire Police/

Police Force who, being unable to find the person who did in fact commit the crimes, determined that they would put the blame upon him, the accused. He believes that he has been victimised by the police for a considerable time. I asked him why this should be and he said in 1955 he was charged with an assault upon a woman. He was advised by his lawyer to plead guilty but he refused to take this advice and at his trial he defended himself and he was acquitted by a majority of the jury. His acquittal, he says, rankled with the Inspector of Police who was involved in the investigations of this particular crime and this man determined to be revenged upon him, the accused, and this man involved other police officers in the conspiracy against him.

He summed up the situation by saying, "they are out to destroy me and I am out to destroy them". By "destroying" the police officers the accused means that he is confident that he will be acquitted of the charges against him and the police conspiracy will be disclosed and the police officers concerned will be disgraced.

The accused denies that he has ever suffered from any gross form of mental illness. At the present time he states that he is feeling well and he is not aware of any mental disturbance in himself.

The accused has a small scar on the hair-line on the right forehead and when I asked him how the scar had been caused he said that it had been caused by a fragment of a flying bomb which had wounded him in 1943 or 1944. He said that as a result of this injury he was unconscious for six or seven hours and the fragment of the bomb had been surgically removed in hospital. He does not suggest that he has suffered any ill effects as a result of this injury.

He also told me, in answer to a specific question, that he had suffered a severe electric shock about 1944 when he was in a borstal institution in the South of England. With four other men he had been operating a concrete mixer which was driven by electric power. At the end of the day's work it was the custom for the trailer to be removed from the machine and, owing to some failure on the part of someone to switch off the electric current, the trailer was electrified and when the accused and the four others tried to remove it they all received a severe electric shock. The accused says that he was rendered unconscious and that he remained unconscious for two days and that after this his mind was what he called "a blank" for three or four weeks. By this he means that although he was acting normally during this three or four weeks, he had no memory of what occurred during that period. When he regained his memory he was told that three of the young men who had been electrocuted had been killed as a result of the electric shock.

I asked the accused if he had suffered any ill effects as a result of this and he said that the only disturbances which might be attributable to the electric shock were certain lapses of memory which he has had.

The first of these took place in 1945 when he was driving a lorry from Blackpool to Preston. He says that he remembers leaving Blackpool but he remembers nothing of the journey and he came to himself in the office of the firm to which he was delivering goods. He could not remember how he got there and he asked the manager of the firm if he had been unconscious and he was told that nothing abnormal had been noticed about him.

There is nothing to suggest that during this period when his memory was disturbed he had behaved in any abnormal way. He told me that after this incident he saw a neurologist in Blackpool whose name he thinks was McFarlane or McIrlain who told him that he had had a lapse of memory.

The/

The second incident occurred two years ago. On a certain Tuesday he took a girl, whom he named, to the cinema where he saw the picture, "Richard the Third". On the following Sunday this girl visited his home and Manuel noticed that she seemed somewhat unfriendly in her attitude to him and, on questioning her she reproached him because she said he had arranged with her when they were at the cinema that he would meet her two days later, on the Thursday, and he had failed to keep the appointment. The accused then realized that he had no memory of going to the cinema with the girl or of having made another appointment to see her. He went to see the film "Richard the Third" again and he still could not remember that he had seen it before, but as he viewed the film he had the feeling that he could anticipate the sequence of events. He cannot remember whether he had been drinking before or after his attendance at the cinema.

The third episode, he said, occurred eighteen months ago when he was a prisoner in Barlinnie Prison. On a certain Tuesday he was boxing with a man who had been a professional boxer. He says that he remembers putting on the gloves at the beginning of the boxing bout but he has no memory of what happened after this until he came to himself while he was at the Bible Class in the prison on the following Sunday. He says that he was not "knocked out" in the course of the fight.

The accused himself does not suggest that these lapses of memory, which I believe occurred, are significant from the point of view of his state of mind at the time when he committed the offences with which he is charged.

Opinion:

Each time when I examined him the accused showed no symptoms of mental disease and I have no reason to think that at the time when it is alleged he committed the offences he was insane or in a mental state unusual to him.

The accused is a very abnormal man but his abnormality is not of the kind that would qualify him for treatment as a person suffering from mental sickness.

His parents did not suggest that the accused has ever suffered from any form of mental illness or mental abnormality. They both emphasise his normal behaviour in the home.

His sister, however, suggests that the accused is a psychopath because, she says, he is so indifferent to other people's feelings.

Indifference to other people's feelings is certainly a characteristic of psychopathic behaviour and, by his conduct in the past the accused has shown this characteristic in a marked degree.

A psychopathic personality, although a recognized clinical entity, is difficult to define with exactitude, and it is a diagnosis which allows of marked divergence of medical opinion. My own opinion is that the accused does come within the category of a psychopath, although against this diagnosis is the fact that in his day to day conduct; for instance, in his own home, the accused seems to have shown more self-control and emotional stability than is usual in psychopathic states.

Assuming that the accused has committed the offences with which he is charged, I considered whether the offences in themselves are evidence of mental disorder, or even of mental disorder amounting to insanity. There are instances in which the offence in itself is strong evidence of the existence of insanity in the accused person. For instance, if a mother in a state of mental depression and under the influence of delusions, kills her child to whom she has

has in the past shown every evidence of devotion, the offence in itself is strong evidence of mental disorder in the accused person; but in such cases there is usually ample evidence of mental disorder existing prior to the offence and also evidence of mental disorder, apart from the offence.

In the accused's case there is no evidence of mental disorder apart from his alleged criminal acts and, as far as the alleged crimes in themselves are concerned, since the accused denies that he committed them it is impossible to express any opinion as to whether or not his motives were rational and, therefore, I do not think that the criminal acts are necessarily indicative of insanity.

The accused believes that he has been victimised by the police who he believes have wrongly accused him, in the past, of crimes which he did not commit and who have now falsified evidence which has led to his arrest on the present charges.

It is probably not unusual for persons of the accused's character to regard the police with hostility and suspicion and to believe that the police are corrupt.

Because of his behaviour in the past it is natural that when the police are investigating offences such as those with which the accused is charged, that he should be questioned.

In the circumstances, therefore, I would not say that the accused's accusations against the police are of the character of insane delusions, but there is no doubt that his relations with the police have a highly emotional significance to him and, from his conversation one would almost think that his main object is to revenge himself on certain police officers and to humiliate them at whatever cost to himself and, although I do not regard the accused's suspicions of, and accusations against, the police as delusions - because such ideas are not incompatible with the beliefs of men of his character and way of life - it did occur to me that in the case of the accused his suspicions of the police may have been magnified and distorted to the degree that these ideas came to dominate his mind so that they may have the significance of a paranoid system in which the accused sees himself in the role of a master criminal engaged in a struggle with the police which he confidently expects to win, and I thought it possible that his motive in some of his criminal acts might be the pursuit of self-satisfaction and aggrandizement.

The only occasion on which the accused showed any emotion during my interviews with him was when he summed up his attitude to the police by saying that they were out to destroy him and he was out to destroy them.

These views, however, are highly speculative. I do not feel that I have sufficient evidence to enable me to put them forward with any degree of certainty and, at the moment, the evidence which would confirm or invalidate them is lacking, and such views are not supported by the accused's own statements. He admitted that for some time he had given much thought to the attempts which he alleges the police have made to incriminate him, but he denied that he had ever acted rashly, or to his own disadvantage, merely in order to enhance his prestige in his conflict with the law.

In some respects the accused is remarkably detached from what one might regard as the realities of the situation. He shows no anxiety or apprehension about his situation and if this is a pose on his part it indicates a remarkable capacity for self-control and deception. It is not that the accused is apathetic; on the contrary, he seems to take a very lively interest in all aspects of the situation, but listening to the quiet, even flow of his narrative it is difficult to feel that he is the person concerned and that he is not merely relating events of which he has been an onlooker/

onlooker rather than the participant.

Invariably a doctor in whatever circumstances he is called upon to examine a person and, no matter what his personal feelings towards the patient may be, experiences a feeling of concern and responsibility towards the patient. In my examination of the accused I found that these feelings were not spontaneously aroused so that from time to time when I was examining the accused I had to remind myself that I was talking to a person charged with grave crimes and in a dangerous situation, and not merely listening to a reading from a work of fiction.

During my conversations with him the accused at no time expressed any moral sentiments regarding his own conduct or the conduct of any other people concerned. He repudiates any suggestion that his criminal conduct in the past has been the result of weakness or abnormality of mind.

He denies that he has any abnormal sexual tendencies which might be related to some of the offences with which he is charged.

My opinion is that the accused is sane and fit to plead.

/with

With regard to his state of mind at the time it is alleged he committed the offences/~~which~~ which he is charged, I have no reason to think that he was insane.

There is no evidence that the accused was in a state of mental dissociation or under any extraordinary state of emotional tension at the time when it is alleged he committed the offences.

There is no evidence that the accused has suffered any serious ill-effects from the electric shock which he says he had in 1944, or from the injury to his head by the fragment of the flying bomb.

There is no evidence that these injuries, or any results of them, are related in any way to the offences with which he is now charged.

I accept the accused's statements of the three periods of loss of memory which he says he has had, but I do not think that these symptoms are significant in relation to his present mental state or his state of mind when it is alleged he committed the offences with which he is charged.

The accused is a very abnormal character and I am inclined to think that he comes within the category of a psychopathic personality, but he lacks certain of the characteristics of this condition.

I do not consider that the terms - "aberration or weakness of mind, some form of unsoundness, a state of mind bordering on although not amounting to insanity," are applicable as descriptive of the accused's mental state either now or at the time when it is alleged he committed the offences with which he is charged.

This report is given on Soul and Conscience.

(Sgd.) Angus MacNiven, M.B., F.R.C.P.E.

217
M. Waller
In file
ASU
12.7

Case of Manuel

Monday, 23rd June

At 9.45 this morning Dr. Inch (Prisons Medical Adviser) telephoned to say that he had heard from Mr. Hancock that Dr. Anderson at Barlinnie had reported that Manuel was refusing to eat, talk, take exercise or do anything except lie on his bed. Dr. Inch suggested that it would be desirable for him and possibly Dr. Boyd (Department's Consultant Psychiatrist) and Mr. Hancock to see Manuel today as the appeal proceedings were due to take place tomorrow.

I spoke to Mr. Hancock and confirmed the information Dr. Inch had given me. Mr. Hancock also said that Manuel's solicitor (Mr. Docherty) had called to see him on Saturday evening and his Senior Counsel (Mr. McDonald) yesterday but that Manuel had not spoken to either of them.

Before 10 a.m. I mentioned the matter to Mr. Aglen (in the Secretary's absence) and we agreed that Dr. Inch, Dr. Boyd and Mr. Hancock should go through at once to see Manuel in order to establish whether he would be fit to attend the appeal proceedings tomorrow.

At 10.10 a.m. I spoke to Dr. Inch and Mr. Hancock asking them to go with Dr. Boyd at once to see Manuel and to report back as soon as possible this afternoon.

I then spoke to Mr. Gordon, Crown Agent, and reported the situation to him for the Lord Advocate. He said that he would keep the Clerk of Justiciary informed, for the Appeal Court. I asked him whether he was satisfied that Manuel's presence was required at the appeal proceedings and he promised to look into this point.

At 10.45 a.m. I spoke to the Secretary, in Carlisle, and explained the position to him. He asked that the court authorities and Defence Counsel should be kept informed of developments and that they should also be reported to the Secretary of State. He said that he would telephone again about 4 o'clock after the function which he had to attend in Carlisle early in the afternoon.

At 11 a.m. Mr. Gordon telephoned again to say that as the appeal appeared to raise questions of fact as well as law, under section 7 of the Criminal Appeal (Scotland) Act, 1926, Manuel had a right to be present. He added that the Lord Advocate wished both Manuel and his solicitor to be told that he could be examined by a doctor of his own choice as to his fitness to attend the Appeal Court tomorrow. I asked Mr. Gordon whether he would undertake to keep Mr. McDonald, the Defence Counsel, informed of developments, and he said that he would do so.

At 11.15 a.m. I spoke to Mr. Hancock just before his departure for Barlinnie and asked him to have a message sent to the Governor requesting him to tell both Manuel and Manuel's solicitor that he, Manuel, could have an independent medical examination as to his fitness to appear tomorrow. I added that (as Mr. Gordon had requested) there should be available in the afternoon medical certificates from the prison doctor and Dr. Inch (and possibly from Dr. Boyd) as to Manuel's fitness to appear tomorrow.

At 11.20 a.m. I spoke to Mr. Macdonald in the Private Office and explained the position to him, asking him to convey the information to the Secretary of State.

At 11.25 a.m. Mr. Dundas, S.I.O. came to report on the Press enquiries over the weekend. I gave him an outline of the developments this morning for his own information and asked him to reply to any Press enquiries until further notice by saying that there was no comment.

At 12 noon I spoke again to Mr. Gordon about the action which might have to be taken urgently after the medical certificates were available. We agreed that if they showed that Manuel was fit to appear it would be necessary for the Governor, in company if possible with the defence solicitor, to see Manuel, to tell him that he had a right to appear at the appeal

/proceedings

proceedings and to ask him whether he wished to exercise his right. If he made no reply it was to be assumed that he did not wish to appear. The Governor should be asked to make a report on what occurred in writing immediately so that the Lord Advocate could have it in court tomorrow. If the doctors reported that Manuel was not fit to appear he should again be asked whether he wished to be present at the appeal proceedings and if he said that he did the medical certificates would be produced in court tomorrow and the court would decide on what action to take.

At 12.15 p.m. Mr. Martin telephoned to say that the prison Governor had told Manuel that the Secretary of State was having him medically examined this afternoon and had asked him whether he wished also to be examined by a doctor of his own choice. Manuel had refused to make any reply. The Governor had then spoken to Manuel's solicitor who had said that as Manuel had expressed no wishes and he had no instructions he did not think it necessary to arrange another medical examination.

I asked Mr. Martin to request the Governor to note in writing what he had done and to give the report to Mr. Hancock when he arrived so that it would be available here this afternoon.

At 4.45 p.m. Mr. Hancock, Dr. Inch and Dr. Boyd arrived. They brought a report, signed by Dr. Anderson, Dr. Inch and Dr. Boyd concluding that Manuel was fit to attend the appeal proceedings tomorrow; and also reports, signed by the Governor, recording the offer of an independent medical examination made to Manuel and his solicitor, and its rejection. They also said that it would be unfortunate if Manuel did attend public proceedings, because of his appearance.

Before 5 p.m. I spoke to Mr. Gordon, read the report to him, and mentioned the doctors' further opinion. Mr. Gordon said he would consult the Lord Advocate.

At 5.10 p.m. Mr. Bowen telephoned to say that the Crown Office had now ascertained that in lodging his appeal Manuel had said in writing that he wished to attend when it was heard. The Crown Office had therefore explained the position to the Depute Clerk of Justiciary (Mr. Stevenson) who was consulting the L.J.G.

At 5.20 p.m. Mr. Stevenson telephoned to say that the L.J.G. considered that Manuel should be brought to the court buildings tomorrow unless it would be dangerous to his health for this to be done. If he were not brought somebody from the prison should attend prepared to give evidence as to why he was not there. It would be for Defence Counsel to see Manuel and decide on their course of action before proceedings began.

At 5.30 p.m. Mr. Hancock telephoned to the Governor to say that Manuel should be produced unless in the morning the Prison M.O. thought it would be dangerous to his health for him to be brought to court. If the M.O. decided he was unfit he (the M.O.) should come to court prepared to give evidence. If Manuel said that he did not wish to come the Governor should ask him to sign a statement to that effect and should bring it through to court. Dr. Inch spoke to the M.O. confirming these instructions.

At 5.45 p.m. the Lord Advocate telephoned and the situation was explained to him. He asked for the medical report, and I undertook to take it to him.

At 6 p.m. Mr. Dundas, S.I.O., was given a brief statement saying that the analysis and enquiries had so far disclosed no reason for Manuel's earlier indisposition; and that under section 7 of the 1926 Act a prisoner had a right to attend the hearing of his appeal. This was for use in answer to Press enquiries. "The Scotsman" had just asked for confirmation that Manuel had been seen by two psychiatrists this afternoon, and Mr. Dundas was asked to say that two prison medical advisers had seen Manuel today.

At 6.20 p.m. Mr. Hancock and I called on the Lord Advocate (and Mr. M.G. Gillies). We gave them copies of the medical report and the
/Governor's

Governor's two statements. The Lord Advocate undertook to tell Mr. McDonald (Defence Counsel) about developments, and Mr. Gillies took a copy of the medical report for him. The L.A. asked that a doctor should be in court tomorrow.

At 7.45 p.m. I asked Mr. Walker to arrange for Dr. Boyd to be in court tomorrow.

At 8.30 p.m. I reported the position to the Secretary (on his return from Carlisle). I mentioned that no report had been made to the Secretary of State since morning; and we agreed that this could wait until tomorrow morning.

ARB
—

H.M. Prison,
Barlinnie,
GLASGOW, E. 3.

23rd June, 1958.

We the undersigned have today at H.M. Prison, Barlinnie, examined Peter Thomas Anthony Manuel as to his physical and mental condition in view of the fact that he refuses to speak or answer questions, and except for milk, refuses food.

The following are our findings: -

Physical condition: he is of good physique and is well nourished. The heart, lungs and abdominal organs show no signs of organic disease.

Examination of his nervous system reveals no evidence of any organic disease; all nerve ^{refl} reflexes being normal and ophthalmoscopic examination revealing only normal fundi. In short, no evidence of any organic disease was found.

Mental condition: he is completely unco-operative and refuses to speak or to answer questions. From his appearance and manner under examination we are of the opinion that he is not at present suffering from any certifiable mental disorder. We are aware of his behaviour during the past four days which, in our opinion, is indicative of a hysterical reaction to his present situation.

Conclusion. In our opinion there is nothing in his physical or mental condition to render him unfit to appear in Court.

W.A. Anderson *MD, FRCPS*

W Douglas Smith *MD, FRCPE*

William Boyd *MBChB, MRCS*