

Legal Matters.

A BRUTAL ASSAULT.

We referred last week to a case of assault on a patient by a nurse at the Berks County Asylum. The facts were briefly as follows:—

A schoolmistress, Miss Gertrude Elizabeth Harris, was removed to the County Asylum on December 9th, and the following morning was admitted to a ward. The Charge Nurse, Miss Lydia Relf, stated at the inquest held subsequently that "the patient was a little excited, but otherwise was all right." About 12.30 she told Nurses Hall and Simmonds to take her to the lavatory to change her clothes. The patient resisted slightly. In about five minutes Nurse Simmonds returned and asked if she knew the patient was an epileptic, saying that she was in a fit. Nurse Relf went out to the lavatory and saw the patient lying on the floor with her head in Nurse Hall's lap. She was breathing heavily and foaming at the mouth. Witness fetched the head nurse, Miss Bearpark. Dr. Murdoch also came and treated the patient. Nurse Simmonds described how she fell, and that she thought she had a fit. The patient died a few minutes after 1 p.m. that day. She did not recover consciousness.

Nurse Bertie Burchfield stated that she went to the lavatory with the other two nurses. The patient attempted to strike Nurse Hall, who gave her a shaking, put her down, and bumped her head on the stone floor. The patient became insensible, and Nurse Hall sent witness for some water and for a brush and comb, as the doctor was to be fetched. Nurse Simmonds then sent her away and she saw no more. Nurse Hall subsequently spoke to her about the case, and said: "For God's sake do not say anything about it," and she promised she would not. She was subsequently interviewed by Dr. Murdoch, and denied knowing anything of the assault. She afterwards told what she knew, because the head nurse said the charge nurse was condemned.

Nurse M. K. Simmonds said that Hall shook the patient by her hair, in consequence of which her head struck the stone floor. She became black in the face, foamed at the mouth, and breathed heavily. She promised Nurse Hall not to mention the shaking. She misled her superior officers by saying that nothing irregular had happened, and suppressed the true facts of the case. Subsequently, she admitted she had told lies. She and Hall had discussed the matter since, Hall remarking that she hoped the true facts would not come out.

Edith Mary Hall, who was cautioned, made a statement in which she admitted the assault.

Dr. Dunn said he admitted the patient on the 9th suffering from acute mania. He saw her the next morning; she was all right then. He was called to see her on the 10th, about 12.30. She

was then unconscious, and not breathing. They endeavoured to restore animation for about an hour without success, and she died at 1.25. At a *post-mortem* examination made in accordance with the coroner's order, he found that the deceased's skull cap was extraordinarily thin. There was a recent hæmorrhage. He was not quite certain whether the hæmorrhage was sufficiently extensive to cause death in so short a time, because it was not in a vital part of the brain. It might have been produced by a blow, or excitement.

The Medical Superintendent, Dr. Murdoch, said that after a severe examination of the nurses he could get no evidence of violence. He agreed with the evidence of the previous witness. After the *post-mortem*, and seeing the condition that the brain was in, it occurred to him that most probably some violence had been used. He, therefore, did his best to unravel the mystery. Eventually, the nurses admitted that they had deceived him and told lies, and that Nurse Hall did assault the patient.

The Coroner said the case was a very serious one. Referring to the details, he pointed out that it was an extraordinary thing that the patient's head should come in contact with the floor if Hall had hold of her hair. After the blow on the floor the woman became unconscious. It was for the jury to say how this was brought about. Why did the nurses deny violence. Because Nurse Hall asked them too. They conspired together to suppress the facts.

What the jury had to consider was whether the unfortunate woman's death was caused by the violence of the nurse. If so, the case was one of manslaughter, but if it was produced by the violence and the struggle their verdict would be to that effect. The verdict was—"That the deceased died from hæmorrhage of the brain caused by excitement while being removed to the asylum lavatory, and not from the assault by Nurse Hall."

The Coroner added there was insufficient evidence as the result of the *post-mortem*, to bring in a verdict of manslaughter, but he was sure the police would take care Nurse Hall was prosecuted for assault. As to the other nurses, he had no doubt the committee would deal with them. They did their very best to conceal the assault, and in doing so they rendered themselves liable to very severe punishment if a verdict of manslaughter had been brought in, because they would have been in the position of aiders and abettors. If they were allowed to remain in the service of the institution he hoped they would tell the truth in future.

Nurse Hall may congratulate herself on a very lenient verdict. Cases of assault in asylums are far too common, and it will probably be necessary for some offender to be severely dealt with before such wantonly cruel treatment of patients is stopped. We need more inspection of asylums, particularly by women inspectors.

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