

anking New Zealand

NORTH & SOUTH

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guide to finding
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if your child
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MARCH 2009

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Popular Music

Simon Sweetman reviews five albums. [page 95](#)



KEN DOWDIE



JESSIE GIBSON



TOMKI OKANO

Quote of the issue

“We see how these animals die - blood out the back end. We are very cruel as a nation.”

Clyde Graf, anti-1080 campaigner, page 56.

+ Good Times

Food Producer

The world's best apricots are sweetly growing under watchful eyes at a Central Otago orchard. [page 96](#)

Recipes

Sean Armstrong does wonderful things with apricots. [page 102](#)

Recommends

Feeding hungry Heaphy trampers, a mud-slide at Opotiki, fruit wines, Swanndris for sheilas and more. [page 106](#)

Visiting

Mike White finds Cromwell transformed by fine wines and Rail Trail explorers. [page 110](#)

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Puzzles

Graeme Wilson's Crossword, Whiz Quiz plus puzzles and a competition for wordsmiths. [page 120](#)

Last Words

Nostalgia, grammar and brainteasers - word play with Paul Little. [page 122](#)

Last Picture Show

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A disturbing case

The Mark Lundy murder story raises reasonable doubts for readers about his conviction.



“ The evidence against David Bain and Scott Watson, by contrast, is not as shaky or insubstantial as that against Lundy. ”

Lundy Revisited

The article by Mike White on the Lundy case (*The Lundy Murders: What the Jury Didn't Hear*, February) presents one of the most compelling arguments for a retrial I have ever read. The evidence against David Bain and Scott Watson, by contrast, is not as shaky or insubstantial as that against Lundy. I have always questioned the proposed timing of the murder and the impossible timing of the journeys between Petone and Palmerston North. But by far the most shocking of White's critiques is that of the so-called scientific evidence of brain tissue purportedly found on Mark Lundy's

Letters to the editor

Letters to the editor must include the writer's full address (not for publication). Letters and emails under 400 words are preferred; they may be edited for space and clarity. Pithy comments of one or two sentences, suitable for inclusion in a briefs column, are also welcome. Please send to: The Editor, *North & South*, Private Bag 92512, Wellesley St, Auckland 1141; fax (09) 308-9498; email north&south@acpmagazines.co.nz

polo shirt. It was for me and many others the evidence that made the case against Lundy appear quite likely to be true.

It was and still is hard to believe that a loving father (however unfaithful to his marriage partner) could carry out such a brutal attack and then do all the other things, like cleaning up his mess and disposing of his weapons and clothes, and then just carry on business as usual. We shook our heads and asked one another how a man could do such evil deeds and have fooled everyone about his character.

But the review of Dr Rodney Miller's immunohistochemistry test by other scientists who are equally if not more experienced in such procedures has convinced me that the science involved was far from adequate.

Ironically, one of the most telling comments was made by Dr Miller in defence of his own findings: "I can say with 100 per cent certainty that the tissue on Mr Lundy's shirt was central nervous system tissue. Not 99.999 per cent certainty - 100 per cent." The only absolutely certain statement that can be made about any scientific finding is that you can never be absolutely certain of anything. However strong the weight of evidence or the improbability of error might seem, there was no justification for his claim of absolute certainty.

To top it off, Miller then arrogantly dismisses the scientists who disagreed with him as "incompetent, hopelessly naive or unwilling to believe the truth". Those statements on their own raise serious doubts about Dr Miller's scientific judgment.

Paul F. Green, Palmerston North

*LETTER OF THE MONTH

Mission Impossible

The reason that Mark Lundy's alleged three-hour return trip from Petone to Palmerston North cannot be replicated is that it simply cannot be done. Had the Lundy jury been subjected to a reconstruction of the alleged events in the three-hour time-frame, they could not have convicted, as it would have been clear that the times simply do not add up.

Reach Palmerston North from Petone in rush-hour traffic, commit two murders, hide all the evidence, doctor the computer, be noticed only by one visually impaired witness and return at ridiculous Formula One speeds along a narrow winding road without crashing, without drawing any attention to yourself, all in 180 minutes? Yeah, right.

Dr Christopher Jones,
Palmerston North

A Question of Timing

Your story about the Lundy murders failed to mention the vital 8.13pm call to Mark on the night of the murders. According to evidence given in court, Mark said that he was sitting on the toilet in the motel bathroom when the call came in, and so he was unable to answer it. The cellphone rang a second time, indicating that a message had been left. Mark retrieved the message at 8.28pm, then returned the call at 8.29pm.

The police consistently used a time of three hours to persuade the jury that it was just possible to make the trip from Petone to Palmerston North, commit the murders, change the computer clock, clean up and return to his motel unit in that time. In fact, the time available was a quarter of an hour less, and no one could possibly have made the trip within that time.

M.L. Matthews, Palmerston North

A message that goes to answerphone doesn't leave a record of what cellphone tower it connected through because the call wasn't picked up. So there's no way of knowing where Lundy's phone was at the time of that 8.13pm call, other than what Lundy himself

said. All that can be proved, without further information, is that Lundy was definitely in Petone at 8.29pm when he retrieved the answerphone message and returned the call using his cellphone. – Editor

Reasonable Doubt

Having read the article on the Mark Lundy conviction, I am left wondering whether it is normal practice for the police prosecution to fail to present all evidence to the jury.


Your article brings up some very interesting points in relation to this case. I am not a lawyer, but even I can see some gaping holes in the evidence presented. In particular, the issue of DNA is a very scary one, and to convict Mark Lundy based on two tiny spots of brain tissue on the sleeve of his shirt based on the advice of a so-called "expert" has parallels with the Lindy Chamberlain case. Also, the evidence given by Margaret Dance should be thrown out, based on the fact that her eyesight was so bad that she required surgery to restore it post-trial. The list goes on and on. Everyone appears to have got it wrong, including the jury.

Whether we like this person or not, he at

“Whether we like this person or not, he at least deserves a retrial, this time with all the evidence against him presented... the police team involved should be ashamed of themselves for doing a poor job.”

least deserves a retrial, this time with all the evidence against him presented. Too much of this goes on in this country and the police team involved should be ashamed of themselves for doing a poor job. It would appear that Mark Lundy is the recipient of rough justice indeed.

Kate Guilford, Matamata



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