

Cries unheard The story of Mary Bell

Gitta Sereny

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Almost thirty-two years ago, four-year-old Martin Brown died of non-accidental injuries in a derelict house in Spotswood, an impoverished suburb of Newcastle-upon-Tyne (UK). A few weeks later, three-year-old Brian Howe was found nearby in similar circumstances. Their neighbour, eleven-year-old Mary Bell, was tried and convicted of their murder in an adult criminal court and the Judge ordered that she be detained for the rest of her life. The British authorities faced a dilemma because there was no provision for detaining a female juvenile in these circumstances. The same dilemma has since been noted in Australia and Canada as younger and younger children engage in what were previously referred to as 'adult crimes'.

For almost five years, Mary Bell was the only girl living alongside twenty boys in a secure institution. The beneficial aspect of her detention was that the headmaster became the first honourable person to influence her life and through him, she learned to love, trust and develop self-esteem. At the age of sixteen, this progress was ignored by a merciless justice system which demanded that she be transferred to a maximum security prison for women.

Gitta Sereny, with great sensitivity and impartiality, shows how Mary lost the benefits of the rehabilitation. She emerged from prison emotionally, socially and sexually confused and would not have coped in the outside world but for the support of outstanding probation officers.

International interest in Sereny's book was prompted by an unprecedented exhibition of tabloid media induced hysteria following its serialisation in the ultra-conservative newspaper, *The Times*. With headlines referring to 'Child killer' and 'Evil monster', the tabloids whipped up public emotion based on the fact that Sereny paid Mary Bell for the five months of tortuous interviews that made the book possible. This was perceived as evidence of a killer benefiting financially from her crimes. Second, Sereny was accused of endangering Mary Bell's fourteen-year-old child by 'revisiting' the case. The hypocrisy of the press was revealed in several ways: first, we learn that the tabloid press had already offered Mary a six-figure sum for her story (which she rejected). Second, the media tracked down the family's whereabouts by illegally tracing telephone bills and it was the subsequent harassment by journalists that led police to take the family into hiding. Third, it was the behaviour of journalists that forced Mary to disclose her criminal convictions to her adolescent daughter, fearful that she would read distorted explanations of events in the press. Sereny was also accused of causing unnecessary suffering to the families of the murdered children by reviving media interest. It is unfortunate that families of murder victims suffer frequent reminders of their tragedies; when other children are murdered, photographs of former victims are routinely reproduced without warning.

The Prime Minister, Tony Blair, was brought into arguments, questions were asked in the House of Commons and several enquiries were held. A Government Minister investigated whether Bell should be allowed to keep the money despite the fact that it is only illegal to profit financially from crimes committed within six years of the payment, and Mary Bell's crimes were thirty years old. The Press Complaints Commission (23 July 1998) ruled on the serialisation of the book by *The Times*, finding the 'public interest' arguments 'compelling'. The Commission concluded that the book addressed the question, 'Does the criminal justice system do real justice to such damaged children? If not, how can it be improved?' (p 411). The matter received further publicity in the TV series 'The Establishment' which was shown by the ABC in 1999. The author was subsequently interviewed on ABC radio.

Using taped interviews with Mary Bell, Sereny produced a book that is not only compelling reading but it is a valuable and scholarly work of outstanding quality. The book's construction involves the inter-weaving of the historical aspects of the case (obtained from personal observation, interviews and court records) with Mary Bell's own interpretations of what happened. Sereny makes no excuses and seeks no sympathy for the child killer. She also resists the opportunity to criticise the parents of the toddler victim who gave him the freedom to roam the streets unsupervised long before he was able to accept responsibility for his own safety. She shows the reader the psychological abuse of Mary by her prostitute mother, Betty Bell, and with great sensitivity presents insights into the mother-daughter relationship. She shows how children who are seriously abused can seriously hurt others. Throughout the book, the reader senses that there was more to Mary's anger than inappropriate parental control and emotional neglect. The suspicion is confirmed when, towards the end, Mary reveals the appalling sex crimes to which she was subjected. Wisely, Sereny did not rely on Mary's memory for the description of events; she interviewed a range of professionals who knew Mary the child and Mary the adult. She was also wise in delaying the publication of the book until her subject had demonstrated her capacity to love and be loved and had reared a child caringly into adolescence. Had she written the book earlier, cynics could have scoffed at evidence of rehabilitation. Sereny shows that the Westminster system of justice has failed and continues to fail children who have to appear in adult criminal courts, whether as the accused or as witnesses. Judges, police and lawyers are concerned only about 'the law', legal procedures, whether an offence has been committed, whether the accused is guilty and what punishment should be given. Sereny constantly provokes questions. At what age does a child understand the finality of death and its lasting effect on others? If Mary Bell did not understand the enormity of what she did to Martin Brown, she would surely have understood the significance when she killed a second time? Living in the neighbourhood, she witnessed the effects of Martin's death on his family. In

responding to the many questions, we can, hopefully, gain a better understanding of dysfunctional families and how our justice system and related institutions can better compensate for the damage inflicted on children. Sereny is critical of a society which ignores children's cries for help. She argues that, had Mary Bell's teachers been taught how to identify and respond appropriately to her many cries for help, intervention could have reduced the risks to the child and her victims. 'Primary responsibility for the behaviour and actions of children lies with their parents, their care-givers and, to a degree, their teachers... Neighbours close their eyes and ears... Social workers protect parents at children's expense... Relatives close ranks to protect their own, ignoring the long term consequences' (pp.373-4). 'This is not meant to provide an excuse for children who commit violent crimes. They always know that they are doing wrong' (p.373).

Throughout the Western world, there has been a recent increase in the number of children tried for serious crimes in adult criminal courts. Australia faced a similar situation in November 1999 when an eleven-year-old boy with an intellectual incapacity was tried in the NSW Supreme Court for the manslaughter of six-year-old Corey Davis who, it was alleged, was thrown into a deep river and left to drown. In England, Jon Venables and Robert Thompson are serving a 15-year sentence for killing a two-year-old toddler, James Bolger. Thanks to TV monitors, the world saw them abduct James from a Liverpool shopping centre; they dragged him for 3 km, leaving his battered body on a railway line in February 1993. Aged eleven at the time of the offences, Venables and Thompson were sentenced to be detained for a minimum of eight years. That was increased to 10 years by the Lord Chief Justice and then to 15 years by the Government Minister responsible, Michael Howard (1994). In December 1999, the European Court of Human Rights concluded that the adult court venue and international publicity impinged on the boys' right to a fair trial. The Court ruled that the Minister had no right to decide a minimum sentence and that the offenders were denied a fair trial

because of the British adult court's intimidating nature and the fact that it was open to the public. Thompson and Venables were also awarded costs and expenses of \$40,000 and \$65,000 respectively. Needless to say, the victim's parents and police were outraged by this intervention but the Minister responsible agreed to make changes to the justice system.

Sereny seeks a different system, arguing that adult courts are not equipped, capable or required to deal with children such as Mary Bell, who had to protect her mother and guard her secrets. Sereny's book is also a plea for responsible journalism. While journalism can be an effective weapon for convincing governments that children need to be protected from system abuse as well as abuse by people, irresponsible journalism can do a great deal of harm by stirring up emotion and the desire for revenge. 'Cries unheard' clearly irritated the British establishment. On 22 December 1999, the *Telegraph* newspaper reported that the Government was 'concerned that Gitta Sereny, the woman who last year wrote a controversial book on the child killer Mary Bell and paid her 10,000 pounds for her help, may be interested in doing a similar study of the Bolger murderers'. Although she denied planning such a book, the Minister found it 'repugnant for criminals to profit' and planned to close the 'loop-holes in the law'.

In the end, no-one but Mary Bell can decide whether the book was worth the ordeal to which she and her family has been subjected. Sereny gave her the opportunity to 'set the record straight' but the real value of the book depends on whether Sereny's recommendations are ignored or followed by action to provide better protection for the Mary Bells of this world.

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