

Gitta Sereny, *The Case of Mary Bell: A Portrait of A Child Who Murdered*

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People have developed conventionally accepted stereotypes of what a murderer should look like, and the picture of a small, frightened, withdrawn ... baby faced [offender] in jail or in the courtroom *contradicts our movie-nourished expectations*.¹

"Murder isn't that bad," Mary said, "we all die sometime any way" (p166)

"Truth is stranger than fiction"²

On Tuesday 17 December 1968 Mary Flora Bell, aged 11, was convicted at the Newcastle-upon-Tyne Assizes in England, of killing two young boys, aged four and three years old.³

Condemned in the contemporary press as a "bad seed", a "child monster", and an "evil birth," (p175) this attractive, intelligent, even "charming" (p210) girl became an international *cause celebre* as the media sought to explain how a young child might be capable of committing such "evil", remorseless and seemingly unthinkable acts.

But why should one child want to murder another child? And what sort of pathology might be found in a child who commits one of the most heinous acts in the calendar of crime?

Originally authored at the time of Mary Bell's trial in 1968, this revised work — which includes a new preface and a detailed appendix examining the death of English toddler James Bulger in 1993 — is the product of Gitta Sereny's extensive investigations for the *Daily Telegraph Magazine* in 1968, and later for *Independent on Sunday Review* in 1994.⁴

In painting a meticulous portrait of "this strange, intelligent and isolated child" (pviii), Sereny undoubtedly catalogues a remarkable array of destructive, deviant and ultimately homicidal behaviours (pviii). From the assault of a host of young children (including one attempt to choke a newborn baby), to the throttling of birds and frequent, if not pathological lying, Mary Bell demonstrated an almost fantastic capacity for malicious, dangerous and stimulus-seeking behaviour.

Ultimately diagnosed as a child "psychopath"⁵ — a mitigating factor at trial which saw a reduction of her sentence from one of murder to manslaughter on the grounds of diminished responsibility — Mary's homicidal tendencies appear to be motivated not so much by a *desire to kill*, but by a desire to *feel something* for other human beings (p228). Indeed

1 Smith, S, "The Adolescent Murderer: A Psychodynamic Interpretation" (1965) 13 *Archives of General Psychiatry* at 310. (Italics added.)

2 Godley and Cream, "An Englishman in New York" (1979) (song).

3 Mary's alleged accomplice, Norma Bell, was acquitted at the trial on both counts of manslaughter.

4 Sereny's articles on the Bulger case were among the very few serious attempts to provide *real* insight into this disturbing and unusual case.

5 While it is beyond the scope of this review to debate the highly problematic notion of the "psychopath", I agree with Sereny that, while the use of the term "has in fact become almost a cliché", it appears, at least in the case of Mary Bell, the term "psychopath" does provide a broad, yet accurate, summation of Mary's condition. See p231.

the notion that Mary's psychopathy led to her killing in order to "feel something" is captured with remarkable insight in Sereny's observations that:

The fact is ... that "death", "murder", "killing", had a different connotation for Mary than it has for other people. Basically for her all of it had been a game (in the sense that an experiment can be a game to children) — a grisly game nonetheless. For Mary ... it was not something she had *done*, for none of Mary's actions were committed for the sake of *doing*, but rather for the sake of *feeling* (p130–1).

By way of contrast, however, Sereny argues that, unlike the Mary Bell murders which were carried out with a "strange absence of violence ... almost with tenderness (pviii), the death of James Bulger was the product, not of a "grisly game gone wrong", but of a ferocious attack "really beyond human understanding" (pviii).

Consequently, as may be observed in the ensuing media coverage, the behaviour of "Bulger boys" (Thompson and Venables) was portrayed as the very embodiment of evil, rather than the product of a complex range of interacting social, environmental and psychological factors.

Not surprisingly then, in a case in which the trial judge himself (Justice Morland) described the crime as "unparalleled evil and barbarity",⁶ the media resorted to the theme of "evil" as an "explanation" which both mirrored and reinforced public sentiment. As the following headlines at the time of the Bulger trial illustrate, the theme of "evil" became an unrelenting feature of the media's coverage:⁷

"THIS BOY IS 11. HE IS A KILLER: FACE OF EVIL — JAMIE BULGER VERDICT",⁸

"DELIVER US FROM EVIL";⁹ and

"EVIL BOYS' LIFE OF PUNISHMENT: THEY WILL PAY".¹⁰

Despite the public's "movie nourished expectations"¹¹ of "evil children", "born killers" and "freaks of nature" (so eagerly reinforced by the tabloids), the cold and unpleasant reality remains that children can and *do* kill.

While homicides committed by children are uncommon, they are far from exceedingly rare.¹² As research by Ewing has shown, there were at least 141 murders committed by pre-teens in the United States in the five year period from 1984 to 1988.¹³ With respect to the situation in the United Kingdom, Gitta Sereny suggests that at the time of the Bulger

6 *Obiter dictum*, Morland J, Preston Crown Court as reported in *The Sydney Morning Herald* 27 November 1993 at 30.

7 For an extended examination of the role of the media in portraying "evil" in the Bulger case see Niski, M, "Two Small Assassins: Devils, Dolls and Media Hysteria in the Bulger Case" Paper presented at the Australian and New Zealand Society of Criminology Conference, University of New South Wales, Sydney, 27–30 September 1994.

8 *Telegraph-Mirror*, 26 November 1993.

9 *Telegraph-Mirror*, 6 November 1993.

10 *Telegraph-Mirror*, 26 November 1993.

11 Above n1 at 310.

12 See Harding, R, "Why kids become killers", *The Bulletin* 16 March 1992. Indeed, in the month prior to the writing of this review an 11-year-old Thai boy was charged with bashing to death a playmate in order steal his bicycle. See "Thai boy accused of killing toddler" *The Sydney Morning Herald*, 16 September 1995.

13 Cited in Harding, id at 41.

case in 1994, British children had killed on at least 27 occasions during more than two centuries (pxv).

Aside from providing an important insight into the circumstances, psychology and reality of child homicide, Sereny's account also encompasses a powerful critique of the many shortcomings of the criminal justice and social welfare systems which have responsibility for dealing with children who have "committed the ultimate crime and therefore presumably gone through an ultimate trauma" (px).

Sereny's underlying mandate in this book is undoubtedly one of forcefully, yet rationally advocating major systemic changes in the way that children are treated by the English criminal justice system. She cites the "hypocritical and anachronistic" (p227) nature of a British criminal justice system which denies pre-trial psychiatric therapy to children accused of homicide, places them before the full rigour of the jury trial, and subjects them to forensic and adversarial fact-finding missions that are more obsessed with formality than ensuring just outcomes. Sereny is also particularly critical of the State's failure to intervene in dysfunctional family relationships which clearly foster the sorts of emotional, psychological and physical abuse which produces children with homicidal tendencies.¹⁴ These sentiments are succinctly stated in her question:

When are we going to have the courage to discard the tired principle of the sacredness of family and parental ties? When are we going to allow parents to be free of children they for some reason cannot love, and help children to be free of the catastrophic handicap of parents who cannot love them? (p259)

Overall, this work offers a particularly insightful, exacting and morally scrupulous account of this disturbing yet fascinating case of homicide by a child. Given Sereny's skilful use of a host of sources and her incorporation of a number of extremely enlightening documents (including the "We Murder" notes found at the scene of the crime, as well as poems and letters authored by Mary which portray a sense of the cold, austere nature of her relationship with her mother) this account remains a commendable tribute to Sereny's journalistic skill and her commitment to the thorough and painstaking documentation of this case. Perhaps my only major criticism of her approach is the overuse of description and a tendency to sometimes become emotionally involved in the subject matter or relationships which she is describing.

The murder of a child by another child necessarily creates a sense of horror, bewilderment and disbelief among a public who have often developed simplistic and stereotypical notions of "what a murderer should look like".

14 Studies show an unquestionable link between gross physical, psychological and emotional abuse and homicidal tendencies in children. Often such children are violently sexually abused by their parents, are brain damaged as a result of parental assaults (or through accidents caused by neglect) or subjected to extreme emotional deprivation. See, for example: Danto, B L, Bruns, J, et al, *The Human Side of Homicide* (1982); Duncan, J W and Duncan, G M "Murder in The Family: A Study of Some Homicidal Adolescents" (1971) 127 *American Journal of Psychiatry* 11 at 1498; Fasson, W M and Steinheiber, R M, "Murderous Aggression by Children and Adults" (1961) 4 *Archives of General Psychiatry*; Lewis, D O, Moy, E, et al, "Bio psychosocial Characteristics of Children who Later Murder: A Prospective Study" (1985) 142 *American Journal of Psychiatry* 10 at 1161, Lewis, D O, Pincus, J, et al, "Neuropsychiatric, Psycho educational and Family Characteristics of 14 Juveniles Condemned to Death" (1988) 43 *American Journal of Psychiatry* 5 at 516; and "Juveniles on Death Row" (1991) *Amnesty International Australian Newsletter* Melbourne at 10.

While images of “freaks”, “child monsters” and “bad seeds” continue to be associated with homicide by children, the tragic and unpleasant realities surrounding these crimes will continue to be rationalised rather than accepted, understood and acted upon unless the public are better informed of the circumstances and dynamics of these unfortunate crimes. No doubt if we are to learn from such tragedies we would do well to take heed of Sereny’s compassionate and enlightened observation that

children who kill are ... created by the adults they “belong to”: there are adults in all classes of society who are immature, confused, inadequate or sick, and, under given and unfortunate circumstances, their children will reflect, reproduce and often pay for the miseries of the adults they need and love.

Children are not evil (p280).

Accordingly, while the community may continue to seek out various convenient, neatly packaged explanations about seemingly inexplicable or motiveless forms of behaviour, the fact that children kill remains one which both the community and the criminal justice system must respond to in a rational, appropriate and humane manner.

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