

Britain: Second juror condemns jailing of two boys for the killing of James Bulger

Julie Hyland
11 November 1999

A juror in the trial of the two young boys jailed in 1993 for the killing of two-year-old James Bulger in Liverpool says the jury was forced into a "guilty of murder" verdict.

In a letter to the *Guardian* newspaper on Friday November 5, the unnamed juror denounces the conduct of the trial of Robert Thompson and Jon Venables, who were 10 years old at the time of James Bulger's killing. They were tried as adults in an open court, in a lynch-mob atmosphere whipped up by law-and-order politicians and the media. Delivering the guilty verdict, the trial judge recommended that the two serve a minimum of eight years in prison. Michael Howard, then Conservative Home Secretary, later raised this to a minimum tariff of 15 years.

The juror, who is unnamed, writes that demands by the press for the two to remain in prison constitute "vengeance of the most primitive kind". The two boys "were children", the letter continues, "young, ill-educated, of a social background which, I suspect, had included little direction or support; caught up in circumstances which they only partly comprehended and within which they made appalling choices."

"The trial was about retribution. They were denied psychiatric help until after the ending of the trial (and when the psychiatrist who gave evidence told the judge that this needless, court-imposed, delay in helping them was damaging to their chances of coping with their trauma and eventual hope for reformation, she was sharply put down and told that it was none of her or the court's concern)."

To what extent the children were aware of what they had done was given only a cursory examination at the trial, whilst the psychiatrist called to testify regarding their moral awareness was "relentlessly bullied" to provide the most simplistic answers.

The letter continues: "It was apparent that in the dock were two children; almost entirely uncomprehending of most of the proceedings; distressed by those parts they did understand (as, for example, the replaying of tapes of the police interviews when they cried and cried and called for their mothers); subject to trial as if they were aware adults; unaccountably branded as 'evil' by the judge."

"I felt that we, the jury, were forced into a verdict of 'guilty of murder'. A more appropriate verdict would have been 'guilty as frightened and largely unaware children who made a terrible mistake and who are now in urgent need of psychiatric and social help'.

"Can any of us say that at the age of nine we did not do things which were incomprehensively (sic) stupid and unaware? Is retribution against children really what we should wish for? May there not be circumstances where perpetrators of crimes should be offered help rather than vilification?"

The letter came in response to concerns, voiced by Sir David Ramsbotham, Chief Inspector of Prisons, at the continued imprisonment of the two boys. In an interview with the *New Statesman* magazine, Ramsbotham said that the progress made by Thompson and Venables, now 17 years old, would be damaged if they were transferred into the prison system on reaching 18.

This is now the second juror to condemn the proceedings in the now notorious trial. Earlier, juror Vincent Moss said in a radio interview that he had been horrified by the judge's description of the two boys as "vicious and hardened criminals". On reflection, he continued, "We should have gone back into the court and we should have said, 'Yes, we do have a verdict: these young boys are in urgent need of social and psychiatric help.'"

"These two children had sat there for a month, bored, uncomprehending and appallingly distressed when, at full volume, the court heard recordings as they cried and screamed for their mothers." The jury had no genuine freedom to decide on the boy's guilt or innocence, he continued, "we were there simply to rubber stamp a verdict."

Ramsbotham's remarks and the two juror's statements testify to the growing unease and disgust at the Thompson/Venables trial, and the increasingly retributive character of the criminal justice system. That the latest protest was made anonymously underscores the hysterical and intimidating atmosphere that still surrounds the case. Although the European Court ruled earlier this year that Michael Howard's intervention, in increasing their sentences, had contravened the boy's human rights, Labour Home Secretary Jack Straw has so far refused to change it. The Blair government has sought to outdo the Tories in its "tough on crime" rhetoric and has implemented draconian changes to the criminal system—specifically in the field of juvenile law.

On the same day the letter was published, Ramsbotham was forced to withdraw his remarks on the case. Straw insisted that the Prisons Inspector make a humiliating apology to the government for speaking on matters "outside his remit" and guaranteeing that, in the future, he would "confine himself to commenting on matters which fall within his duties". Although Ramsbotham's responsibilities include compiling reports on the treatment of prisoners, Straw's intervention makes plain that he wishes to keep such information out of the public domain.



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact