

## **Protecting a Killer**

### **– Prosecution In a Modern Society**

In 1993 England was shocked by the news of the murder of two year old James Bulger. Perhaps more shocking than the murder itself, and something that perhaps overshadowed the tragic death of the toddler, was who had committed the horrible crime. Jon Venables lured little James away from a shopping centre, before he and Robert Thompson abused him, tortured him and killed him. At the time of the crime being committed, the two boys were ten, no more than children themselves.

At the end of last month the news broke that Venables had been recalled to custody, first suggested it was due to a fight in his work place. Later it has appeared that the real breach of his parole was alleged child pornography offences. There is no wonder that the English public has no faith in the British law system. Jon Venables still receives protection from the government, where his identity is kept a secret so to not encourage vigilante behaviour and to ensure that he receives a fair trial when prosecuted for the new charges that may be brought against him. To a point, Venables identity should be kept a secret, that much I agree with. Not because he deserves protection, but because the English public needs protection from themselves. Already there are groups that have been created and closed down on social networking sites where people claim to know the new identity of Jon Venables. Several names have been given, and sadly several innocent people will now face persecution from members of the public due to the irresponsibility shown by a handful of people. Taking justice into your own hands is not only dangerous to you as a person, but there are people out there who will pay the price for the action of those who desperately wish the English justice system to be different, but do not understand that such actions will not change anything. If innocent people get hurt because of false information, that will be on the heads of those few who have not only disclosed identities without any evidence, but those who act on this information, and those people in turn should be prosecuted. It may come a time where Venables' new identity may have to be disclosed to the public, if for no other reason to protect the innocent, most notably a 27 year old man called David Calvert, who was first accused of being Jon Venables five years ago. Despite it being obvious that this is the case, this innocent man lives in fear for himself as well as his family because of accusations made by people with no evidence. If nothing else there should be a statement made to inform the public when any innocent man is accused of being Jon Venables, rather than leave any such person living in fear and having to fend for themselves. If Venables' identity is not made public it should be provided to those making the judgement in a possible trial against him for the alleged possession of child pornography. After the criminal Justice Act of 2003, previous convictions may be disclosed to the court if they are similar to the current charges brought against the defendant. Surely in cases as serious as murder, and child pornography that is allegedly a four on the official legal scale which has the highest rating of five, there should be a law that enables the jury to know how serious the chances of Venables re-offending is. It often follows in criminal psychology that sexual and violent crimes tend to increase in brutality rather than decrease, and if Venables is found guilty of the alleged charges that are yet to be brought against him it should be ensured he never walks free again. The psychological judgement and the legal decision to free the man in 2001 was wrong, to let him out again, especially after the psychological implications of having now been in the penal system, and any crime he may commit will be on the heads of those who fail to fulfil their only task, to keep our society safe.

In 2000 a psychological report, which paved the way for the release of Jon Venables in 2001, concluded that he posed only a "trivial" risk to the public. Psychology, although seemingly a science, is far from an exact science, and the obvious fault of this report needs to be addressed. If the law system have already got it wrong once about someone who at the age of 10 committed murder, what is there in place to stop them committing another mistake, one that may have severe and possibly tragic results. When someone commit a murder, either planned or as a random act, that person should spend the remainder of their life in prison or in a correctional facility for those

psychologically unfit to live in prisons, that is may be a danger to themselves or others. Yes they may have been rehabilitated, the demons that made them commit and act in a way most people would never consider may have gone, but their punishment should not. They have taken a life, and so they should spend their life locked away. One may argue that when the crimes have been committed by children, there are different circumstances that need to be taken into consideration, however if you are a ten year old boy, you know the difference between right or wrong. If you do not, then you are no different from a psychopathic adult committing the same crime, and neither should be let free when there is always a chance of re-offending, however trivial it may be. The report, which was prepared by a leading psychologist, goes on to further prove how the court considers its offenders first, and the victims much later. Jon Venables was said to have achieved exceptional psychological progress and that the chances of him being rehabilitated were very high however relying on that he not only remained on a programme of appropriate support and guidance but that his identity was kept a secret. It remains to be seen whether the fault lies with the psychologist for making a poor judgement of his patient, or if the fault lies with the system that was supposed to be in place to monitor him once he was released. Either way it could have all been avoided, had they only kept him locked up somewhere, rather than releasing him after only 8 years in juvenile custody, still young enough to have a life, get an education, get married and possible even have children himself. The report suggested Venables be released rather than be transferred to prison where he would mix with criminals and be exposed to drugs. Something I find rather ironic as he himself is a criminal of the worst kind, and if you are vulnerable and likely to fall into a habit of drug abuse, surely being out of prison should be just as big a risk to this *poor man's* physical and mental health. Obviously the psychologist who wrote this report has yet to be available for comment.

To be fair to the English law system, the cases of children killing children are few and far between, Although there has always been cases of violence between children or teenagers, very rarely are the cases extreme enough to make the news, and thankfully murder is rarer still. Not since Mary Bell, who murdered two young boys in 1968, has there been such a public case in the UK of a Child killing another child and not only showing callous, but no regret. Mary Bell later went on to be released in 1980 after serving 12 years and was granted anonymity to start a new life with a new identity. Included in this grant was also her daughter, who were born in 1984. Bell later won a court order to expand the anonymity for both her and her daughter for life, originally it was in place till her daughter reached 18. There has been no case of re-offence in the case of Mary Bell, however the fact that she was allowed to not only be released but to be the mother of a child shows that the law system never did have the backbone to deal with child offenders. This woman is now a grand mother. Having a child is a blessing, having grand children by their sons is a blessing that the parents of Martin Brown and Brian Howe never experienced. The little girl who killed solely for the pleasure and excitement of it made sure of that.

Jon Venables may have managed to come to terms with the horrific murder he and Robert Thompson committed as ten year old children, however society will not, and should not forget. Punishment should not be about the criminals coming to terms with their crime, be treated as nothing more than day patient at a hospital and be looked after by others. If a convicted criminal is well enough to be released from the care of the juvenile criminal system, then they are well enough to be handed over to the prison system, and if they are not then you keep them locked up where psychologists can attempt to learn something from the mentality of serious crime offenders. Rather than trying to come up with the answers that can justify their decision to save money by releasing offenders they should concentrate on learning why it happens, how can it be prevented in the future. **Learn from your mistakes.** There is nothing saying for certain that Venables, Thompson, Bell or anyone out there convicted of serious crimes will re-offend once they have been made fit to be released. However there is nothing speaking to the contrary, and the likelihood of re-offence is higher than the percentage that do not re-offend. In cases that involve child abuse, serious sexual

assault and murder those questions should never be an issue. When someone is given a life sentence, that is what it should represent, a life sentence. Jon Venables knew what he was doing when he led little James Bulger away from New Strand Shopping Centre. He knew what he was doing when he and Robert Thompson killed the toddler and left him on a rail track to be run over by a train, hoping it would disguise his murder. He **knew** what he was doing, and they both should have been treated accordingly. If Venables becomes a drug addict because he has been put into the penal system, then I am sorry, but that does not concern me. What concern me is that once again they will let someone free on the streets who at the age of **ten** had a heart cold enough, or a mind mad enough, to kill a little boy. Imagine what he may do if once again the people who are supposed to protect us are too busy looking after their criminals to the point it pains them to even give them a little slap on their hands for being a naughty boy.

There is nothing naughty about about abusing, raping or killing children, it is evil at its worst. Simply because Venables was a child himself at the time the crime was committed does not exclude him from guilt. Life sentences should mean a life sentence, and for murder that is not committed in self defence, this should **always** apply. There is no wonder that people commit murder and see human life has having such little value, after all, that is exactly what our courts and government are teaching us.