

*16h30 Plenary Session – Children and Violence: Victims in the Media
(Sheraton Hotel, Grand Ballroom). Comments by Joshua Rozenberg*

Thank you for inviting me to speak to Victim Support Europe. It's particularly poignant for me to be here today because my father was born in Poland, in a town called Izbica where his family had lived since at least the 18th century, and he lived here in Warsaw briefly until the Nazi invasion. His parents were victims of the Nazis — my grandparents were murdered in 1942, I believe — and so were all my father's brothers. His two sisters escaped to Israel. In 1939, my father was deported to the Soviet Union. He joined the Polish forces under British Command and settled in London after the war, which is why I'm here now. I don't regard myself as a victim — but my father certainly was.

I'm a journalist covering the whole of legal affairs — I don't specialise in crime or victims — and I think that I was asked here today to answer the questions raised by Gisela Mayer in her very moving presentation this afternoon. I had not heard her story until just now and I can't deal with it as thoroughly as I would like. But I have some advice for victims confronted by the media. You need a spokesman, a person who is authorised to speak to reporters. That person must be properly briefed. And the individual must be able to give information to the media. If the spokesman has nothing to say, the media will find out for themselves in ways that you don't like. If you don't want photographers climbing up ladders and looking over walls, give one photographer and one video camera operator limited access: not to the funeral itself, but to the church before the service starts. Or let them come in after the relatives have left. Allow one reporter in from the national news agency. That coverage can be pooled: one news organisation has to share it with all the others. Nobody knows when tragedy is going to strike but victim support organisations can be trained to offer their services to victims on occasions such as this.

I wanted too give myself plenty time to prepare my remarks so I started thinking about this talk as long ago as the beginning of last week. I picked up the evening paper in London...

Headline: Children are dying like dogs...

The next day I picked up the paper again...

Headline: I held stabbed boy as he lay dying...

I think you can see that we have a problem with knife crime in London at the moment. The chief justice of England and Wales told parliament in

Westminster last week that the UK had been very successful in controlling the use of guns. But there was a major problem of children aged 12, 13 or 14 carrying knives.

Lord Thomas said: The carrying of knives has become commonplace in gangs and with children who are very young. I think we need to look very, very carefully at the best way of using the various levels of sentencing to control the use of knives.” This needed to be done urgently, he added.

In the United Kingdom, the punishment for murder is life imprisonment, although there's a different name for if you are a young offender. If you are a teenager you may be released on licence after a few years. In England and Wales you can be convicted of murder at the age of 10: the age of criminal responsibility in Scotland is now 12. But what strikes me as extraordinary is that teenagers don't seem to be deterred by the prospect of spending ten or 15 years in prison. They just don't seem to understand that killing people has consequences. Somebody was telling me about a teenager who was being questioned by the police after knifing someone. At the end of the police, he asked: "Can I go now?" No you can't, is the answer to that: not for a long time.

Of course, it's not just children who are killed. Last month, a teacher called Ann Maguire was stabbed to death by a student at a school in Leeds, in the north of England. A boy aged 15 was arrested at the school and is awaiting trial. It's thought to be the first time a teacher has been murdered in a classroom in the United Kingdom although a head teacher was murdered outside his school in London in 1995.

When the 15-year-old was arrested, everyone in the school knew who he was. His name soon started circulating on Twitter. The Times newspaper carried information about his family and his Facebook page but did not identify him. However, the Sun newspaper did. That caused some surprise. Some newspapers said it was against the law to name him. But they were wrong.

Last Friday, a group of 30 organisations working in the field of youth justice in England and Wales published a report on this very subject. It confirmed that children can be identified -- until they appear in the youth court. There are also powers to stop people identifying children whose cases are heard in other courts. But they don't apply to social media, such as Twitter. As we heard just now from Maatu, children are using social media all the time. The restrictions on naming people appearing before a court don't apply to children who receive what's called an ASBO, an anti-social behaviour order. And, only last month, the High Court confirmed that these orders expire automatically when the child reaches 18. So the campaign group — called the Standing Committee for Youth Justice — argues that all children involved in criminal proceedings should be given automatic, lifelong immunity.

Your view of this rather depends on whether you regard children as criminals or not. Do you say that a 15-year-old who murders his teacher or another child must be deeply disturbed and is therefore a victim himself? Do you say the same about a 17-year-old facing terrorist charges? Surely the public are entitled to know?

Before I sit down I want to tell you about a man who was sentenced this morning for attempted rape. He is a man suffering from paranoid schizophrenia who attacked a stranger walking home at night: the police arrived before he could complete the rape. He is a Latvian named Rolands Brize and he was convicted in Hull, in the north of England. He was sentenced to life imprisonment with a minimum of four years. That minimum was significantly less than he would otherwise have been set because he pleaded guilty at the earliest opportunity. But that was in April last year, 13 months ago.

This is what the judge said:

This is the 11th occasion that the case has been listed. The number of adjournments has added to the victim's distress and the objectives of an early guilty plea have not been achieved. Dealing with mentally disordered defendants often raises complex issues that take time to resolve and therefore it is not uncommon for such cases to take longer to complete than those cases without such issues. That said I consider that in this case there has been a period of delay which is unjustifiable... Firstly, there was an issue as to funding. Whilst the psychiatrists were ready at the end of July there was no suitable bed available and before funding could be obtained for such a bed a gate-keeping exercise had to be commenced. The Defendant was not assessed under this exercise until 24th October 2013 and even then there was still no bed available until a bed... became free on 20th January 2014.

It is not entirely clear why the assessment was not carried out until October although part of the reason was the unavailability of a Latvian interpreter. Another factor was the issue of which NHS Trust would be responsible for the Defendant's treatment. Although the offence took place in Hull and at the time the Defendant was temporarily resident in a hostel in the city, his last permanent address was in Spalding which is governed by a different NHS Trust. Since 27th January, Dr Khan and his team at Chadwick Lodge have done their best to deal in a timely manner with Mr Brize who has, on any view, complex mental health issues.

I do not know whether the delays encountered in this case are common. I hope that they are not and do not become so. It must be remembered that in cases like this the court is dealing with a victim already traumatised by a serious offence and an offender who requires urgent psychiatric care. There is a clear public interest in ensuring sufficient resources are available in good time in order to maintain public confidence in the treatment of mentally disordered defendants so that they and the victims of the crimes they commit are not further damaged by the court process.

I expect this case will make headlines in tomorrow's newspapers. The judge's comments can be summed up in a single word: money. But there's a broader lesson here. You can take as many initiatives as you like to protect victims. But if you don't put money into your criminal justice system, it's the victims who suffer.