

Judge Condemns Council Over Girl Who Starved

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Mark Langford, Sky News Online

A High Court judge launched a searing attack on a council as a mother who starved her seven-year-old daughter to death was cleared of murder.

Khyra Ishaq died at her home in Birmingham in May 2008 from an infection caused by starvation that left her so emaciated doctors described it as "outside their experience".

Angela Gordon, who admitted the manslaughter of Khyra two weeks ago, was formally found not guilty of murder by jurors at Birmingham Crown Court on the orders of trial judge Mr Justice Roderick Evans.

She had withdrawn Khyra from school but despite visits from social workers and education officers from Birmingham City Council she was kept in squalid conditions.

It has now emerged that last year Mrs Justice King said that "in all probability" Khyra would not have died if there had been "an adequate initial assessment and proper adherence by the educational welfare services to its guidance".

The ruling of Mrs Justice King could only be reported after Gordon was cleared of murder after prosecutors accepted her defence of diminished responsibility and she admitted five counts of child cruelty.

In her ruling of March last year, relating to care proceedings, Mrs Justice King said: "It is beyond belief that, in 2008, in a bustling, energetic and modern city like Birmingham, a child of seven was withdrawn from school and thereafter kept in squalid conditions for a period of five months before finally dying of starvation."



Khyra Ishaq's mother Angela Gordon, left, and stepfather Junaid Abuhamza

The decision to accept Gordon's plea of not guilty to murder was taken in the sixth week of a retrial after several days of psychiatric assessment and legal argument.

Gordon, 35, and Khyra's stepfather, 30-year-old Junaid Abuhmza, who also pleaded guilty to manslaughter on the grounds of diminished responsibility, will be sentenced on March 5.

Prosecutor Timothy Raggatt QC said three psychiatrists had agreed Gordon was suffering from severe depression in the month before Khyra died at her home in Leyton Road, Handsworth.

Mr Raggatt added: "For that reason we cannot resist the defence of diminished responsibility, now raised for the first time."

Khyra died from an infection brought on by starvation, yet bowls of fresh fruit, tins of sweets and shelves of groceries filled the kitchen of the terraced house where she lived with five other children under the care of Gordon and Abuhmza.

A cause of death you don't expect to see in the Western world, let alone Birmingham, in the 21st century.

Detective Inspector Sean Russell on the death of Khyra Ishaq

Jurors saw photographs of the kitchen and a bamboo cane used as part of a "punishment regime".

The court heard the kitchen was kept locked by a bolt "out of the reach of the children" to prevent them helping themselves to food.

At mealtimes they were given a bowl containing carrots, beans, eggs and rice, or unsweetened porridge, to share between them.

The meagre meal would be placed before them on the floor of the room in which they slept on bare mattresses.



The Birmingham house where Khyra Ishaq lived before her tragic death

Detective Inspector Sean Russell of West Midlands Police, who led the investigation, said he believed the girl was kept a virtual prisoner in an upstairs bedroom.

He said: "Khyra's untimely death was ultimately caused by an overwhelming infection brought on by severe malnutrition - a cause of death you don't expect to see in the Western world, let alone Birmingham, in the 21st century."

Abuhamza, who lived at Leyton Road in the months leading up to the death, also pleaded guilty to five counts of cruelty relating to five other children, who cannot be identified for legal reasons.

The other children, who were also in the defendants' care, were "similarly starved" and assaulted, the court heard, with two of them found to be in a state of acute, severe and dangerous malnutrition.

It emerged during the original trial of Angela Gordon and Junaid Abuhamza that Birmingham City Council had been notified of concerns about Khyra's welfare when she was withdrawn from school in December 2007.



Her deputy headteacher made three phone calls to social services within the space of 24 hours to express concerns for her welfare.

Several visits were then made to Khyra's home, although she was seen by social workers on only one occasion - for around ten minutes on her mother's doorstep.

Khyra died in a house full of food

Tony Howell, Birmingham City Council's strategic director for children, young people and families, said Khyra's death had caused "a great deal of hard reflection among all the agencies in the city who have a responsibility to protect vulnerable children."

Mr Howell said improvements had been made to Birmingham's children's social services since the death of Khyra.

Asked if he felt he should relinquish his post, Mr Howell replied: "We have been working on improving children's social care for over a year now, working closely alongside Government.

"Improvements have been made. There would be no purpose served simply by resigning."

Mr Howell said a Serious Case Review into Khyra's death was still being conducted by the Birmingham Safeguarding Children Board.



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