

Resident of Lublin sentenced to life imprisonment for murder instead of accident. Interview with Martha's Mother

Yes, I was the driver and unintentionally caused the accident. True, I failed to save Csaba. However that was not a murder. I didn't wish his death. He should have stayed alive, and I should be charged of causing the accident – says 29-year-old Marta Herda. This resident of Lublin labeled by Irish media as the “Ice Queen Killer” is serving a life sentence in a maximum security prison. Her family and friends are fighting for acquittal.

– Marta is a beautiful, cute, bright girl – sobs Teresa Szczuchaniak, Marta's mother. – Unfortunately she's also naive. She would not hurt anyone herself and believes all others are good-natured too.

Marta left to Ireland in 2006. She was 18 back then and studied to become a social welfare assistant. When her friend offered to go abroad and earn some extra money at holiday time she immediately said, 'yes'. – Marta is really nice, no wonder others liked her very much. In a short time she got promoted and found a permanent job. This way her coming back was postponed. She used to say, 'just a few months longer', 'just till the end of the year' – says Mrs. Teresa. She didn't enjoy life, just kept working to save as much as possible and have a good start after returning to Poland. Her sister joined her for some time. They would often go together to the beach to watch the sunrise. This was, as they said, very relaxing and soothing. They kept calling me from the beach and build me up. I was glad knowing they were happy.

Csaba

In May 2011 Marta started work as a waiter in a luxurious hotel in Arclow, south of the country. One of her workmates was 31-year-old Hungarian named Csaba. The man helped her a lot at first showing her the ropes. They met out on town with the group of other colleagues. That was a normal bunch of joyful, young people. Later in 2012 something changed as Csaba supposedly fell in love with the Polish woman. He wasn't discouraged with the fact that she didn't love him back.

– Few months before the tragedy Csaba started to act weird. When she walked on the beach he would record her on the phone. When he saw Marta speaking with another man he would immediately start talking about him and make him look bad – recalls Mrs. Teresa about what her daughter said. He kept coming around Marta's house and looked into her windows. When she hosted some guests he texted her saying for example that he knew they were having sex. That was not true, it was a product of his imagination.

He repeatedly said he could read in Marta's eyes they will someday be together, and before she understands that, he cannot drink, sleep nor eat. He kept saying that unless she kisses him he will die.

– Their fellow friends knew he acted obsessively and once even wanted to beat him up. She didn't allow this to happen. Neither did she report to the police. As she said, she didn't want to put Csaba in trouble for supposedly he had already been trialed for harassing another girl. Was that true, or was that just something he told her? We don't know – admits Mrs. Teresa. – Whenever he grew too offensive, Marta complained to his brother who also lived in the same town. After speaking to him it would get better for around 2-3 weeks and then it all started over again.

The river

On March 25, 2013 Marta spoke to Csaba several times. First he came to the playground where a woman played with her friend's child. Then he called a few times. Before she disconnected the last talk, he supposedly said, 'You ruined my last hope'. Marta got afraid that he could hurt himself.

After midnight the woman gave a lift back home to her colleagues. She spent the night at the place of one of them who wanted to speak about his own romantic problems and ask for advice. In the morning he drove her back home. – They came with her car. The weather was terrible. It was windy and snowy – says Marta's mother. – After they parked in front of her house and Victor went back home she realized he was wearing just a shirt. She didn't want him to get cold so she jumped into her car to catch him up and give him a lift. That's my child. She runs to help before she thinks. Later it turned out that Victor went the other way and she missed him.

Then Marta thought of the Hungarian. She called to make sure if he was OK. They spoke for a moment. After the call she decided to go to the beach. She went the way she always did before, the way next to Csaba's house.

– When she was passing by Csaba ran out on the street. He asked that she would take him along because he wanted to tell her something – says Teresa Szczuchniak. She knows the backstory of those moments in details. They discussed about it many times thinking back about every second of that day. – In the car he started shouting, 'F...cking Victor!' He stressed he knew that she had spent the whole night with Victor. Later he didn't speak English but yelled with some strange animal-like roaring. He kept poking her in the ribs with his finger. My daughter remembers his contorted, hateful face next to hers.

She got scared and decided to turn back. In order to make it she drove towards the river. At the bulwark she hit the crash barriers. The car fell into the river.

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The storm

– My daughter remembers, she saw an open sea in front of her and felt water under her feet. It was very stormy. She looked at Csaba and shouted in Polish, 'What have you done you motherf...cker?!' He said something in reply. She doesn't know what. Probably it was, 'run'. She understood he tells her to run – says her mother. – After that, she got out of the sinking car and tried to reach the surface. Something seemed to drag her down. She didn't know if that was the water pressure or Csaba who probably also got out through the window and grabbed her by her legs. We know she lost her shoes.

When swimming up and gasping for breath she called for Csaba, but there was no answer. Later the churning water dragged her down under. – At some point her body arched and she saw the moon. She said she didn't feel any fear or cold anymore. She just thought of me, her sister and her sister's child. As if she was saying goodbye – sobs Marta's mother. – Then she fainted. She regained consciousness later near the pier. She climbed up crawling on her knees and vomiting she reached some houses. Someone called Garda. Later came an ambulance.

Marta's family says that at that point the girl was not able to speak rationally. She tried to say that there was a man in the water that needs help but no one could understand her. Her flatmate was called. The man couldn't recognize Marta. He recalls her face and lips were blue. She was terribly shivering. She tried to say something.

– When I came over after two days, Marta was still at home and couldn't get off her bed. She lied in there. Couldn't eat. Didn't feel thirsty. She had no feeling in her fingers which she lacerated climbing up the pier – records Mrs. Teresa. – She was in shock. She kept repeating that it was an accident and that God wanted her to live on even though Csaba died. She asked to take her to the funeral home. I dragged her there for she was too weak to walk but she said she had to see him off. We signed the book of condolence. I felt teared up inside. I'm her mater after all. I couldn't even imagine what could Csaba's mother feel back then. This was a tragedy for us all. It wasn't an evil man. He just got caught up in all that.

The Garda

The Garda officers came for the first time when Marta was still unable to walk. They took her documents. They also took her phone and laptop for examination. The woman signed a consent form allowing to publicize the case and authorizing the police to treat whatever she had said from the very beginning on as formal statements.

– That was a mistake, but none of us knew it back then – admits the mother. – My daughter did whatever she was asked for. She was in shock. She wanted all of that to end as soon as possible. For this reason the first two hearings were conducted without an interpreter and without a lawyer. Only half a year later, at the third hearing, they were present. It seemed the case has been closed. The Garda turned my daughter's passport back and said she may go back to her country. They only asked to send a postcard from Poland.

Marta posted four postcards with a view of Lublin and the city castle. She glued one grosz coin to one of them. [1 grosz equals ca. 0.0021 GBP – editor's note] What for? She thought that a coin and postage stamp will make a keepsake from another country. She spent a month at home and then came back to Ireland. She worked in the hotel for a short time though. Everything brought memories of Csaba. She tried different part-time jobs. Later she benefited from social welfare payment. She needed some time to get back on her feet.

– In October 2014 she was arrested for premeditated murder. She couldn't understand what was happening. She couldn't understand how was she supposed to murder Csaba, when it was an accident. She was terrified – says the mother. Fortunately she was released on bail but she couldn't leave Ireland anymore. Everyday she had to report at the police.

The trial

The trial started in June 2016. It lasted one month. Irish investigators held it was not an accident but a premeditated murder penalized by Irish criminal law with life imprisonment. And such was the conviction. In this circumstantial trial the jury endorsed prosecutor's claim that Herda used the car as a murder weapon. She knew that Csaba couldn't swim. She couldn't tell if she opened the window after the car hit the water or she had driven with the window wound down despite frosty weather. She couldn't explain who pulled the handbrake 13 feet before the bulwark's edge.

– It all started when right after the the accident she told the investigators in English that she 'drove to the water'. It was interpreted not as pointing to the immediate cause of the tragedy but as revealing the intentions of action. I guess this must have been prosecutions assumption – thinks Mrs. Teresa Szczuchniak. – Everything was used against her. Even those postcards from Poland. They presented it as an attempt to bribe the Police or to mock at the judiciary to their very faces. My daughter supposedly sent the postcards to ridicule them after her alleged escape. But if that had been the case why would she have ever come back? And if she had intended to kill, why would she

have hit the crash barrier. Four years ago there was just one narrow barrier. You could have easily driven to the water by gently turning the steering wheel.

Immediately after conviction Marta Herda has been arrested. She was shocked but she didn't lose hope. She was hoping to prove innocent in the appeal trial. However last Thursday the Irish Court of Appeals confirmed the conviction of lifetime imprisonment.

– Our daughter can call us twice a day, each time for 6 minutes. These are very hard calls. She is devastated. She is depressed – cries her mother. – She tries to keep her day organized. She occupies a single-person cell. She works in a prison library and attends painting and sculpture classes. Recently they asked the guards to video-record as she reads a story to her daughter's children. She smiles at the video but this is just habitual. Still even more so we need to stay strong for her.

The family can submit an appeal to the Supreme Court of Ireland by Thursday. They are preparing documents for the European Court of Justice and the European Court of Human Rights. They look for help wherever they can.

Szczuchnik wrote even to the pope.

– I would like to assure that the Holy Father embraces you and your daughter Marta in his prayer recommending you to God's mercy. His Holiness encourages you to trustful prayer and to offering your matters to the most holy Mother who also were beside the cross – wrote in reply the assessor for General Affairs, Paolo Borgia.