

## **Recorder**

### **More than taking notes!**

I am a barrister and I have been sitting as a recorder of the Crown Court in criminal cases for about three years. I usually sit for two weeks at a time. People often ask "what is a recorder?" I'm used to the quizzical looks when they ask "why did you want a job taking notes in court?" Recorders are part-time - or fee-paid - judges in the Crown or county court whose jurisdiction is like that of a circuit judge but they handle less complex or serious matters.

### **An unpredictable day**

The alarm goes at 6am and the usual family "affray" caused by the kids getting ready for school begins. I arrive at court by about 8.45am. The court day is rarely predictable. The listing officer bestows upon me a diet of cases including assaults, drug and dishonesty offences with a bit of unexpected "spice" like tachograph fraud to precipitate an immediate dash to the court library!

### **From World Wide Web to wig and gown**

If I am starting a new case, I identify the factual and legal issues involved and then do some research. With my laptop linked to the judicial intranet, it's a quick whiz along the superhighway to research authorities on line and prepare templates for decisions, sentences and summing up. Time passes when you are having fun and it's now 10.15am. On goes my wig and gown ready for a 10.30am start.

### **Working with court staff**

The court staff and I work together to keep a punctual court timetable. It's not as easy as it looks, Crown Court buildings are structured so that jurors, defendants, witnesses, and the judiciary are kept separate. Occasionally a vital participant is late, goes missing or simply gets lost in the building. I try not to wear marks in the carpet by pacing up and down while waiting! If a defendant is late without a proper excuse, I issue a bench warrant for their arrest and/or withdraw bail.

### **Keeping the peace in court**

In most trials I sit with a jury selected at random from the electoral roll. I try to make the jury and court users comfortable while maintaining the formality of the proceedings and ensuring that cases are run fairly, efficiently and in accordance with the law. On the whole, court users are cooperative, but temperatures can run high and if necessary I am firm with anyone who is disruptive. Often no more than a sharp look is needed to quell anyone murmuring in the public gallery, if only it would work on the children at home! And no, it's nothing like Judge John Deed but the diversity of the participants in most court "dramas" is a cultural melting pot. Sensitivity and awareness are required and where possible adjustments are made for people of different cultures or religions and those who have disabilities.

### **Evidence**

Witnesses and defendants of all descriptions and backgrounds give evidence. Interpreters are made available for those who need them. The evidence and questioning of some witnesses can be fascinating. Exhibits like firearms, drugs, and quantities of money are produced in evidence. Audio visual equipment is often deployed to show DVD and CCTV evidence with an occasional attack of the gremlins!

### **Summing up**

It is my duty to sum up the case by directing the jury on the law that they must apply in reaching

their verdicts and by reminding them of the prominent evidence in the case. A good summing up requires time and effort. Certain legal directions must be given. Keeping the legal directions as simple and as practical as possible while complying with legal guidelines is not for the faint hearted. Proper preparation is needed to produce a structure and balanced review of the evidence. A good summing up takes real work, it's a bit like a swan, graceful on the surface, paddling like mad underneath! As soon as the jury retires to consider their verdict, the listing officer ensures that another case is ready for me to start straightaway.

### **Verdicts and sentencing**

During trials, juries listen diligently to the evidence and they may take hours, if not days, to reach their verdicts. A buzz of anticipation is felt when a jury returns its verdict. Whatever the verdict, the consequences, especially for the defendant are significant. If a defendant is convicted, I must decide sentence, usually after a pre-sentence report has been obtained. The law on sentencing is fast developing and extremely complicated. After researching the legal position and weighing up all the available evidence, I aim to pass the most appropriate sentence for the offence and the offender taking into account all the competing public interests. Passing sentence is a very onerous responsibility which I take extremely seriously.

### **'Wig hair' and more work: after court**

The court day is over, I hang up my wig and gown and try to rescue my flattened hair (wigs are not a style statement!). I may continue to work on the case or I may go back to Chambers to work on my briefs because the two weeks sitting does not put the "day job" on hold. Then it's home, sleep and ...there goes that alarm clock again!