

Entry 4

Oral advocacy is required of barristers in different contexts: conducting conferences, witness handling, making legal applications. However, it is a closing speech in a jury trial that immediately springs to my mind on hearing the word 'advocacy'. I have been extremely lucky to have witnessed 16 closing speeches by 16 different Kings Counsel, 11 of which were in the 10 defendant murder trial. It has been a fantastic opportunity to observe different approaches to that final act of persuasion.

As I mentioned in my last entry, I was set the task of constructing and then delivering two closing speeches. I was to do this for Defendant one (the principal) and Defendant four (charged on a secondary liability basis). These two were set for a reason: each had a different evidential base to work with and posed different challenges. As a result, they ended up being two very different speeches. When putting these closing addresses together, I considered what analogy reflected to some degree the defendant's case, while being relatable to the jury. I used this to open my speech; to frame the submissions that were to then follow. I then focused each speech on the most compelling and convincing points for each defendant. For example, evidence of Defendant four's instinctive immediate reaction to the incident was the focus of my speech.

As with the prosecution opening that I have mentioned in a previous entry, I delivered these closing speeches in the court room. For one of them, I had the Officer in the Case and the police analyst posing as jurors. It was nerve-racking and enjoyable in equal measure. It was an opportunity I was extremely grateful for.

News of partial verdicts reached us from Court 4 after numerous days of the jury deliberating (the 10 defendant murder trial). Our client was found not guilty of both murder and manslaughter. The two murder cases that I have observed in my trial have instigated considerable reflection on the law of joint enterprise and the public interest in charging, particularly children, when there is no direct evidence of assisting or encouraging in an offence. While appreciating my knowledge is limited, it seems to me that the proposal to introduce a bill that would require the contribution to be a 'significant' one, would be a more just approach. This is something I hope to explore further over the next few months.

Since my last entry, I have attended a number of social events. Two of which were black tie so required me to ditch the court suit and sport something more glamorous! The first was the Manchester Legal Awards at the Midland. The second was an event held by Chambers to celebrate recently appointed judges, held at the Radisson. I also attended the case dinner for the 10 defendant trial. I was sat next to the Judges' Clerk which was fantastic both socially and educationally. I learnt a great deal about the nature of their role and the wide range of work they do. Judge Goose also kindly took the time to speak to me about pupillage and the case during the course of the evening.

Having spent the most part of my pupillage shadowing and working with defence counsel, my next entry will include observations from a prosecution perspective.