

# THE CIRCUITEER

## INSIDE THIS ISSUE

03

Leader's  
Report

06

Participants  
on the Keble  
Course

13

Bar Mess  
Reports

16

SEC Reception  
at Lincoln's Inn

## LEGAL CLOTHING FAIR

Kalisher Trust (alongside Ivy & Normanton) hosted their first ever legal clothing fair.

PAGE 10

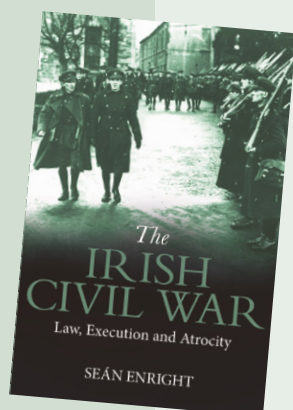


## BOOK REVIEW:

## THE IRISH CIVIL WAR

Robert Forest from 2 Kings Bench Walk reviews this fascinating account of a dark period in history.

PAGE 12



## THE POWER OF KINDNESS

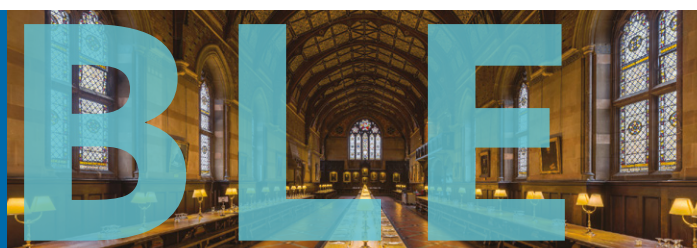


Shalaleh Barlow writes about kindness in the legal profession.

PAGE 9

## KEBLE INTERNATIONAL ADVOCACY COURSE

PAGE 4



# EDITOR'S COLUMN



Leon Kazakos KC

I left you in late Spring, with promises to return in the Autumn. That appears to have been one of my emptier promises as it's now nearly Christmas.

The summer was dominated, for the criminal barristers on our circuit and elsewhere, by the sort of industrial action that was a first for the Bar. I hope, if you were one of those who took difficult decisions, that you have come through the summer financially in one piece – or as close to one piece as possible. While it was without doubt an anxious time for all those practising in criminal work, what was heartening was to see the amount of help that came from all corners of the rest of the Bar. Special mention must to both the Employment and Public Bar. It was a demonstration that – although we may be divided into our specialisations – the Bar is one profession, and we help each other. The South Eastern Circuit, with its broad objectives, ought to be (and is) an organisation for all barristers in the South East, to bring together those who practice, regardless of specialism.

Although I've failed singularly to bring you an edition in the Autumn that doesn't mean that the Circuit has been quiet. The Keble Advocacy Course has long been one of the best things about this Circuit. It is hard work for all involved, whether giving up their time for free (again) to teach on the programme or whether studying, practising and learning. It is also the best guarantee there is of improvement in advocacy at that stage of practice. In this edition participants on the course have written about their experiences and what they learned from, in their words, "the best of the bar". If you have the chance to go on the course, take it. If you're as brilliant as those who teach and have taught on the course (and that is a high bar indeed) perhaps you could find some time to contribute to it.

Something else I failed to do this summer (thanks to the ever-popular Coronavirus) was attend the Circuit Summer Reception, held once more in the grounds of Lincoln's Inn. You can see the photos of some of the fabulous members of the Judiciary and the bar towards the end of this edition. I hope that there will be more chances for us to see each other socially in 2023.

The Kalisher Trust, which has transformed a number of lives and continues to do so, teamed up with Ivy and Normanton to pass on clothing to barristers at the start of their careers, where money is tight. Another event is planned for February next year. If you are recently in silk, think about passing on your junior's gown. If you have suits, dresses and so on that you don't need or have ... ahem... grown out of ... think about making a donation. I would, but I doubt there's much demand for an inside leg measurement in single figures, and a waist in triple. Elsewhere Rob Forest's article on HHJ Seán Enright's book on the Irish Civil War is an excellent review, as clear and as careful as the book itself.

In a large Circuit the Bar Messes are an invaluable way for us all to stay connected. My thanks to the Chairs and juniors of those messes for their regular updates to the Circuit on the developments in the courts in which they practice, the latest reports are at pages 13 to 15.

This will be my last edition as editor, it has been a privilege to edit this magazine, but it has been a bigger privilege to be able to ensure that articles by others have made it to print. How people find the time to write, I do not know, but I have been struck (but not surprised) by how generous others have been with their time, from the Bar, from the Bench, from organisations and elsewhere. I'm very grateful to all who have written and grateful to all who wanted to write but found that practices, responsibilities and life got in the way. Kevin Molloy, who seems to have a limitless supply of enthusiasm and energy for this Circuit, will be your editor for the next editions. I know you will join me in my thanks and congratulations to him. I hope that you will consider either writing, or suggesting ideas for, articles for the coming editions.

My final thanks are to Harriet Devey and to Aaron Dolan. The help they provide to this Circuit is very substantial indeed and this magazine and its articles is one of the things which would simply not reach the Circuit without them.

A Merry Christmas to you and your families, and my very best wishes for the New Year.

Leon Kazakos KC

- 2 Hare Court
- Elected member of the SEC Executive Committee

**If you wish to contribute any material to the next issue of The Circuiteer, please contact: [K.Molloy@churchcourtchambers.co.uk](mailto:K.Molloy@churchcourtchambers.co.uk)**



# LEADER'S REPORT

**Christine Agnew KC**  
**LEADER OF THE SOUTH EASTERN CIRCUIT**

I cannot quite believe that my term as Leader of the Circuit is coming to an end. Looking back over the past two years, I can honestly say that it has been an absolute privilege to hold this position – thank you for giving me the opportunity to do so. I have learned so much about the workings of the courts, HMCTS, CPS and MoJ and now appreciate better how easy it is to complain about things and how hard to actually get things changed! I have also had the great honour to meet many of you, albeit sometimes virtually, and hopefully understand more of the concerns you have.

Having come safely through Covid and the CBA strike action (and the consequences of both), it is not surprising that backlogs are long – especially as we know that they were already long before either of those events. I know that you all are working hard to help the courts and listing officers deal with the situation, as long waits for cases to be listed do not help anybody. We will need to be patient and respectful, but hopefully we will start to make inroads soon. Thank you for your efforts.

I have also come to understand the difficulties that exist in the Employment Tribunals, Family Courts and County Courts; thank you to those of you who have taken the time to explain and guide me through the issues.

It has been a great pleasure to meet many members of the Circuit judiciary – Presiders, Resident Judges and others. They are all doing their very best to keep the system moving forward and almost without exception are aware of the challenges faced by the Bar and keen to support us. We enjoyed two Summer drinks parties for the judiciary to thank them for that support, and it is only a shame that in the end we couldn't hold more events during my term – although I'm sure my successor will be happy to take that on as a goal!

I am delighted that two new mentoring projects have launched during my time as Leader – the reverse judicial mentoring scheme, initiated by Mrs Justice Cheema-Grubb and wholeheartedly supported by various volunteers from the Circuit; and the Silk mentoring programme, which will be fully up and running for those applying next year.

The careful management of our finances by the Circuit Treasurer, Paul Cavin KC (and his predecessors) mean that we are now in a position to instigate a SEC Financial Support Fund, which will be used for small grants to those practising or hoping to practise on the Circuit who are in genuine need. This might mean the cost of a suit for someone applying for pupillage, or the price of a train ticket to attend an interview. I am thrilled that this scheme has come to fruition – it is clearly to the benefit of the Circuit to ensure that all those who are talented enough to practise are able to do so, notwithstanding any financial obstacles which they may face. Please do spread the word about this new Fund.

Education and wellbeing events have continued to help members of the Circuit, mostly online but increasingly in person. And this year, the SEC flagship Advocacy Course at Keble College finally returned, bigger and better than ever. I am indebted to Allison Hunter KC and

## South Eastern Circuit Annual General Meeting 2022



Those who attended the Circuit AGM were rewarded with drinks at the Bunghole Cellars afterwards to thank Christine for everything she has done for the Circuit over the past two years, and to celebrate Leon's election as the next Leader.

Fiona McAddy for running the Circuit's education, Nicola Shannon for organising wellbeing sessions and Sarah Clarke KC and her amazing team for organising Keble. Of course none of this would be possible without the excellent Aaron Dolan, the real powerhouse of the SEC. We are all indebted to him.

Thanks to all those circuit members, associations and organisations who have emailed me with suggestions, experiences and problems.

I would also like to thank the SEC Executive Committee. The Bar Mess Chairs have done a great job trying to keep morale high during the difficult times of Covid and strike action. And the pre-covid issue of digitalisation leading to isolation has only been exacerbated by the (admittedly welcome) use of video hearings. Your Bar Messes are there to support you and ensure that people do get the chance to interact other than on Teams – there is no doubt that we all benefit from meeting up IRL, whether in a professional or social context.

Huge thanks are due to Aaron who has organised us all so wonderfully, despite the extra difficulties of the last couple of years. Equally enormous thanks must go to Harriet Devey, the SEC PA. She is a huge asset and organises me and the other members of the Executive Committee with good humour and fantastic efficiency. Without these two people this job would be impossible.

And to my fellow Circuit Leaders – we may face different issues on different Circuits but we always work together to support each other. I am very grateful to my predecessor, Mark Fenhalls KC, who left this role to become Chair of the Bar Council and has had an extremely challenging year.

I am delighted to announce that the next Leader of the South Eastern Circuit will be Leon Kazakos KC. He will be an excellent Leader, bringing his own talents and interests to this role, and continuing to fight hard for all on our Circuit.

He has successfully produced issues of The Circuiteer this year. We shall have to find a replacement which is a great shame but as I say I know he will be a superb Leader.

I will genuinely miss this wonderful position as Leader. I know I haven't achieved a lot of what I thought I might but thank you for giving me the chance to try. It has been my absolute privilege to be your Leader. As I have said before it is the best work I have ever done and am ever likely to do.

**Christine Agnew KC**

• 2 Bedford Row  
• Leader of the SEC 2021/22



# KEBLE INTERNATIONAL ADVOCACY COURSE

Keble had seemed like *such* a good idea when it was first comfortably seated in our diaries a few months in the future. After all, what could be a greater professional challenge for (reasonably) young advocates than to spend a week being intensively drilled by the very best advocacy trainers in the country? But as the course papers thudded onto the metaphorical doormats of our inboxes, suddenly it seemed just that little bit too real.



Over the next few weeks, amid intermittent days of action being undertaken by the Criminal Bar, we slowly pieced together what it was that would be expected of us: thorough preparation, enthusiasm for understanding (and decoding) the finer points of somewhat opaque expert witness reports, and perhaps most intimidatingly, the need to perform our advocacy in front of a list of expert tutors who between them had enough silk and red cloth to start a small haberdashery.

We carefully scoured the timetable to see how much work we had ahead of us. The week is split between talks, demonstrations and small group sessions. The talks and demonstrations are designed to assist you with the work you do in your small group sessions. You are assigned a group tutor for the week who is in every small group session with you, but you also have two additional tutors who are on rotation every day. This meant that we were able to receive feedback from almost every tutor on the course. The

timetable looks quite punishing (and it feels a bit punishing when you are there), but every session is invaluable.

So it was that on a hot and dusty Tuesday morning that we filed into a lecture theatre to hear from course director, Sarah Clarke KC, deliver some words of reassurance: yes, it would be hard work; yes, we would all make mistakes that we would look back on and cringe at; yes, most of us would likely drink too much the night before the all-important mock trials; yes, she had sat where we were now sitting. Above all, she emphasised that we would have a week of good fun and make new friends (potentially) for life.

The rest of that Tuesday passed in something of a blur: finding our way to our teaching spaces; meeting our fellow group members – some of whom had travelled many thousands of miles to be with us; delivering closing speeches; and listening to an example closing speech from one of the finest silks practicing at the criminal bar – John Ryder KC. While it was tempting to simply write down every word he said and then deliver it at our mock trials a few days later, we decided that it may be frowned upon and so (for once) got to simply enjoy a closing speech rather than deciding how best to counter the arguments raised.

Tuesday was also the day that we were introduced to the horrors of “video replay”. You are given a memory card at the beginning of the week which you take with you to each session. You are then recorded performing your piece of advocacy in front of your group and two tutors. You then go off to a video replay room to watch the recording with another tutor who will give you additional feedback. With two lots of feedback given, you trundle back to your room to have another go. There must be a German word to describe the particular kind of embarrassment and anguish caused by watching oneself back on video. We only heard the first video replay as we slowly rocked back and forth with our eyes covered. It did, however, get at least 10% less excruciating by the end of the week.

On Wednesday, we continued to get down to business as we had the opportunity to practice our witness handling skills on our tutors (there is something slightly surreal about cross-examining a High Court judge pretending to be a belligerent police officer, or a reticent drug addict) and revising our performances by repeating small parts of them following critique from other faculty members. The practice of performing, being critiqued, and then replaying advocacy lies at the heart of the Hempel method which is the cornerstone of the course.

After a persuasive talk and demonstration on appellate advocacy on Thursday morning, we found ourselves exploring our breathing and our voices in a fascinating interactive lecture led by the voice



coach, James Hartman. While phrases such as 'interactive lecture' may strike fear into the hearts of all but the most gregarious lawyers, but this was a genuinely informative and interesting session which caused each of us to consider how we might "perform" our advocacy in a slightly different way.

Then came the experts. The day that we had been dreading. In preparation, Thursday afternoon and evening was dedicated to preparing us for a Friday full of expert conferences and witness handling. We had a memorable demonstration from Sarah Clarke KC and David Nolan SC. Sarah gave us her top tips and, for each tip, gave a demonstration of how well (or how badly) it could go in practice, with David Nolan SC playing her medical expert. All demonstrations were crucial in helping participants unlock the skills needed for the small group sessions.

After dinner, we had a hilarious and informative briefing from one of our expert accountants who was kind enough to demonstrate using lego blocks to assist the criminal practitioners in the room. Notwithstanding the useful tips given at the briefing, there were many early nights and copious amounts of midnight oil burnt to try and get to the bottom of the reports.

The next day dawned bright and early – as participants we had an 8.30am start as, before the fun of witness handling, there were conferences to be had with the experts. Conferences which were observed by half of our group as well as a tutor. From there, it was straight into witness handling on topics as obscure as "customer contributions towards tooling" and "revenue recognition on sales". So, all in all, just a light day.

Friday ended, however, with a celebratory banquet to thank our expert witnesses, and as a way of blow off steam after four days of intense work. It was also an opportunity to reflect on the great efforts that have gone into making the Keble International

Advocacy Course the success that it is today. In particular, we were able to remember the contribution of HH Alistair McCreath QC who passed away in February 2022. His influence was such that he had drafted the papers used by criminal participants throughout the course.

For some of us, Saturday morning was somewhat misty although the weather was fine and warm. Our final day was to be spent pulling our new-found skills together by conducting a mock trial in front of jurors drawn from members of the public. For once, we would also have the opportunity both to observe their deliberations (as these were filmed) and to ask for feedback on what they found persuasive, and what they disliked. The results were fascinating: clarity of submissions is a big plus, but the wearing of red socks by counsel is (apparently) a big minus as apparently it can be distracting. It was startling and helpful in equal measure to hear what points our jurors thought were important. We also had the opportunity to get feedback on our performance from three tutors (some of whom gifted cartoon illustrations of their feedback).

And just like that, our five days at Keble were over. Goodbyes were being said and taxis ordered. The train back to London permitted us some time to reflect over some Marks and Spencer gins and tonic.

Keble is an invaluable experience for any barrister. It is a chance to take stock of your own advocacy in a friendly, and collegiate environment. It really is a brilliant course full of brilliant people. Having a group tutor who stays with you throughout, with two additional tutors on rotation each day, meant that we had the opportunity to learn from so many wonderful barristers and judges. It is hard work, but it is so worth it. We truly had a fantastic time.

Although the phrase 'the best of the bar' is frequently overused, Keble encapsulates the phrase – judges, silks, senior juniors and participants all giving up their time to promote the skill of advocacy. It is, moreover, genuinely collegiate and open to all. We could not help but observe that many of the scholarship places are not taken up. So, to anyone reading this with an eye to completing the course in the future, what are you waiting for?

**Genevieve Reed**

• Red Lion Chambers

**Nick Murphy**

• 25 Bedford Row



# Participants on the Keble Course

In the Summer of each year the South Eastern Circuit Bar Mess runs its intensive Advanced International Advocacy Course at Keble College, Oxford. The aim of the course is to encourage and develop the highest standards of advocacy amongst practitioners and it is the most demanding and intensive of any advocacy course in the UK.

We asked two participants of the 2022 course (Jas Jandu and Lara Kuehl) to offer us their thoughts on the Course.



Lara (left) and Jas (second left), together with their Civil Advocacy Group on the SEC's 2022 Advanced Advocacy Course at Keble College, Oxford.

## Q1. TELL US A LITTLE BIT ABOUT YOURSELVES AND YOUR PRACTICE?

**Jas:** I'm a self-employed Barrister at 7BR Chambers in London. My practice ranges from Financial Services Enforcement and Financial Crime to Commercial Litigation. My work is a mix of Advisory, Investigatory and Contentious work. I'm also a former Commercial Litigation Solicitor and ex-FCA In-House Counsel. Overall, I have almost 20 years' experience of advising and acting for UK or international corporates, individuals or public bodies on complex litigation and matters of English law.

**Lara:** I am a Chancery/Commercial barrister practising from Selborne Chambers in London. I have been practising since 2015. Before then, I was a solicitor in the London offices of two US law firms and I also spent two years working as a Cayman Islands attorney in Grand Cayman.

## Q2. WHY DID YOU DECIDE TO DO THE COURSE?

**Jas:** We all had an intensely strange two years during the pandemic. For my part, it meant a lot of 'working from home'. So, as we re-emerged from the lockdowns of 2020-21, I began scoping out what in-person events I would want to attend in the near future. In terms of training, I felt now was an ideal time to sharpen up my Civil Courtroom skills and so I decided that one great way to do so would be to attend the SEC's 2022 Advanced Advocacy Course.

**Lara:** The course was highly recommended to me by a number of other barristers as being the best advanced advocacy course of its kind in the world. Having now reached the stage of doing more trials and appellate advocacy on my own, I thought this was a good point in my career to try to improve my advocacy skills (that said, there were far more senior advocates (including silks) attending the course as well – the advantage of the way the course is taught is that it is tailored to your own level of skill and even fairly senior advocates would benefit from it).

## Q3. WHAT WAS YOUR EXPERIENCE OF THE COURSE AND HOW IT WAS TAUGHT?

**Jas:** In terms of preparation, you'll receive a link to the course papers a few weeks before the course. It is recommended that you spend at least 4 days preparing, but you can of course devote more time to it if you want to. There are also pre-course deadlines for the filing of short Skeleton Arguments. I would

recommend blocking out time in your diary to prepare in good time and to ensure you get the best out of the course.

You will then spend four nights and five days 'on campus' at Keble College, Oxford from Tuesday to Saturday. The rooms are well-kept. You get to have breakfast, lunch and dinner 'in hall' so all your meals are taken care of. My room was at the top of an old red-brick block which meant a fair few flights of stairs to get to it (good for my daily step count!). If you studied elsewhere and have ever wondered what it's like to be a student at Oxford University this is certainly one way to find out...

The practical course itself uses a form of 'Hampel Method'. There are large group plenary sessions to attend but all advocacy practice is in small groups of around 6. You are filmed and receive immediate feedback in the classroom followed by a private one-on-one video feedback session in another room. You then get to have another go at improving your advocacy in a 'replay' session shortly afterwards.

From day one (of the five days), we got stuck in right away. We started by presenting closing speeches, and over the week went on to witness handling and appeal advocacy. We also dealt with expert evidence. Accountants and medics attend on Friday, in order to be grilled by you. I took on the Forensic Accountants from Deloitte, whose work is highly relevant to my practice areas. You also get feedback on your written advocacy and have a chance to have a voice and performance coaching session with two experts in the field.

The ultimate highlight for me was the Saturday mock trial which took place before a visiting Judge. You are usually paired with co-counsel and so it is not all down to you to carry the day, but you do have to co-ordinate carefully with your trial partner. I also played a witness for another group's mock trial in the morning (great for exercising your amateur dramatics skills) before appearing as advocate in my own mock trial in the afternoon.

The course is extremely well-run. It is quite a demanding schedule of training which requires everyone to play their part and be on time to ensure things go smoothly and everyone gets a fair chance to participate. Making this all work seamlessly behind the scenes are the course administrators and a small army of helpers, and I would like to thank them again for their hard work. Everyone wants you to enjoy the experience and get the most out of it that you can.

I found it to be a truly gruelling programme but it was well worth it given all the excellent feedback you get, which you otherwise may not receive from anyone. You are often in the dark as to how your presentation style and advocacy skills land with judges – this is a great chance to find out. It can be an exhausting week, but the group camaraderie and helpful feedback from the tutors keep you going.

**Lara:** I thoroughly enjoyed the course and would recommend it wholeheartedly to anyone. Like Jas, I found it very intense, but not unpleasantly so – I would suggest setting aside at least 3 or 4 days before the course to prepare (which I did not do), which should hopefully save you from too many early starts and late finishes.

The calibre of the teaching was excellent – the tutors included High Court and Court of Appeal Judges and very experienced advocates from a number of jurisdictions. It was also possible to sign up for one-to-one voice coaching, to work on improving the quality of your voice and diction, which I found very helpful (apparently, I do not use my diaphragm at all, which leads to strained vocal chords).

The social side of the course was also excellent. You work with the same small group of participants all week and bond with each

other over the difficult nature of the exercises. At every coffee break and meal-time, you meet lots of other advocates and faculty members from all over the world. At the end of the week, there was a formal banquet. I met a great many very interesting people, whom I hope to stay in touch with.

The topics covered included closing submissions, witness handling, dealing with experts, appellate advocacy and written advocacy. All the sessions were very helpful, but I particularly appreciated the expert handling day, which involved working closely with genuine experts (I did the forensic accounting option, so I worked with a senior partner from Deloitte, and it was also possible to do a medical expert option, in which case the participants worked with senior medical consultants).

#### Q4. WOULD YOU RECOMMEND IT TO OTHER ADVOCATES AND, IF SO, WHY?

**Jas:** I would recommend it without hesitation, if you are willing to make the investment in time and money. There are also scholarships available for those who do publicly-funded work, which do not always get filled. That is a real wasted opportunity and I would urge those who qualify for support to look into it. I struggle to see how anyone at any level would fail to get something out of this course. It is open both to members of the Bar and Solicitor Advocates (as I once was before I transferred to the Bar).

It is taught by an excellent faculty of senior lawyers and judges (both from the UK and abroad) so you get an excellent range of perspectives and feedback throughout, as well as a chance to put the learning points into practice in real-time. You will also make a wonderful range of international friends and contacts. There is also a great social event, a banquet, on the Friday evening before we head into the Saturday mock trials (so just be careful how much you drink that night!).

**Lara:** I think this was one of the most effective courses I have ever attended. Every detail was covered, ranging from presentational issues such as posture and voice (I had a nervous tic that I was unaware of that was eliminated over the course of the week) to substantive issues such as the best order in which to approach topics during cross-examination and how to reframe issues during submissions. Every single participant I spoke to felt that they left as a far advocate than when they started. I cannot recommend this course highly enough.

#### Further Information:

For further information please contact the Aaron Dolan on [aaron.dolan@southeastcircuit.org.uk](mailto:aaron.dolan@southeastcircuit.org.uk)

Jas Jandu

• 7 Bedford Row

Lara Kuehl

• Selborne Chambers



# KEBLE and the Jamaican Bar

Cheryl-Lee and I have been called to the Jamaican Bar for approximately twenty (20) years combined. However, we eagerly anticipated the opportunity to attend the South Eastern Circuit Bar Mess Foundation Advanced International Advocacy Course at Keble College, Oxford. We knew beforehand that the Course would not be a simple one, based on the feedback we received from our colleagues within the Financial Investigations Division who were previous participants.

In fact, we got a sizeable whiff of what the Advocacy Course was about from the Course Administrator Aaron Dolan. He provided us with the necessary material to include, schedules, and maps and advised us to take some time to prepare, but the truth is, one has to experience the actual Course to truly grasp the extent of the impression the five-days Course was to have on our lives.

Each day of the Course flowed seamlessly for the most part, and where there were challenges, there was always someone available to ask questions and give instructions, which was pivotal for a Course of this magnitude. The assignment of a Tutor to each group was also wise, as it provided a familiar voice and face at a time when quite a bit of new methods and information was being shared with Attorneys from various backgrounds. It also allowed my colleagues and I an opportunity to learn from a consistent source over the five days. In our case, we operated under the able guidance of Her Honour Judge Sarah Whitehouse KC, whose decisiveness, practicality, and patience were necessary for a time such as it was at Keble.

Each day was a classroom packed with worthwhile lessons and teachable moments. The days started early and were by no means short. It was a practical course from beginning to end, and as such, most nights were spent preparing for another day of practical advocacy. This was a constant reminder of Aaron's early advice to set time aside to prepare for this Course properly, advice that should be taken to heart. It makes the scheduled sessions easier for each participant and those sharing their wisdom with us. Additionally, if you want to spend most of your nights enjoying the nightlife, bonding with your knowledgeable colleagues, and resting up for the next day in the soft plushness of the beds provided, it would be wise to spend time preparing for the Course before you arrive at Keble.

We spent hours in the care of seasoned advocates who, for those moments, were our banks of knowledge and expertise, from

whom we could pull as much or as little, depending on your mindset, as we wanted.

The Course required one to be open-minded yet cognizant of jurisdictional restrictions regarding how the law is practiced in your space. As international participants, the instructors were willing to hear why our written and oral advocacy differed in the ways it did, and we were also able to adjust our advocacy for the purposes of the course. In doing so, our advocacy skills have been refined, invigorated, and expanded. This was not the space to be stuck in our ways and previous experience at the bar, it was an opportunity for growth, and as legal minds, such opportunities can never be wasted.

So indeed, our jurisdictional "differences" was the scale that we used to weigh certain portions of information, but even so, it was not often used because, as members of the Commonwealth, the differences were not so significant that they could not be overcome. Accordingly, wisdom dictated that we grabbed as much knowledge as possible, and then on our return home, we put to use all that we could be and retain in the vaults of our minds, the rest, for any possibilities that the future may hold elsewhere. After all, advocacy is a skill that can be as flexible as ever when best handled.

Prepare, Prepare, Prepare! As an Advocate, one can never be too prepared. One must know their brief inside and out and be ready to address any question, including questions of law relating to their brief. We were reminded that, like us, Judges are humans, and as such, one must be cognizant of this, especially since they had the final say for *that moment* (appeals being an option).

The smallest details, or what some might consider to be small, were not ignored during this Advocacy Course. This included voice training sessions. For some of us, voice training was restricted to our vocal abilities in the musical arena, not the court. It was a pleasure to hear the experts share their thoughts on how our voices, speech patterns, and expressions affected our advocacy. It is remarkable how one's tone and facial expression can work to our disadvantage if one isn't careful. The nuances in our voices as we ask questions and make submissions to either a judge alone or a jury can significantly impact the outcome of a matter, as can the sound or lack thereof, of a smile as we seek to advocate and persuade on behalf of our client (s). Such were the lessons learnt during our one-on-one sessions with seasoned experts in this area — the course would not have been the same without these coaches coming in to add to the impact made over the five days.

Judges, Solicitors, Barristers, Accountants, Medical Experts, and other professionals took the time out of their schedules to sit with us and share their expert and honest review of our work and efforts. We were reminded that the feedback was not a personal or professional jab but a part of the learning experience, meant to build and not break us. In the moment, the initial feedback wasn't always easy to swallow, but when the wisdom shared was applied in our review sessions, in the mock trial on Saturday morning, and even on the job upon our return home, it all began to make sense. Without a doubt, we left Keble College with wisdom to last us for decades to come.

We were able to create connections with colleagues from different jurisdictions, some of which remain intact to date and will impact our advocacy for years to come. One of our colleagues managed to carry on various tasks from her 9-5 while balancing her responsibilities at Keble, which was admirable. The level of commitment on display from the participants pushed you to up your game at all times. Everyone understood the assignment—no one came to do anything other than learn at the feet of the greats and become better versions of ourselves, which we did.

Everyone should take this opportunity to experience a culture of openness that, as practitioners, we do not always get to participate in in our home countries for multiple reasons. Judges and Counsel rarely sit side-by-side, dine and have conversations that could impact your professional lives for years to come but for the five days at Keble; this was a possibility.

The final day of the course, the mock trial day, was eagerly anticipated because we all wanted to put the lessons learned to the test – and that we did! It was clear that great effort was put into the mock trials and the effort was worth it. Not only did we get a chance to receive written and oral feedback from seasoned men and women at the bar who observed as we went through the trial, but we also had the rare pleasure of hearing feedback from the jury, "the man on the bus," men and women who gave of their time on a Saturday. While this isn't usually done in the actual practice of the law, it was still an interesting experience worth noting.

The lessons shared and learnt over the five days between Tuesday, August 30, 2022, and September 3, 2022, were plenty. We, as advocates, will be better storytellers on the job; we will craft more pointed questions in chief and cross, be more concise in our written submissions, and consider our posture and body language in general as we address both Judge and jury.

This was a highly anticipated course on our part, and the wait was well worth it. We would highly recommend it for all advocates within any jurisdiction.

Cheryl-Lee Bolton and Ann-Monique Bailey

• Financial Investigations Division,  
Government of Jamaica



# THE POWER OF KINDNESS

Dante said, as a justification for placing lawyers in Hell:

**"Lawyers are called to pursue truth, justice and the common good, with singular unity of life. A person lacking in personal virtue can make a good blacksmith, but not a good lawyer, because ultimately, the lawyer offers, or should offer, himself for others in ways that the blacksmith cannot."**



This review was first published in Law Gazette

I know of almost no lawyers who do not help when they can, even where they do so quietly, where no one can see them being nice. I have no idea about their "personal virtue", except that they could choose not to help but go the other way.

I used to work in the HNW space, first in Private Client and latterly in Family. It was good work; rewarding and lucrative. But watching my mother die too early from an avoidable degenerative disease after herself following a "rewarding and lucrative" career made me think. If I was going to die early through stress and overwork, I wanted to do it for better reasons than that.

## 3 is a Lucky Number

Almost 5 years on and after an astonishing confluence of good luck and kindness, I find myself working for a not-for-profit firm, owned by a charity. I met Russ Mynott, CEO of CAB Chelmsford (via the remarkable Kirsty O'Callaghan, then Head of Essex County Council's Communities Team) in mid 2019, who agreed to work with me. Russ had started a charity called Community Legal Centre Essex, which owned a tiny NFP firm that had faltered. We rebranded it Central Law CIC, diverted all profits to the charity and relaunched it in 3 months. We only did Family Law. Within 3 days, my litigation list was full. Within 3 years, where we are now, 6 lawyers, almost 300 matters and over 600 pro bono clients later, we cover Family, Housing, Employment and Civil Litigation. We charge a bare minimum cost so that legal services are affordable to most.

We now have funding from the Access to Justice Fund to go into the Courts in Essex to advise LiPs without charge, starting on 7th November 2022 (Pro Bono Week 2022). At the insistence of Col. Nick Kitson (ex SAS, retired, but still scary), we deliver free legal representation to serving members of the Armed Forces in Essex, seed funded by CVS North Essex. Thanks to Simon Harris of Essex is United and Molly Herbert, then an undergraduate at Durham, we started a Facebook advice service that now has 100s of members in specialised groups where anyone can receive free answers to their legal questions from our lawyers, within 24 hours. They all helped because they saw the effect of no advice and refused to accept that as an option.

Kindness is a remarkable thing; it builds more than merely good will. It is a magnet that attracts innovation and a glue that binds all sorts of people together. It makes people unafraid to try new things. It is through the kindness of funding from Essex County Council that Central Law CIC exists – because they believed in the idea and then saw the good it did. The ATJF saw that we were serious about plugging the hole of almost no early advice for LiPs and gave us a grant to trial our lawyers (and trained LPC students) being present in Essex Courts, delivering advice where it is most needed. HMCTS in Essex have been brilliant – they have arranged for us to have rooms in all the Courts where they have space. When we trialled the idea at Court, lawyers on "the other side" saw the value in our advice for LiPs and wrote to support the initiative.

Nowhere is the need more acute than for people who face the loss of their home or family or job. The win in a Housing case is not money; it is our client being suitably housed. The win in a family case is not money; it is seeing your kids or relief that you will not lose everything; even in an employment case, where money is of course a factor, often the most important outcome is recognition that, often after a long ordeal, a wrong is recognised and put right.

We know that kindness breeds kindness because of the support that seems to appear from apparently nowhere – the barrister who does not charge for deemed fees because the Court has had to reschedule a hearing, the Court clerk who pushes through an Order quickly because the parties need it urgently, the solicitor on the other side who waits before filing because he knows you are off to see your son graduate. The list is endless and it is thriving in a profession that for individuals can move mountains. We know that as a firm because of the letters that we receive, thanking us for work that we have forgotten we did. We know as people because although we are all greyer, it feels too good to stop.

Shalaleh Barlow

• Family Law Partner, Central Law CIC

 **Central Law CIC**  
Access to justice

# LEGAL CLOTHING FAIR



On Friday 4th November, there was a buzz about Temple as the Kalisher Trust (alongside Ivy & Normanton) hosted their first ever legal clothing fair.

The Prince's Room at Middle Temple was transformed into a treasure trove full of new and nearly new court attire. Suits from Hobbs, Jager, Vivienne Westwood and Hugo Boss. Dresses from Marks and Spencer, Zara and Wallis. Shirts from Next and TM Lewin and some vintage Balenciaga thrown in for good measure. Each pre-loved item kindly donated by a member of the Bench or Bar.

The legal clothing fair was the brainchild of Dame Anne Rafferty, former Lady Justice of Appeal and newly appointed President of the Kalisher Trust. The goal? To pass on (for free) unworn or unused clothing to those at the early stages of their career, who might otherwise struggle to afford to suit and boot themselves.

As well as offering pre-loved work attire, Ivy & Normanton were also on hand in their pop up shop, where beautiful high quality shirts, collarettes and bands could be purchased as well as other formal court accessories.

The atmosphere on the day was joyous. A constant and steady stream of law and Bar students (as well as current pupils and those seeking pupillage) filled the Prince's Rooms, ravaging the rails, picking out items they liked – some still unbelieving of the generosity of the profession and that everything was being passed on for free!

In addition to the suits and formal-wear on offer (including ballgowns and evening attire, suitable for Grand Day etc), were a number of junior gowns that had been very kindly donated by recently appointed silks. Those interested in acquiring a gown were asked to complete a short form and the individuals considered most deserving were contacted a few days later with the good news.

This part of the clothes fair in particular, took me back to my time as a junior clerk (prior to undertaking the Bar course), when Judith Farbey (now Mrs. Justice Farbey) had just taken silk. She heard that I wanted to be a barrister and came into the clerks room of our chambers with her gown. She no longer needed a junior one, and so passed it onto me. Now some 10 years later, this is what I wear every time I am in court and there isn't a day that goes by that I don't think about what a difference it made.

Because it wasn't just that the gift of the gown meant that I didn't have to fork out £200 for a new one – although of course that was a big help! It was that the passing on of the

gown demonstrated that even at the very early stages of my career, there were people willing me to succeed. Me? A state school educated, mixed race woman who grew up on a council estate, with both parents having spent time in prison. It really did blow my mind!

Now, the popularity of apps such as Vinted, demonstrate just how "in vogue" the buying and selling of second hand clothes already is, which is perhaps not surprising when considering the ever-looming cost of living crisis and the increasing number of environmentally conscious consumers. And so, we always knew (well, hoped) that this event would be a success. But if I'm being honest, whilst recycling good quality suits and formal-wear is something that benefits everyone (not least the environment and the bank balance of junior and aspiring barristers), what felt truly special about our legal clothing fair was that the profession really had demonstrated how much they want to help the next generation of barristers coming behind them. It was eye-opening and humbling in equal measure, and really reminded me of why I love being at the Bar so much.

Owing to the huge success of this event (and thanks to generosity of Middle Temple) we will be holding another legal clothing fair on **Friday 10th February 2023**, so please do spread the word. Any donations will be gratefully received at Garden Court Chambers, 57-60 Lincoln's Inn Fields, London, WC2A 3LJ (DX34 Chancery Lane) marked FOA Danielle Manson, up until **7th February 2023**.





**And a final thanks to the organisations and individuals listed below, without whom this initiative never would have got off the ground:**

The Honourable Society of Middle Temple, and in particular Mrs. Justice McGowan, Kerry Pedrick and Katrin Bohland

The Kalisher Trust, and in particular Dame Anne Rafferty, Camilla Darling, Alice Morley, Sapna Devi and Adama Jalloh

Ivy & Normanton, and in particular Karlia Lykourgou

Garden Court Chambers, and in particular Helen Shiels and Angela Ibrahim

And everyone who donated, including but not limited to:

Annabel Hazlitt and her late uncle John Hicks QC

Rachel Chan of 42 Bedford Row

Kate Bex KC of Red Lion Chambers

Andrew Sharland KC of 11 KBW

Aileen McColgan KC of 11 KBW

Clive Sheldon KC of 11 KBW

Lauren Gardner of Spire Barristers

Sonia Larbi Aissa of 33 Bedford Row

Anne Marie Critchley of 4 KBW

Diana Wilson of the 36 Group

Alex Matthews of 9 Bedford Row

Anne Marie Pinkey

Linden Talbot of Trethowans LLP

Samreen Akhtar of Park Square Chambers

Teresa Hay of 5 Paper Buildings

Allyson Talbot

Andrew Hall KC of Doughty Street Chambers

Tessa Nejranowski of 5 St Andrews Hill



Danielle Manson, Kalisher Trustee and member of Garden Court Chambers



<https://www.thekalishertrust.org>

**Kalisher**  
SCHOLARSHIP TRUST



## BOOK REVIEW: THE IRISH CIVIL WAR

By the time the dust had settled on the Irish Civil War the government's execution policy had led to the deaths, by firing squad, of 83 men. All but four had been 'tried' by new military tribunals set up in response to the war. Most cases were decided by an army committee sitting in secret with no rules of evidence and no right of appeal. The four exceptions were men who were executed *without* trial, having never faced any charges.

In *The Irish Civil War: Law, Execution and Atrocity* Seán Enright charts the development of this execution policy and the related issue of killings of those in the custody of the state. In doing so the author reveals the insidious process by which the rule of law was held in abeyance. Enright makes the case for an important conclusion: executions became a tool of power and control to send out appropriately timed messages. Men were convicted for one reason and executed for another – either because they were suspected of opposition involvement, or because the National Army required a person for immediate execution for reasons of wider reprisal or retribution.

Given the complexity of the issues surrounding this part of history the focus of this book is deliberately narrow: executions and deaths in custody. But, as the author makes clear, the killings were so bound up with the key events of the war and its major protagonists that in telling their stories, the bitter and bloody story of the war is also told.

The book begins with a helpful ready-reckoner of where we are in history: the War of Independence between Britain and Ireland has resulted in the Truce and the subsequent signing of the Treaty in December 1921. The Treaty split the nationalists that had fought the British. The pro-Treaty faction formed the provisional government; the anti-Treaty faction the opposition. In June 1922 the 'Four Courts', a collection of government buildings that had been occupied by the armed wing of the anti-Treaty faction since April, was attacked by the provisional government's new National Army. The civil war had begun.

After set-piece battles an effective guerrilla war was fought by the anti-Treaty faction and the fighting dragged on. Railways, roads, public works and businesses were targeted in an attempt to hit the government in its pocket. The anti-Treaty faction hoped to force the British to put

troops on the ground to prop up the provisional government. They wanted to make the country ungovernable so that a 'republic [could be seized] from the wreckage'.

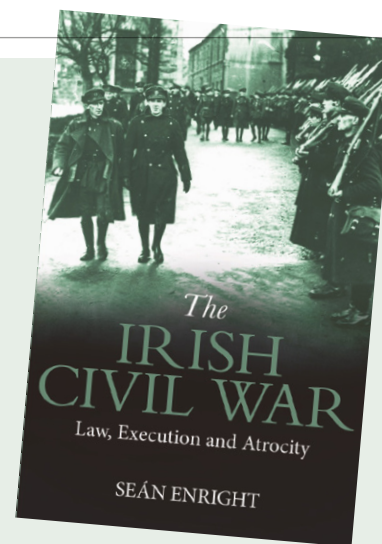
Ambushes were frequent and whilst the newly formed and ill-disciplined National Army suffered heavy losses, anti-Treaty fighters captured in arms faced internment. Army officers were concerned that their men thought this too soft an option and feared they may take matters into their own hands; some did, and in the early months there were many rigged inquests into deaths of anti-Treaty prisoners who had just been taken out and shot.

It was in this climate that in September 1922 the Dáil passed a resolution permitting the army to use military courts to try prisoners for 'proclaimed offences' including looting and property damage. Criminal courts still sat but would cede jurisdiction on these offences. Regulations were drawn up for trials: three army officers would sit as judge and jury, with the power to sentence to death. The prisoner could see the charge sheet and a summary of evidence, and they could be represented but there was no recorded funding provision. If execution was ordered, it was sent for ratification to the Army Council in Dublin.

Enright examines the charges and timings of executions to build a picture of justice delivered for the convenience of National Army propaganda messages. First to be executed were four young men arrested in Dublin for, unexceptionally for the time, carrying revolvers. But each was also suspected of being involved in a recent attack on a criminal intelligence base in Dublin and the government was pressurising the army for a response to this attack. The executions were that response.

Challenges to the execution policy were attempted: Erskine Childers applied for a writ of habeas corpus in the High Court. But in a judgment delivered by candlelight the Master of the Rolls found in the government's favour. Childers was executed the following dawn.

The rudimentary legal protections of the military courts were then jettisoned wholesale without further debate in the Dáil. In cases where the facts were admitted, trial by committee was now ordered. The author notes this was an Orwellian twist because it was an army lawyer who decided which facts were not



in dispute. As the committees sat a large 'bank' of convicted and condemned men was built up. It was from this store of the damned that the army drew when they wanted to respond to anti-Treaty action.

For example, one morning in January 1923 four men captured and tried separately some weeks or months before, were executed at an army barracks in Kerry. Each of the four came from different corners of the county. The luckless men could only have been singled out for execution to send a message to the anti-Treaty faction in the troubled county.

The author has a lawyer's eye for detail and an advocate's ability to tell a story. By his meticulous research and relating of individual anecdotes, many of which are illustrated with excerpts from the last letters of the condemned men, Enright skilfully demonstrates the personal cost of a chaotic and arbitrary process. Far from being a dry analysis of legal standards, the pithy vignettes of the lives of the forgotten creates a book that captures the reader's interest throughout and teaches about a complex history.

This is a fascinating account of a dark period. It causes the reader to reflect on the importance of maintaining the rule of law during times of conflict and pressure: a timely reminder for us all.



Robert Forest

• 2 Kings Bench Walk



# BAR MESS REPORTS



## EAST ANGLIA BAR MESS

One arrival, one departure and some sad news from East Anglia.

Ipswich Crown Court has welcomed a new judge HHJ Nicola Talbot-Hadley; she is welcomed by the local bar.

Meanwhile, HHJ Maureen Bacon QC, who sat at Norwich CC, has retired from the bench; she will be greatly missed.

And friend and colleague, Daniel Messenger, formerly of East Anglian Chambers, Regency Chambers and latterly of Fenners Chambers, has sadly died. He was a much loved and respected member of the family bar in East Anglia. A memorial service, celebrating his life, was held for him at Temple Church on 8th November 2022.

Matthew Sorel-Cameron  
Junior, East Anglia Bar Mess

## ESSEX BAR MESS

Christopher Martin slipped very comfortably into the shoes of 'Dick Bonehead' as our Bar Mess Junior and has carried off with aplomb two splendid dinners in quick succession.

On 30 September the Mess assembled at the National Liberal Club to mark the retirement of Patricia Lynch KC. The evening included a wonderful appreciation of the guest of honour by David Etherington KC who had been a contemporary of Trish during their pupillages. David very modestly plays down the standard of his own efforts in those days. Suffice to say that, if Etherington ever gave a speech that was anything other than a superb *tour de force*, no-one can remember it.

Trish gave a very moving reply, reflective of a gentle side familiar to those lucky enough to have been close to her over the years. Those with more distant acquaintance learned something of the challenges she had overcome. Her apology for occasions when she may have appeared "snarky" on the bench was unnecessary: such instances, usually merited, were significantly outnumbered by the times she showed kindness

and understanding, particularly to the vulnerable: rather less so to police officers.

One cannot replace the irreplaceable, but the retirement of 'Ma Lynch' coincides with the arrival of HHJ Tim Godfrey to Chelmsford Crown Court, continuing the strong tradition of judicial appointees from the Red Lion stable.

The annual Bar Mess dinner at the end of November was located, somewhat rarely in recent times, within Essex. The venue was the county cricket ground in Chelmsford where messrs Hodivala and Compton were observed wistfully gazing at the pitch, fantasising about what might have been if only their sporting achievements had matched their success at the Bar.

Judicial attendance was especially strong from Basildon and there was also a good turnout by the county's former Resident Judges: Ball, Gratwicke, Lodge and Mitchell.

Judges Samantha Cohen and Alan Hurst jointly presented a spoof awards ceremony, handing out 'Bascar' trophies with equal disregard for the monetary and environmental cost. The most decorated recipient was Adam Budworth who scooped a hat trick of awards, including a contentious one for 'maddest lockdown hair' which would surely have gone to David Baird if VAR had been consulted.

Sasha Bailey received a special mention for the regular appearance on CVP of an enormous clock behind her. A stunned Judge Christopher Mitchell, famously prone to miss-hearing, had to be reassured at that point.

Befitting its new city status, Southend occasionally hosts the Crown Court, albeit not for trials and only in one of its courtrooms. It's hardly a return to the heady days of Frank Lockhart, but it is the only senior venue in Essex where one can obtain any food and drink.

Over the past two and a half years we have lived through 'interesting times'. We should acknowledge the support we have been given by the Essex judiciary and even, on many occasions, list offices. We are aware that some other parts of the jurisdiction have sadly been less fortunate, but we've always known that Essex houses the happiest Courts.

With the perspex screens removed and the barricades down we now head into 2023 with a concerted effort to tackle the mountainous backlog. Everyone is urging sensible resolution of cases. HHJ Samantha Leigh, in between presiding over murder trials, is taking the lead in wielding the machete. As the used car salesmen of Pitsea and Vange might say: 'there are some cracking deals on offer'.

SOUTHEND PIERRE

## HERTS & BEDS BAR MESS

In the hope that this short report finds you all well, can I take this opportunity to thank my small team for all their work this past couple of years, this especially includes Fiona McAddy, Will Noble and Colin Witcher. No report could be completed without detailed updates from the hard working Resident Judges at St Albans and Luton and I thank them for their assistance.

I know that Judges and court staff have had to navigate many challenges this past few years, whilst maintaining a dignified silence. Their reserves of patience have been greatly tested and much appreciated.

### St Albans:

HHJ Kay KC has finished his term as Resident, and has moved to Harrow. We welcome the appointment of HHJ Lana Wood as the new Resident Judge who succeeded him at the end of July 2022. HHJ Simon moved from St Albans and is now Resident Judge at Luton and HHJ Grey has moved to Cambridge. A new appointment to the bench, HHJ Roques arrived at St Albans in October. Currently there are 5 salaried judges in St Albans, which should have a full complement of 6. This means that like many courts, there is a heavy reliance on recorders.

The Resident Judge has to manage the current backlog and she highlights the importance of communication between all. The list officer is holding regular "dial-ins" both with the CPS and witness care and with the defence community. It is noted there is simply not the capacity for listing all cases for PTRs and so all parties are encouraged to let the court

know if there issues with trial readiness in advance. Defence barristers' clerks are invited to get in contact with the list officer if there may be difficulties in securing representation a couple of weeks before a trial listing.

St Albans have produced new guidance to deal with cases which have a mental health or learning difficulties aspect to them. Copies have been sent out to local solicitors with criminal aid franchises, and should be uploaded to case files where MH or LD have been raised as an issue.

HHJ Wigin remains the s.28 lead judge. If any advocate experiences difficulty in getting released to appear in a s.28 case at St Albans, they are invited to email the Resident Judge with details of the court, judge and case they are involved in, with a request for assistance.

The court is trying to ensure that the question of whether an advocate can appear at the next hearing via CVP is considered when the hearing is set; if any judge or recorder doesn't specify, they are to be reminded.

The general rule remains that if a defendant attends court in person or is produced at court, his advocate will be required to be present at court as well. On occasion, the court may have difficulty securing PVLs, and a defendant who was expected to attend via PVL may have to be produced: please watch out for those cases in the list, advocates are encouraged to make sure they do come to court to support their client.

The court is particularly concerned to ensure that the most vulnerable defendants should have the support of a face-to-face relationship with their advocates, and there will be some cases therefore which are marked specifically "not suitable for PVL/CVP". Clerks are not encouraged to call, requesting a remote hearing if it has been listed as such. The experience at St Albans is that it is difficult to get interpreters to travel to St Albans for short hearings, they don't have a general rule that defendants who need an interpreter should be produced, as some courts do. Where a defendant is appearing via PVL, the interpreter will also have been booked to attend via video link. As the court office is busy advocates are encouraged not to call the court office urgently if the interpreter is not present at the pre-hearing conference.

The catering issue should be resolved soon as the court is currently in the process of putting the contract out for tender. Finally, it is hoped they court will be in a position to reinstate the tradition

of inviting the bar to eat with the judges on Curry Thursdays!

#### Luton:

HHJ Simon is now the new Resident Judge and we welcome his appointment. Judge Tayton KC has done a sterling job in keeping the court running at its best in the time since HHJ Bishop moved to Cambridge in March. From a depleted complement of judges, Luton is now fully provided for with salaried judges, following the arrival of Judge Alan Blake in September. Luton is continuing to use one trial court at Huntingdon and when possible also using either Bedford Shire Hall and/or a non-trial courtroom at Luton Magistrates (and sometimes other venues). The nature of the work at Luton meant that a number of trials still proceeded either with counsel or with HCAs during the CBA action, but undoubtedly there was a not insignificant impact. The focus now is on maximising trial court use, so that they can list every fixture and warned list case.

It would be particularly useful if counsel instructed on upcoming trials were able to liaise somewhat before the trial date to see if there is any prospect of resolution or if the case clearly cannot proceed. This would help the court to optimise use of its trial court resources. It is worth bearing in mind that Luton has a significant proportion of custody cases and when new custody cases come in this impacts on already listed bail cases, if the CTL is to be achieved. Luton also have a number of large multi-handed cases, a small number of which can be considered for transfer to one of the Super Courts. As and when gaps become available in the lists, the listings manager will try to bring forward priority cases with later dates.

There are continuing issues with remote attendance by custody defendants, especially for pre-hearing conference in a timely manner or at all, but this is being addressed directly with HMP Bedford, as well as through a courts/prisons forum with other prisons that serve Luton. The situation with interpreters remains unsatisfactory, but this too is being escalated. There are a number of constituent parts to any hearing and some are more reliable than others. All the court staff and judges work very hard to ensure that court time is used efficiently and that the needs of counsel and solicitors are accommodated as much as possible. A not uncommon problem has arisen in that counsel often have hearings (remote and increasingly in person) that overlap or are so close in time that courts are kept waiting. This can have a knock-on effect to the rest of the court list,

especially where time-sensitive prison links are involved.

The list office is particularly efficient but is inundated on a daily basis with late applications for CVP. As in other courts, a CVP protocol is being developed to reduce the workload for administrative staff. It is unclear exactly what the increase in receipts will be of cases with s28 directions, however they continue to prove difficult to schedule not because of court time but because of counsel's availability. It is vital that advance notice is given to the court (pre-PTPH) about such applications so that proper thought can be given to the appropriate timetable. It is likely that more cases will see GRH/s28 conducted by a different judge than the eventual trial judge.

Kevin Molloy  
Chair, Herts & Beds Bar Mess

## KENT BAR MESS

Following the last edition of the Circuiteer, two members of the Kent Bar Mess have been appointed as Circuit Judges. We congratulate H.H.J. Simon Taylor K.C. and H.H.J. Oliver Saxby K.C., and we were all even more pleased when we learnt that they will sit at Canterbury Crown Court and Maidstone Crown Court respectively.

We were delighted to learn in May that H.H.J. Smith has been appointed as the Resident Judge at Maidstone Crown Court.

Sadly for the Kent Bar Mess, Ian Foinette has decided to step down from the committee after 25 years of loyal service. We wish to pass on our considerable thanks to Ian for his commendable efforts during his time on the KBM committee, which has included serving as both Junior and Senior of the mess.

The Mess sends it best wishes to Paul Hogben, who is undergoing treatment for a serious illness that has recently been diagnosed. He has our support and we all wish him the very best during his treatment and recovery thereafter.

Finally, as always, applications to join the Mess are encouraged from all members of the Bar (civil, family and criminal practitioners), particularly those who practise in Kent. Any enquiries/applications, should be directed to the Junior, Craig Evans at 6 Pump Court or [craig.evans@6pumpcourt.co.uk](mailto:craig.evans@6pumpcourt.co.uk)

Craig Evans  
Junior, Kent Bar Mess



## NORTH LONDON BAR MESS

### Wood Green

Hendon is to remain an annex of Wood Green for the foreseeable future. Work needs to be done to the fabric, but the extra facility is helping with the backlog.

Re the issue of fitness to plead, Wood Green now has the facility of court liaison re mental health. Whilst the preparation of a screening report needs to be authorized by a judge it will be free to the user, saving much time and effort otherwise spent obtaining funding.

As with common platform cases at other courts you don't know who your opponent is when you sign in. HHJ Lucas KC reminds the Bar that putting your name and contact details in the side bar will help avoid this systemic flaw!

Now that we are emerging from a pandemic/strike torn world HHJ Lucas KC is keen that Wood Green embraces a social life! To that end the court will hold an Open Day Spring Event on Maundy Thursday (6 April 2023).

The North London Bar Mess will hold a social event at Wood Green in the Spring for advocates.

### Harrow

HHJ Dean has left!

HHJ Cole has stepped into her shoes as Resident. Once I hear back, I will relate his plans.

### Snaresbrook

Harrow's loss is Snaresbrook's gain!

HHJ Dean has continued her approach re warned lists. The warned list is soon to be dead at Snaresbrook! In the words of HHJ Dean,

- i) "We moving to a system of all our trials being fixed or fixed to float."
- ii) The building works are going well.
- iii) We are focusing on making the court a more welcoming place for the advocates and there will be several changes happening over the next few months.
- iv) We hope to have a court user's meeting in December. It will be virtual and we look forward to hearing from the advocates.

Philip Misner  
Chair, North London Bar Mess

## SURREY & SOUTH LONDON BAR MESS

The Surrey and South London Bar Mess is hoping to get social events up and running next year! The long postponed Isleworth summer party is on our radar in addition to a drinks party in Kingston Crown Court for our members.

Philippa Mcatasney KC  
Chair, Surrey and South London Bar Mess

## SUSSEX BAR MESS

On the court front, Chichester Crown Court remains in use and the case is being made to keep using it for at least another year. Given the current backlog at Lewes Crown Court then the more courtroom available the better.

The Sussex Bar Mess hosted our first Mess Dinner for four years at the Hotel du Vin in Brighton. There were 60 barristers and past and present Judges. The guests of honour were retired Circuit judges Anthony Niblett and Janet Waddicor. Both were regular Sussex practitioners. Before going onto the Bench. Tony Niblett proposed the toast to the Mess in the record presence of five past juniors and the current Mess Junior, James Hay. Thanks were made to James for having organised such an impressive and successful evening. Social media messages suggest some members continued to enjoy the Brighton nightlife well after the dinner was over! It is assumed the judiciary were all tucked up by then.

Jeremy Wainwright KC  
Chair, Sussex Bar Mess

## THAMES VALLEY BAR MESS

### Aylesbury CC

HHJ Cooper is settling in well as the Resident Judge. He wishes to engage with all Court users and will be holding Court User Meetings every so often as a forum for people to voice any concerns.

### Oxford CC

HHJ Pringle KC was granted an extension as Resident Judge and will remain in post for another 2 years. We wish him all the best and look forward to continuing to engage with him.

### Reading CC

HHJ Khan has been sitting as a new addition at Reading CC for some months now and we wish him all the best in post.

Adam Williams  
Junior, Thames Valley Bar Mess

## IN MEMORIAM

### Craig McDougal

Craig was a very warm, funny and kind individual who a number of us at Fenners Chambers worked with over the years, usually at Peterborough Crown Court. He used to sometimes "shoot from the hip" a bit as prosecutor but we were all lucky to work with such an exotic, American "livewire" of a personality. Because his methods were rather unorthodox, he sometimes ruffled a few British feathers in our courts but he was completely committed to the victims of crime, and he never sought to throw anybody else "under the bus" if things got tricky, which is quite a rare and valuable quality. It's some time since I had seen him after he retired from the CPS and we were all very sad to hear of his death. I won't ever forget him.

Michael Procter  
Fenners Chambers



# SEC Reception for Resident Judges and Designated Judges

## 15 July 2022 at Lincoln's Inn

The sun shone for us as we enjoyed a wonderful evening at Lincoln's Inn on 15 July at the annual Circuit Reception for judges. Christine Agnew KC, Leader of the SEC, welcomed members of the judiciary and the Bar from the most junior to more senior, including some former Circuit Leaders. Everyone appreciated the chance to meet up with old friends and make new ones after the lack of social events over the last two years. Let's hope there will be many more going forward!

