



THE time: the week after next. The place: A small Crown Court in North London.

A glitch in the Pyjarm (pick your juries at random mate) computer has resulted in the selection of an unusually distinguished jury panel in the case of *R v (Fingers) Frognall*. Fingers has been charged with aggravated burglary. Even though he was identified by several policemen as he left the house of the Dowager Duchess of Camden Town, he nonetheless is contesting the charges.

Despite guidance from the Lord Chief Justice, many judges who are called for jury service have decided to make their presence felt. They are, after all, very important people — why should the world not know it when they are carrying out their civic duties? The word in the judges' corridor is that any judge called for jury duty should attend, resplendent in wig and gown.

Shortly before the start of Fingers' trial several limousines pulled up outside the court and disgorged two law lords, seven

Lords of Appeal in Ordinary and an assortment of senior High Court judges radiating purples and reds.

"Cor blimey," said one of Fingers' supporters, "Christmas has come early this year." With gravity appropriate to the occasion the judges slowly processed into the court. Instinctively Mr Justice Dickybird (who was at that moment grappling with an unsatisfactory bail application) stood and bowed to the incoming jury panel. He remained standing until the jury was seated.

"Please proceed," intoned the Master of the Rolls, who had assumed the role of jury foreman.

Judge Dickybird glanced anxiously over to the jury box before continuing his persecu-

tion of a fresh-faced barrister. He had been in the middle of toying with him as a cat does a mouse, but now he tried (not altogether successfully) to look intelligent and to make astoundingly brilliant legal points.

It did not last. He was soon interrupted and told by a senior appeal judge that if he adopted that attitude against the barrister he would be in contempt.

"But I cannot be in contempt in my own court."

"We'll be the judge of that," wheezed a little High Court judge who was so short that only the top of his wig was visible.

The bail application disposed of, the trial of Fingers got under way. Mr Justice Dickybird was having a hard time of it. His legs were aching from having to

stand every time he spoke to the jury, and he had to sit in sulky silence while the jurors took over questioning the witnesses (because his voice "did not sound sufficiently judge-like").

And the witnesses did not

### MR JUSTICE DICKYBIRD STOOD AND BOWED TO THE INCOMING PANEL

know what had hit them. Each was cross-examined 12 times. At the end of her session in the box the Dowager Duchess was not even sure of her own name.

Several times during the proceedings Mr Justice Dickybird was asked by a juror where

a particular line of questioning was leading. To add to his frustration, the foreman accused him of misdirecting them and he was forced to start summing up again at the beginning.

The jury convicted Fingers on a 7-5 majority. When Mr Justice Dickybird tried to reject this slender majority his words were drowned by the sound of 12 pairs of lips being collectively pursed.

"Fingers Frognall, I hereby sentence you to five..."

"Not enough," shouted a law lord.

"Six..."

"Still not enough."

"Er... seven years in prison."

Mr Justice Dickybird was relieved that he could at last pass sentence and discharge this troublesome jury.

# Twelve good men and... true judges every one

But his relief was premature. Counsel for Fingers sought leave to appeal.

"Refused," Mr Justice Dickybird said.

"Granted," the jury said in unison.

Thereupon the jury members formed themselves into a huddle, which looked like a rugby scrum.

"Appeal allowed. We order a retrial to commence forthwith."

At that moment Mr Justice Dickybird was handed an envelope. Nervously he opened it. After this experience he had no idea what was going to hit him next.

As he read he sat back in his seat and smiled.

"I am very sorry gentlemen," he said to the jury, "I have been summoned for jury service in Newton Abbot. I have to leave at once."

With that he left the court, only to return a few moments later to give a final bow to the jury.

Richard Barr is a solicitor with Gadsby Wicks in Chelmsford