

Gladys and the kipper

Richard Barr goes to court tense and apprehensive, but returns full of the joys of success

Gladys arrived straight from the police station distraught and smelling slightly of fish. She had been caught red-handed slipping a kipper into her handbag. She took a long time to tell the tale. After an hour and a half it became clear to my inexperienced mind that this was no hardened shoplifter. "Gladys and the Kipper" was to become my first defended case.

Whenever you appear in court, no matter how old you are or how familiar you are with the case, you always have to tense yourself for the hearing. The day, however sunny and warm, does not hold the same charms for you as it will when the case is over.

The rest of the world knows this. On 'Court' days I find that people go out of their way to annoy me; the herd of cows moving through the village of Gayton from one field to another normally does so when I am far away. But on Court days the herdsmen will ascertain my time of arrival, then deliberately launch their charge in my path as I arrive. The cattle amble from one end of the village to the other, pausing repeatedly to admire semi-detached gardens.

When I clear this obstruction I race to gain lost time only to catch up with a convoy of vehicles all going at 22 miles an hour behind a milk float. At this sedate pace we trundle into town where traps have been laid in the forms of a lollipop lady who thrusts small children into my path, and a car which quite unreasonably wants to turn across the oncoming traffic.

I get into the office late only to find that my three most annoying clients have already been on the telephone. I return their calls. They all whine and complain. And I feel like telling them to go and take a cold shower. But I don't. And so it goes on until I take myself off to court and everyone in the office breathes a sigh of relief.

Not long ago I represented Mrs Rhum and Mr Thatcher (no relation) on a shoplifting charge. Mr Thatcher is a small-time criminal. He has a string of convictions including a fairly recent prison sentence for deception. Mrs Rhum looks older now than she did when I acted for her eight years ago. The decline in her life has also continued.

Then she looked like mutton trying to dress as lamb. She wore extravagant if tasteless clothes and had a covering of make-up as thick as a layer of builder's plaster. Now she's mutton that doesn't care if it looks like mutton or anything else. She also drinks. Every time she has been to see me my room has been sprayed aerosol-style with an alcoholic haze.

On the day I defended Gladys, the intoxicating charms of Mrs Rhum still lay many years ahead. Gladys, trembling like a leaf, her doctor, a shop assistant and I (who felt I would never need another laxative in my life) presented ourselves in the draughty corridors of a local magistrates court.

I was opposed by the chief county prosecuting solicitor. I don't know why they needed to bring out the big guns. They would have achieved the same result if they had sent the office cleaner.

The county prosecutor opened so portentously that for a moment I thought we had become mixed up in a murder case by mistake. With great ceremony he produced the kipper and placed it on the table in front of him. The police had thoughtfully kept this exhibit deep-frozen and we were able to make do without clothes pegs on our noses.

About half way through the county prosecutor's speech Gladys broke down in tears and was given a glass of water by the court usher. This is the panacea for all dramas in court. Three sips later and Gladys had regained her composure. The county prosecutor continued with his monologue.



Briskly he moved on to his evidence. In quick succession he called the store detective who said Gladys looked shifty as she misappropriated the kipper, the checkout lady who said she thought it was all a bit fishy and the arresting police officer.

Then it was our turn. The pace slowed down dramatically. Gladys had had time to delve deeper into her past. We roamed round her world, seldom getting anywhere near the subject of supermarkets or kippers. High up on their benches the magistrates fidgeted and looked cross. The more I tried to control Gladys, the less coherent she became. The county prosecutor made light work of her.

But I still held one card. Gladys had been so absent-minded that she had left her purse in another shop before she went to the Acne Supermarket. Surely the shop assistant's evidence would absolve her. But the shop assistant suffered from stage fright and stood in the middle of the court like a rabbit caught in a car headlight. She was speech-

less and could remember nothing. Eventually I prised the information out of her by a series of leading questions.

My closing speech was almost as long and incoherent as Gladys's evidence. When I sat down after 45 minutes the magistrates did not feel the need to retire. They just nodded at each other and pronounced Gladys guilty. Before I had a chance to start another long speech they gave her an absolute discharge. As we trooped out of the court I took a last look at the kipper. It was a fine specimen. I could understand why Gladys was attracted to it. However, I could not understand why Mr Thatcher was attracted to Mrs Rhum, nor her to him either.

She had been drinking before the court hearing and was quite mellow when she and Mr Thatcher were ushered into the presence of the three magistrates. The Clerk to the Court read out the charge to them: that they did steal from Acne Supermarket one carton of margarine, one bottle of sherry and a tin of baked beans to the total value of £2.47 contrary to the Theft Act.

They pleaded guilty and I turned in a mitigation speech which lasted two and a half minutes. After retiring for half an hour the bench returned and the lady chairman of the magistrates addressed Mrs Rhum: "Now, Mrs Rhum" (which she pronounced as in Coca Cola) "is that how your name is pronounced?"

"Rhum," said Mrs Rhum (as in "sitting Rhum") adding meaningfully, "with a haitch, dear."

"Well, Mrs Lounge," said the lady chairman (momentarily confusing her mnemonics), "you must realise that you have committed a very serious offence but we have taken into account your sad circumstances. We have decided to give you an absolute discharge. Now you may go."

"Thank you, dear," breathed Mrs Rhum gathering up Mr Thatcher and departing from the court. Outside, they both looked at Mr Thatcher's watch (not too badly damaged from its fall from the back of a lorry). "Are they" (as in 'Pig and Whistle') "open yet?" muttered Mr Thatcher. "Yes - time for a quick one," (as in gin and tonic) said Mrs Rhum.

Outside the court I found that the world had become more reasonable again. I set off cheerfully back to the office. The man who nearly knocked me off my bicycle clearly did not mean to. The furniture van blocking the road as it tried to back into a narrow entrance, was only doing its job. And that evening I gave a cheerful toot to the cows in the field on my way home. ■