

IT'S MURDER EVERY DAY DOWN HERE

Gang violence, terrorism, honour killings... it's all in a day's work at the Old Bailey. David James Smi th is given unprecedented access to the hallowed halls of the criminal courts. Portraits: Zed Nelson







here is a place in my heart for the Old Bailey. One afternoon, 18 years ago, I went along to the Central Criminal Court and took a seat at random. I thought I was going to research a satirical drama about the judiciary, and I suppose I was hoping to hear a judge comment on the fragrance of a Tory wife or ask who the Beatles were. Instead, I found a well-off teenager in the dock alongside a wild, older Glaswegian. Together, as I discovered that afternoon, they had got drunk, taken drugs, tormented and finally killed a vulnerable local man in his own flat. The middle-class youngster described how he had pressed his palms against the wall for leverage as he had jumped up and down on his victim's prostrate body. He recalled how he had listened to the sound of the ribs cracking.

The incident had taken place in Pinner, northwest London, a place I knew well as I had once been responsible for writing the "Pinner Pars" of the local newspaper, the Harrow Observer, a bland weekly offering of planning-committee decisions and church fêtes. There was never, ever the slightest hint of the dark world of drink and drug-fuelled violence inhabited by the men in the dock. It seemed at the time to be a glimpse of the

each other, and have always imagined that must be true for many other people at the Old Bailey jurors, police officers, lawyers and judges alike.

The Old Bailey has become familiar to me, and yet there is much about it that I have never seen or understood. Entry to the public gallery is strictly controlled. If the case is gang-related — as many are these days — and there is a fear of intimidation, you may, on the judge's orders, have to give your name and address before you enter. No amount of protest that your human rights are being infringed will wash with the patient, welltrained security guards, such as Matthew Butler and Svetlana Dotsenkova, who told me how it "kicks off" when rival families or gang members sneak plastic or wooden weapons past the metal detectors. Knives and guns must be left at home. Nor, as the sign says, will you be allowed in with children, bags, holdalls, mobile phones, cameras, cassette or CD players (no mention vet of iPods).

The public has no access to the Old Bailey beyond the gallery, so never sees its magnificent marble hall and muralled dome, nor the corridors and open waiting areas where lawyers, detectives, reporters gather in huddles and talk in whispers about their cases, breaking off altogether as a

THERE IS A BACKSTAGE WORLD I HAVE ALWAYS WONDERED ABOUT. WHAT ARE THE SECRETS OF THE OLD BAILEY? WHAT MYSTERIES COULD BE SOLVED BEHIND THOSE DOORS?

savage reality just beneath the surface of our civilised western ways. I was haunted by what I heard. Abandoning all thoughts of satire, I went on to write about that case in detail. It was the start of a life of crime narratives involving long, carefully researched articles and the occasional book.

I have been to the Old Bailey often since, sometimes following cases for many weeks. I have seen jurors cry and watched the expression of horror pass across their faces as they are passed photographs of a corpse. I have sat through the brutal facts of a crime or the gruesome details of a postmortem, rendered almost banal by the monotone fashion in which they were delivered by a lawyer, a police officer or an expert witness. I have felt ashamed, sitting there listening, with the victim's family nearby, and have occasionally carried with me back into my life things I wish I didn't know. I stopped eating HobNobs after hearing they were found in the stomach of a child who had been fed them in an allotment shed by the paedophile who attacked and killed him. The naming of the biscuit was the vivid, everyday detail that made the child's death all too real. I feel that inevitably some of that sordid information has seeped into my soul = - a kind of guilty knowledge

22 about what people can do to

jury files past in a 12-strong crocodile for fear they may be overheard, throw a case into disarray and land up in the dock accused of contempt.

Beyond these areas there is a backstage world, the engine of the place, which I had always wondered about but never seen. What mysteries could be solved behind those doors? What are the secrets of the Old Bailey?

After lengthy negotiations over several months,
The Sunday Times Magazine was invited

in, given exclusive access to staff and accorded the rare privilege of being able to take photographs inside the building. The unique opportunity opened many

man threatened to blow Zed's equipment up when he left it unattended behind a pillar. We've had bombs here, you know, he said. That was true. It was in 1973. A car bomb left in the street outside (the street itself is called Old



Bailey) by the Provisional IRA. There is still a glass shard embedded in a wall above the top of the main stairs as a reminder. These days the fear is not of Irish extremists but of Al-Qaeda.

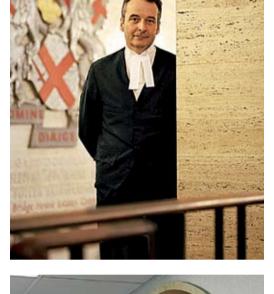
Court staff are subjected to Criminal Records
Bureau investigations and Counter Terrorist
Checks. Everyone arriving during busy times
confronts a long delay of airport-style security at
the lobby bottleneck, where they must be cleared
to enter by security staff, then pass through one
of two reinforced Perspex pods before walking
under a metal detector and sometimes subjected
to a second check with a hand-held machine.
The country's leading prosecutor, First

Senior Treasury Counsel Jonathan Laidlaw QC, was ribbed one morning by his colleagues after I told them he had been photographed. He refused to wear his wig and gown for his pictures, did not want to be seen as pompous, I think, yet supported the demystifying of the

Central Criminal Court implied by the access given to this magazine.

A comprehensive boy, who had failed his 11 plus, he is not your archetypal public-school educated barrister with a cut-glass accent and a self-confident veneer. Surprisingly, when I asked Laidlaw if he could remember his first appearance at the court, he said it had been a thrilling but terrifying rite of passage and he had never lost his nervousness. He believed he was, by nature, a nervous person, and even though he did not like to think of himself as an actor—"there are barristers who indulge in theatrical performances, but I don't think juries are impressed by it and they see through it"—he accepted the anxiety that came with his public performances.

As a prosecutor he "opens cases", outlining the evidence against the accused, setting out what the Crown claims they have done and how they will attempt to prove it in court. Cross-





examination, legal argument, closing speeches, they too are moments that bring on nerves. Laidlaw said that hiding behind a horsehair wig and a black gown helps. His own wig had been stolen from the robing room of the Inner London Crown Court some years ago (a robing room is a place reserved for barristers — an untrustworthy bunch, clearly) and the wig he now wears is an old theatrical prop that he bought second-hand as a replacement. He still has the wig tin though, inscribed JT Laidlaw Esq, bought for him by his mother 25 years ago to mark his "coming to the Bar" after completing his pupillage. The tins (which start at £185), wigs, gowns and other accessories of the judges and lawyers are bought from Ede & Ravenscroft in Chancery Lane ("London's oldest tailor and robe-maker").

The Old Bailey had until recently tried the most serious or high-profile cases across a variety of the serious crimes. In the past year or so, it has been

Previous pages, clockwise from top left: the Sheriffs of London, Alderman David Wootton (left) and Peter J Cook; Malcolm Bishop QC; Charles Henty in the Grand Hall; cleaner Wendy McMenemin; boiler man Richard Caudwell; Catherine Waters, the matron

Left: leading prosecutor Jonathan Laidlaw QC

Below right: the security guards Matthew Butler and Svetlana Dotsenkova

designated almost entirely as a murder court. The building manager, the "keeper of the court", Stephen Jones, showed me the whiteboard where they keep a court-by-court list of current cases: it was all murder, murder, murder, rape, manslaughter, attempted murder, murder and so on, throughout the 18 courts.

The long-serving freelance court reporter David St George, who has been working out of the Old Bailey press room since 1969, recalled a young boy appearing for stealing two cream buns. Trials of cake felons are rare these days. Often now it is gang-related murders with several defendants all lined up in the dock together.

St George collected a "what's on where" court list every morning from the Lists Office when he arrived. He had the lists going back to 1969, all except the ones that had been blown up by the IRA when the press room had taken much of the car-bomb blast — and never used a notebook, making notes on the blank backs of the list sheets that he later typed up as copy.

Jonathan Laidlaw had most recently opened in court 13. A passing reporter had told me I ought to go in there and take a look. "You should check out the honour killing in 13, unless you want to see the 15-year-old psychopath giving evidence next door." That was court 14, where two women were about to be convicted in the killing of a third teenager, who had died after she jumped out of a window to escape them. Hatice Can was just 13 when she and her then 17-year-old friend Kemi Ajose bullied, abused and tormented Rosimeiri Boxall, the daughter of a vicar. "Serves you right, bitch," Can had told Boxall as she lay in the street dying following her desperate leap.

Laidlaw told me his honour killing was a good case, a fascinating case, casually betraying a practitioner's absorption in tragedy. He meant no offence, of course, but you would never tell a family that their daughter's murder was good or fascinating. In this case her family were

the ones accused of killing her. The "proof of life" inquiries carried out by detectives 10 years ago showed that Tulay Goren, a 15-year-old Turkish Kurdish woman then living with her family in Woodford Green, north London, had disappeared off the face of the earth on January 7, 1999. The police had long suspected she had been killed, but her body had never been found. The case was about to be shelved, finally, a few years ago when it was reviewed by officers from the Specialist Crime Directorate, who decided that, even without a body, there was still a case to answer. It is highly unusual to have a trial without a body. In this case there were even greater problems, with no crime scene and virtually no forensic evidence beyond a few hairs on a washing-line rope. The police could not say, and Laidlaw could not say, where or when or how Tulay had been killed, but they argued that the known evidence pointed inexorably to her murder.

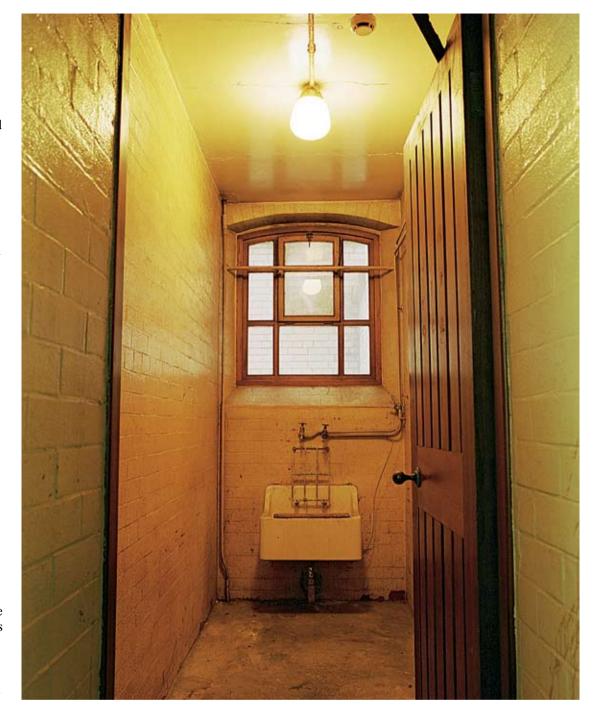
Her father, Mehmet, was in the dock, alongside his older brother, Ali, and his younger brother, Cuma. The trio of Goren brothers sat flanked by guards and interspersed with Turkish interpreters. I watched as they sat and smiled and joked quietly with the interpreters, one of them a woman, and I wondered what the jury thought, as they too could see them, sitting there laughing while facing a life sentence for their young relative's murder.

I saw Tulay's father giving his evidence, endeavouring to present himself as a man who had fought for women's rights, who did not believe in the honour code, and had been lying when he told an immigration appeal he had hit Tulay's boyfriend on the head with an axe because he had felt shame at the boy stealing his daughter's virginity. That was a lie, he said. He had only hit him with the axe because he lost his temper.

He recalled occasions before his daughter's disappearance when he had physically assaulted her. There was the day he had slapped her a couple of times. "I may have kicked her as well, but I'm not sure about that."

Mehmet's defence barrister sought to arouse the jury's empathy with his client, eliciting the evidence that he had not liked seeing his son on the street with his hip-hop trousers down his legs and his back exposed when he was supposed to be at school. "That applies to many of us with teenage children," said the OC. But Mehmet was not a normal parent. His wife had pointed to him in the dock during her own evidence, challenging him to disclose what he had done to their daughter. She too had been arrested on suspicion of complicity in the murder, but instead became a witness for the prosecution. She told the police she had waited 10 years for her day in court. At the verdict only Mehmet was convicted. His brothers went free.

In past centuries, trials were brief affairs, often with brutal outcomes, but nowadays, as in 24 Rv Goren, Goren and Goren in Court 13, they



often grind out the evidence over weeks of notalways-gripping testimony. A QC apologised during one break for the lack of drama. "I've never had a more boring afternoon," he said.

Trials follow a rigid pattern of short days punctuated by breaks to keep everyone focused: 10.30 start, mid-morning break, lunch, mid-

In the 19th century, the Old Bailey was a small court adjacent to Newgate Prison, and judges and their guests would enjoy orgies of wine and food, often delaying trials late into the night before the judge might return drunk to condemn a man to be hanged. A hanging remained a public spectacle in the street outside until late into the

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afternoon break, court rise at 4.30 by the latest.

The prisoners go downstairs to their cells at lunch and eat ready meals or packed lunches brought with them from their prisons. Upstairs the judges participate in the daily ritual of the Sheriffs' Lunch, sometimes known as the Judges' Lunch. It begins at 13.10 and ends sharp at 13.53 so they can get back for a 2pm start in court.

century. Crowds of up to 80,000 would gather and the poor would pelt the victims with stones and rotten fruit and veg while the rich would tuck into hanging breakfasts in overlooking rooms at local inns, such as the Magpie & Stump. In 1807 a pie-seller's stall overturned and 28 people were crushed to death. A secret tunnel, now blocked at either end, was created between the prison and





Above: a chauffeur with a Rolls-Royce belonging to the City of London Corporation, which owns the building

Left: Clare Williamson of the Witness Service; vulnerable witnesses give evidence by video link

Far left: a narrow holding cell, no longer in use, from the original 1907 building

the church of St Sepulchre's across the way, to allow the priest to visit the condemned man without having to force his way through the debauched and riotous crowds.

The condemned would be led along Dead Man's Walk between the prison and the court, and many were buried in the walk itself, which was also known as Birdcage Walk after the lattice iron-work cage that was built around it.

The modern lunches are sober affairs by comparison. It was cottage pie the day I was there. Two courses — no time for more — a starter and a main, or a main and a dessert. Wine is usually served at the lunches, no doubt more for the guests than the judges, whom I suspect need all the help they can get to stay awake and alert through the longueurs of the afternoon sessions.

Each day brings a handful of guests: sports stars, actors, TV presenters from time to time, but more often businessmen and women or city dignitaries. Sometimes they go into court for a few minutes

afterwards to watch the show. Years ago I was sitting in Court No 1 when Michael Parkinson and Betty Boothroyd, the former House of Commons speaker and ex-Tiller Girl, suddenly appeared through a side door. They'd come in to watch snatches of the Barry George trial; Parkinson was a BBC colleague of Jill Dando's.

The Old Bailey is not a public place in the conventional sense but is owned and run by the City of London Corporation, who finance the building itself, the running of it, the staff and the maintenance out of their own resources, gathered from businesses in the Square Mile. HMCS — Her Majesty's Courts Service — manage the courts and administer the trials themselves, but the rest is down to the City, which brings with it a kind of pageantry expressed in the ancient rituals and titles of the people who work there.

Charles Henty describes himself as being like the managing director of the Old Bailey, but he is not known as the MD, he is the Secondary of London (also Under Sheriff and High Bailiff of Southwark). People sometimes ask him who the Primary is, and he always tells them it's his wife. (Do you have a wig? I asked him. No, came the sharp reply, it's all my own.)

An old soldier and old Etonian, Henty travels to and from his home in the West Country on his motorbike. He wears a suit to work, but often changes into his ceremonial garb, breeches, buckled shoes and a tail coat over a ruffled shirt — a get-up itself known as an Old Bailey. His job is part-ceremonial, but is principally to ensure the court runs smoothly, with all its component parts in good order. He likes to say the court is a service that nobody wants but society needs.

After seeing active service with the army and suffering the loss of his brother, a News of the World photographer, Ed Henty, who was killed by the IRA bomb at Bishopsgate in 1993, Henty was already pretty hardened when he came into the job. He disputed my suggestion that he would be "tainted" by the raw material of the work at the Old Bailey, but conceded it took its toll. He would sometimes be invited by a judge to sit in the court, to educate him, as he put it, about certain types of human behaviour. On one occasion he was sitting next to the mother of the victim in a case where the defendant was accused of having sex with the corpse — the woman's daughter. As Henty said, it was not the kind of job where he could bring in his children to show them Daddy's office.

Later I sat with the Old Bailey's most senior judge, the Recorder of London, Judge Peter Beaumont QC, in his chambers, an elegant woodpanelled room behind the courts, drinking tea from china cups while he sat back in the chair behind his desk looking wearied from his day in court. He was the 98th consecutive Recorder since 1298, but not many of his predecessors would have seen the kinds of cases he now tried. He was running a complicated trial with six defendants, gang-related, an Operation Trident case, so-called "black-on-black" crime, which was depressingly prevalent in the Old Bailey lists. Beaumont and his fellow judges had to be "murder ticketed" to try these cases, a qualification dispensed by the Judicial Studies Board. It meant the judges were well qualified and highly experienced at managing such trials, even if, as elderly or middle-aged white men, they were worlds apart from the lives of the victims and the defendants.

evidence, such as cell-site identification, which locates somebody by the position of their mobile phone, is coming increasingly to the fore.

Even though judges can still be sitting by the time they reach their early seventies, they remain alert, Beaumont assured me, not least through their meticulous note-taking as an *aide-mémoire* to the case summary they will later present to the jury. He accepted the role of ritual in the life of the Old Bailey, as a way of connecting the present to the past and maintaining the link between the building and its owners, the City of London Corporation. Beaumont believed the costume was important as a way of reinforcing the authority of the court and assisting the judge, who did not use a gavel, and had only the force of his personality to keep order. "To that end, he needs all the props he is given."

Beaumont noted the stress that witnesses and others often experience at the Old Bailey, and when I sat with Matron in her office she confirmed, between the constant ring of her phone from one patient or another, that stress was the biggest affliction she faced in her work.

I remembered Matron from the first trial of Barry George, the man convicted and later acquitted of the murder of Jill Dando. George had kept Matron busy with his unusual complaints, which could be considered extreme forms of stress. He had once groped his way into the dock of Court No 1 claiming to have gone blind – a kind of hysterical blindness. Another time he lost his voice, a condition known as aphonia, which can have psychological causes. Matron, Catherine Waters, would not discuss George with me because of patient confidentiality, but did not appear to have been fazed by his illnesses. She said she never assumed anyone was faking and always called everyone – even defendants (innocent until proven guilty, after all) by their first names. Her office is in the corner of the modern wing of the court, built in 1972, which overlooks the original 1907 building, topped by the dome with the 16ft figure of Lady Justice rising above it. Matron recalled: "I had a defendant in the chair opposite me one day and he looked out of the window and caught sight of Lady Justice. Would that be brass or copper?' he asked, with professional interest." (Lady Justice is bronze.)

I went for a pint at Ye Olde London with the reporter David St George. He once drank at the Magpie & Stump with John Mortimer, creator of Rumpole of the Bailey. Rumpole had been a better barrister than Mortimer, said St George. Now the Magpie was a trendy bar ("Rumpole

