



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 Smith is given unprecedented access to the hallowed halls of the criminal courts. Portraits: Zed Nelson



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 QC. 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



often grind out the evidence over weeks of not-always-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-

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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.

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

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 wood-panelled 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.

Beaumont said he did not know the statistics but he had detected a change in the nature of the murders before the court. There are fewer of the domestic variety — husband kills wife or vice versa — and more of the “multi-handed knife- or gun-related crime” such as his current case. The police have more difficulties getting witnesses into court and rely on special measures, which can hide a witness behind curtains or allow them to give evidence by video link without ever setting foot in the court. New technology ➡➡➡

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

would turn in his grave”) and the court business was not like the old days. Reporters no longer play cricket or practise their golf swing in the corridors; it has been years since St George organised one of his once regular sweepstakes on how long a jury would take to return a verdict.

St George was slippery about his age, but I would guess was in his late sixties, not as old as some judges, perhaps, but older than all the police officers. Like the wigs and the red robes, he is a connection to the past, a former Fleet Street tea boy, now a veteran of all the great Old Bailey trials of recent times, from the Yorkshire Ripper — a “nut or gut” case, according to St George — and Jeremy Thorpe, who used to sit on a rubber cushion he carried with him to ease his piles, to the Soham murderer, Ian Huntley. But St George remembered the smaller cases, not the big ones. He remembered the blagger who stood in the box for 2½ days complaining he had been fitted up by the police. “Members of the jury,” he had said, pointing at the police, “the Old Bill over there, they planted the f***ing lot.”

At two o’clock on the third day, they all came back from lunch, and the blagger abruptly changed his tune, as his barrister went ashen on the bench. “Judge, members of the jury, sorry about this, but actually ... I’m as guilty as sin.” ■

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