

R v Spooner and Others

I would like to say a few words about the advocates in this trial. It is not customary for the judge to speak of those who appear in trials for the simple reason that they are doing their job. However once in a while a trial comes along which is beyond the routine, and calls for comment.

This trial was out of ordinary on many fronts. Its length (6 months), the number of defendants being tried together (8), the fact that it involved a 'cut throat', the involvement of a SOCPA accomplice giving evidence – and within the trial itself there were complications – the matter was being reheard following the illness of a judge. That indisposition occurred at the very end of the first set of proceedings.

The trial itself involved lengthy sets of statements from the accomplice. The fact that this was retrial added another layer of difficulty in that the 'first trial' evidence had to be analysed and compared. There was in addition very dense and detailed forensic material in the shape of extensive cell site evidence. There were some novel legal factors – for example the fact that a victim of one of the serious offences was a co-defendant and present in the dock. There were sensitive issues, one of which involved the relationship between investigator and advocate. Consequently a number of legal storms blew up in the trial and had to be dealt by written and oral argument.

I mention these matters because the court wishes to express its thanks to all the advocates in this trial. Every one, both leading and junior demonstrated the highest standards of legal skill, professionalism and commitment. On each side an appropriate ferocity of argument (when required) was delivered, but always with great skill, balance, good sense and good grace. No defendant could argue that any relevant issue arising had not been identified addressed and argued. For my part the advocates have always provided timely skeletons and supporting authorities, to assist the decision making progress, and thereby ensured the smooth running of the trial.

I therefore thank all advocates for the help that they have given to me, and for their perseverance and commitment to this case. This case has, I trust, once more demonstrated to the public the very high standards of advocacy, and thus of justice, afforded to those appearing in criminal courts of this country.

HH Judge Stephen Dawson
4 June 2015