

## Court Room Scene

**Narrator's information:** The role play will begin by each member of the court reading out what is on the card in front of them. This explains who they are and what their role is. Your role is to explain what usually happens during proceedings and direct the role play. The role play will take place after the judge has entered and everyone has bowed.

### SCENE 1



**1.1 clerk (to defendant):** Stand up and give your full name, age and date of birth



**1.2 defendant:** Gives answer



**1.3 clerk (to defendant):** In the Crown Court at Derby, the Queen v [student's name] is charged as follows: Theft, contrary to section 1 (1) of the Theft Act 1968. On the 11<sup>th</sup> day of October 2008 you stole four DVDs. How do you plead, guilty or not guilty?



**1.4 defendant:** Not guilty



**1.5 clerk (to defendant):** Sit down please

**Narrator information:** This is called an arraignment, if the defendant at this stage had pleaded guilty then a trial would not be going ahead, and it would result in sentencing.

**Read out direction:** Before jury members are asked to be seated they will sit in a waiting area within the court (usually near to where they are placed within the court) the clerk then selects names from a bag, as to who will try the case. 14 potential members will be called into court, but only 12 will be selected. This is because the jurors may know the defendant or live in the locality. The system is in place to ensure a fair trial is heard. Jury members are asked to give an honest verdict either by swearing on a religious oath or affirming to tell the truth. If the trial lasts more than a day, Jury members will be asked/ warned by the judge not to discuss the trial as again this would not be fair on the defendant.

Jury members are selected at random by the electoral role; anyone eligible and registered to vote can be selected. It is considered a public duty to be called as a juror, and as such you would be expected to comply with the summons unless there are exceptional circumstances.

**Narrator's information:** The jury will first be sworn in.



**1.6 clerk (to jury foreman):** Stand up please and take the affirmation card in your right hand and read aloud the words on it



**1.7 jury foreman:** I do solemnly, sincerely and truly declare and affirm that I will faithfully try the defendant and give a true verdict according to the evidence



**1.8 clerk (to jury foreman):** Thank you, take a seat please



**1.9 clerk: (to judge):** Are you content to proceed to trial Your Honour?



**1.10 judge:** Yes


## SCENE 2

**Narrator information:** The prosecution advocate will open with the facts of the case. Sometimes this person is a CPS employee who is a Crown Advocate, they often do not wear a wig. Alternatively it could be a barrister who has been instructed by the CPS to present the case on behalf of the Crown/ Queen. The opening will be addressed to the jury as it is they who decide if the defendant is guilty or not guilty.




**2.1 prosecution barrister (to jury):** Members of the jury, the Crown's case is as follows: The Crown says that the defendant [say defendant's name] entered Cavanagh's Convenience Store, walked to the music and DVD aisle, selected four DVDs, placed them inside their jacket and made their way out of the store. On leaving the store the defendant ran in the direction of the town. It was at this point that (unfortunately for the defendant) they ran straight into off duty PC Charity. The DVDs dropped to the floor. PC Charity detained the defendant until further assistance arrived. This offence has been denied, and this brings us to trial today. Could I please ask for the first prosecution witness to be called on.


**Narrator read out direction:** As with members of the jury a witness will be asked to swear on a religious oath or take an affirmation. If someone is found out to be lying on oath then they commit the offence of perjury. This can carry a maximum penalty of seven years' imprisonment.

 **2.2 clerk (to witness):** Stand up please and give the court your full name, age and date of birth


 **2.3 witness:** Gives details


 **2.4 clerk (to witness):** Kindly take the affirmation card in your right hand and read aloud the words on it


 **2.5 witness:** Reads affirmation


 **2.6 clerk (to witness):** Thank you. Remain standing please for further questions


### SCENE 3

 **3.1 prosecution barrister (to witness):** Were you in the shop at the same time as the defendant?


 **3.2 witness:** Yes I was in the shop at the same time

 **3.3 prosecution barrister (to witness):** What did you see the defendant do?

 **3.4 witness:** I saw the defendant take four DVDs and place them under their jacket

 **3.5 prosecution barrister (to witness):** Is the person who did this the person that stands in the dock?

 **3.6 witness:** Yes it is

 **3.7 prosecution barrister (to witness):** Where did they put the items they had taken?

 **3.8 witness:** Stuffed them into their jacket



**3.9 prosecution barrister (to witness):** What happened next?



**3.10 witness:** They ran towards the door



**3.11 prosecution barrister (to witness):** Did they ever pay for the items before leaving?



**3.12 witness:** I never saw them pay a penny



**3.13 prosecution barrister (to witness):** Thank you, I have no further questions

**Narrator information:** You should at this point ask if any of the students would like to ask the witness any more questions on behalf of the Crown. When asking further questions they must say why they are asking.



**3.14 judge:** Jury members that is the end of the prosecution's evidence. Please listen carefully whilst the defence advocate cross examines the witness

**Narrator information:** You will tell the prosecution barrister to sit down whilst thanking them and tell the defence barrister to stand up.



**3.15 defence barrister (to witness):** Are you sure you saw the accused in the shop?



**3.16 witness:** Positive, I'd recognise them anywhere




**3.17 defence barrister (to witness):** Are you sure you saw them take the items, didn't they just fall into their jacket by mistake?





**3.18 witness:** No way did they just fall into their pockets!



**3.19 defence barrister (to witness):** I put it to you that they have a twin that you are not aware of. What do you say to that?


 **3:20 witness:** I've known them for ages and they've never mentioned a twin before

 **3:21 clerk (to judge):** If there are no further questions Your Honour can the witness be released?


 **3:22 judge:** No further questions

**Narrator information:** The defendant will now be asked to move into the witness box. You will ask the dock officer/s to escort him/her to the witness box, and to stay with him/her whilst they give their evidence. It would be at this point that you would say that dock officers are not police officers or prison officers; they are employed by private security firms. It is their job to ensure that the defendant does not leave the dock during the trial. It makes no difference if the defendant is in custody or on bail dock officers will always be present.

## SCENE 4


 **4.1 clerk (to defendant):** Kindly give the court your full name, age and date of birth

 **4.2 defendant:** Gives details

 **4.3 clerk (to defendant):** Now can you please take the affirmation card in your right hand and read aloud to the court the words on it


 **4.4 defendant:** Reads affirmation


 **4.5 defence barrister (to defendant):** Were you in the shop in the day in question?


 **4.6 defendant:** No it was my twin brother


 **4.7 defence barrister (to defendant):** Did you take these items?

 **4.8 defendant:** No way! I wouldn't be seen dead with those!

 **4.9 defence barrister (to defendant):** Why do you think that the witness say it was you?

 **4.10 defendant:** Must have got mixed up with my twin

 **4.11 defence barrister (to defendant):** Why were you running down the street?

 **4.12 defendant:** Just wanted to get home

## SCENE 5

 **5.1 clerk (to judge):** Can the defendant go back to the dock Your Honour?

 **5.2 judge:** Yes

**5.3 judge:** Members of the jury you have listened to the evidence it is up to you to decide whether the defendant is guilty or not guilty.

**Narrator read out direction:** At the end of every trial a judge will sum up the evidence for the jury. The jury now has to decide whether the defendant is guilty or not guilty. Let the jury have a few minutes to discuss the evidence and then ask for the foreman to stand up when a decision has been made.

## SCENE 6

 **6.1 clerk (to jury foreman):** Have you reached a verdict upon which you are all agreed?

**Narrator's information:** The verdict should be addressed to the judge. If there is a guilty verdict it is now up to the judge to sentence. You will ask the judge what they think the appropriate sentence should be. If the sentence is prison (custodial) the appropriate wording is: "take them down" after the sentence is announced. This is the phrase used by judges on a daily basis in courts everywhere when custodial sentences are passed.

**End of role play exercise**