

## **BOOK REVIEW**

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***Jacobson, J., Hunter, G., Kirby, A, (2015) Inside Crown Court, Cambridge Policy Press, ISBN 978-1-44731-705***

This book provides a fascinating insight into the Crown Court and the criminal justice system. The Crown Court prosecutes the most serious criminal cases in England and Wales and is at the heart of its criminal justice system. The book gives the reader a real understanding of the workings and processes of the court from the perspective of the many different players who either participate or work in the court room. The book is based on testimonials from victims, witnesses, defendants, practitioners and professionals who work within the court, and observations of the court process. The reader is transported into the court room through the detailed accounts given by those interviewed.

Each chapter explores a dimension of the court process and the reader gains an understanding of the experiences of all the different participants in the criminal justice system. The empirical findings of the study are not just presented but also reflections on how the process needs to change and adapt. Although this is a study of the Crown Court, this book will be of interest to the readers of the *Journal of Commonwealth Law and Legal Education* who have common law legal systems and offers an interesting comparative to their own criminal justice system. The experiences of court users in England and Wales mirrors those in many other jurisdictions. What sets this book apart from other research in this area is that you hear the voices of the court users, which is critical to our understanding of how we ensure effective participation in the criminal justice system.

Chapter 1 is an introduction to the book, chapter 2 details what is the Crown Court and what its role is, chapters 3 to 7 each examine an aspect of the court process and then all of the discussion is drawn together in chapter 8 in conclusions. There is a very comprehensive list of references which will be of great value to those researching in this area. The Appendix contains details of court user respondents and an outline of observed cases. This is fascinating information as it highlights the variety of cases that are tried in the Crown Court, the socio-demographic characteristics of the court users and the outcomes of the cases.

The introduction in chapter 1 sets out details of the study and the questions it is intending to address. The book is based on interviews and observations over a 20 month period of the Crown Court. This book addresses a gap in the research because criminal courts have not been the subject of much research in comparison with other elements of the criminal justice system. Throughout the book the analogy of a performance is used which perfectly captures the court trial process.

Chapter 2 provides the reader with an understanding of the court structure, how cases arrive in the Crown Court and the 'key players'. It then provides a commentary on access to justice and how the criminal justice system is seeking to support vulnerable individuals who are required to participate in the process such as victims and witnesses. What is particularly interesting is the way the authors' highlight the issues and concerns around vulnerable defendants'. The book later on demonstrates that the issue of vulnerability is a complex one as being able to effectively participate in the court process extends beyond defining an individual as vulnerable.

In chapter 3 it explores the adversarial system, considering why it is not a process about finding out the truth. It then draws on the analogy of the court process as a form of theatre to explore the public nature of the court process, and its rituals and formalities. It does this by reference to the interviews from witnesses, which provide a fascinating first hand insight into their perceptions and their perspectives of the court room.

Chapter 4 explores 'them and us: the divide between court users and professionals'. The interviews with victims and witnesses reveals their frustration of the process of giving evidence and describes how they felt hampered in trying to tell their story. Often, they did not feel they had a 'voice' or that their 'voice' was being listened to- the interviews support previous research where victims describe feeling peripheral within the court system. This is then contrasted with the role of the professional players in the court room or the main actors in the performance, this serves to create a dividing line between the 'them' and 'us'.

Chapter 5 is entitled 'structured mayhem: the organised yet chaotic nature of court proceedings'. At the end of the chapter is a case summary which illustrates the organised chaos of the trial process. The funding cuts that have been applied to the justice system also manifest themselves in the operation of the courts and impact on perhaps the increasingly chaotic nature of the court process, for example the reduction in the number of clerks and ushers has ramifications for the efficiency of court proceedings. This highlights the continued tension of how we deliver justice at a price.

What is interesting about chapter 6 is that the reader is provided with an explanation of the conformity of court users even though at times the trial process can be challenging, frustrating and sometimes hostile. Conformity is described as reluctant but there is something about the nature of the court room that creates an expectation of compliance.

The reader gains a real understanding of how anxious victims and witnesses are about giving evidence and in particular the impact of cross examination. Any reader who has an interest in how the criminal justice system deals with victims and specifically vulnerable victims will find this chapter particularly interesting. It discusses the measures that have been introduced to support vulnerable witnesses and victims and highlights how those measures

are often only provided at the last moment but are critical to the recipients, having a positive impact on their ability to give their evidence.

The legitimacy of the court process is explored in chapter 7. It identifies five aspects of legitimacy; 'moral alignment', 'positive outcomes', 'fair decision making', 'respectful treatment' and 'passive acceptance'. Each of those aspects is considered. The research demonstrated that different court users attach different weight to those aspects. 'Positive outcomes', 'fair decision making', and 'respectful treatment' underpinned the court users' experience. What is interesting is that the discussions with the court users indicated that 'positive outcomes' is often more important than the process.

Chapter 8 is the conclusion, which draws together the themes discussed in the book and includes a section on implications for policy and practice. The book acknowledges the progress that has been made in the treatment of particularly victim and witnesses in the criminal justice system but does consider that there are ways in which the court users' experiences could be improved following the findings from this research.

This book succeeds in integrating clear explanations of the court process with observations and interviews therefore the book is relevant to an array of different readers. The book will be of interest to anyone who wants to gain a greater understanding of the experiences of court users. The consideration of the court room and the criminal justice system will be of particular relevance to law and criminology students. Policy makers can draw on the experiences of victims and witnesses to consider how improvement and change could be effected in their court rooms. The diverse nature of this book will inform those researching in this area.

The writing style is clear and accessible. One of the strengths of this book is that it draws upon research and evidence to illustrate the workings of the criminal justice system. It has very clear explanations and descriptions. The book provides a real insight into the workings of the Crown Court and the construction and accessibility of this book will undoubtedly engage a variety of readers.