

Crown Court Etiquette Cribsheet

Unisex dress advice

1. Suits must be black, navy blue or dark charcoal grey.
2. Ditto shoes.
3. Bands and collarettes should be starched. You can do a decent job at home with spray starch.
4. Hair should not poke out below the sides of your wig. Keep it short or tie it back.

Female dress

1. No skin on show below the collarette. That means
 - a. a full bib collarette with a suit that buttons high enough to prevent it popping out
 - b. a half bib collarette with a dress suit
 - c. a plain high neck black top to tuck your collarette into
 - d. alternatively you can buy female cut dress shirts with wing collars, but they are tricky to adapt for normal wear during the rest of the day, unless you look good in a KD Laing-style soft collar and tie
2. Whatever you go for around the neck, always button your suit jacket up in court.
3. Strictly speaking, no bare legs.
4. But really truly, no open-toed or sandal-style shoes.
5. You'll see some women wearing "suits" which don't match, have unstructured jackets, or even no jacket at all. I would think most judges will be annoyed by this. Some old-school judges may also dislike trouser suits.

Male dress

1. Strictly speaking, suits should be three-piece or double-breasted.
2. Even if you don't follow that strict rule, you should always ensure you are buttoned up. There should be no shirt on show below the breast-bone.
3. Some judges don't like coloured or patterned shirts.

Before getting into court

1. Ask for the robing room code when you come through security.
2. Don't forget to sign in on the computer when you get to the robing room.
3. Try to find prosecution counsel without tannoying for them – you'll see their name on the computers once they've signed in, and you can ask around for them or seek them out in the CPS room.
4. Don't take bags into court – unload papers in the robing room (apart from handbags). The theory is that everything should be open, with no papers hidden from view.
5. When having a cigarette, you could take yourself a bit away from main entrance ways, to avoid being associated with the miscreants (robed or unrobed).
6. Don't run around court or the vicinity, especially not robed. In fact if you take one excellent advocate's advice, you can overcome nerves by walking at a slow and stately pace, even when you're late.
7. Many advocates will be seen in public areas around the Crown Courts in a "relaxed" form of court dress. Some frown upon it. If you want to maintain good relations with all on the bench, take the all or nothing approach to court dress (except the wig, which can come off when you're out of court).

Where to sit in court

8. Defence advocates always sit nearest to the jury box.
9. Counsel for the first defendant should sit nearest to prosecution counsel, and thereafter in indictment order.
10. In some courts there is an obvious first row for silks.
11. Some courts don't have any/enough lecterns. The silks get first dibs. It is also rather frowned upon to bring in your own lectern, unless you're an old hand.

Behaviour in Court

12. You should be introduced to the judge by prosecution counsel, and this should be acknowledged with a nod/half-bow to the bench.
13. After your hearing don't leave your place until the next defence advocate is waiting, or the judge has released you - the court must be "dressed".
14. Don't turn your back to take instructions without asking permission
15. Don't talk, walk around or into court when a witness is being sworn or a defendant is being arraigned.
16. Don't walk between the judge and anyone currently talking in court. That often means walking around the back of counsel's benches.
17. Lunch breaks are referred to as "the short adjournment".

Advocacy etiquette

18. Advocates never think or have opinions in open court, because we don't decide the case. We make arguments and submissions. When addressing the judge, you don't say "I think the correct view is...". Instead you say "in my submission", or "the defence argue that...". When closing to the jury you don't say "in my opinion, Mr X was an honest witness". You say "you may think that Mr X was an honest witness".
19. Original exhibits should be shown to the witness first to identify them, and then to the judge for courtesy, and then to the prosecutor for propriety, before going around the jury. The usher will assist.
20. If you think the jury need to go out you simply say "your Honour, a matter of law arises".
21. When citing cases, you say "the Crown and X", or "Crown against X". You don't say "Crown versus X" or "R v X" or "R and X".
22. Swot up on modes of address. In particular, if you go into chambers or write to a judge they are no longer addressed as "your Honour". It becomes: "thank you for seeing us, Judge"; or "Dear Judge".
23. If you are in open court and then go into chambers, you should remain fully robed, but take your wig off.
24. The Court should be referred to formally as The Crown Court at X rather than X Crown Court, because there is one unified Crown Court jurisdiction.

(Unlike the Magistrates' Courts each of which has its own jurisdiction in its location.)

Barrister peculiarities

25. Call all advocates "my learned friend" and expect the same. Some barristers will still refer to you as "my friend" – we can console ourselves with the thought that they won't last much longer.
26. Don't shake hands with a barrister when you're appearing as advocate – apparently they are above mutual shows of honesty.

Flora Page