



Notes for volunteers attending court cases

Thank you for helping NAG with our project to study, and ultimately influence the way the Law is applied to public nudity. Case reports will be analysed by NAG, and may be used as evidence in our submissions to the Authorities. They therefore need to be relevant, comprehensive, consistent and objective. This format is a way of helping you to achieve those aims. If you propose to attend a trial **involving a naturist issue**, please let NAG know as soon as you can, to avoid complications or duplicated effort. NAG can not offer to reimburse your costs, but your help will be a very welcome addition to a worthwhile project which ultimately should improve freedom for genuine naturists to live the lifestyle of their choice.

Preparation

Details of listed cases can be obtained by phoning the Court office a day or two before the date of the trial. Unless a judge rules otherwise, members of the public may attend and make **written** notes, though you will not be allowed to make audio or video recordings, and bags will be searched by Court security. If you have any queries or requests, you should see the Court Clerk in the particular Court you are attending. They are usually helpful so long as you remain polite and reasonable.

Members of the public are normally seated together at the back or side of the Court, and the Court Clerk or an usher will direct you. Many Courts have hearing loop systems for the hard of hearing, and to use this, ask the Clerk before the trial starts. Acoustics are not always good from the Public gallery, and occasionally, if you ask, the Judge/Clerk may let you use the Press gallery, which is usually better. There is no published dress code for the public, but the Court has the right to refuse you entry if they find reason to object to your appearance; so naked protests and the like are not a good idea! Court buildings always have toilets, and often have cafes or drinks vendors.

As an observer

As an observer, you must not take any part in the trial, so if you expect to be called as a witness etc., you can not also be an observer. As an observer, you must keep quiet. Any interjections will not help the accused, and may get you ejected or even charged with Contempt.

Please try not to let your opinions influence the way you report the case. If you do express opinions, guesses or speculations, please say where this is so. It is impossible to take down verbatim what is said, so aim to produce a comprehensive summary rather than a transcript. However, on some points of law it can be important to record the actual words used. It will usually be clear from the proceedings when such words are important, and you must use your own judgement in how you record it.

If you want to type it up, please feel free to do so, but a hand written account is fine, so long as it is legible to a third party. Use as many extra sheets as you need.

The court proceedings

A case is normally (but not always) structured as follows, unless it is a guilty plea:

- Selection & swearing in of the jury (if it is a jury trial)
- The details of the Charge are read out, and the guilty/not guilty plea is heard.
- The Judge or Chairman of Bench's opening remarks/directions – if any.
- Opening speech by the prosecution

- Opening speech by the defence
- The prosecution case (including witnesses & cross examinations)
- The defence case (including witnesses & cross examinations)
- Closing speech by prosecution
- Closing speech by defence
- Summing up by Judge/ Chair of Bench
- Judge / Magistrates / Jury retire to consider their verdict.
- Verdict given in court - with reasons for judgment if not a jury trial.
- Sentence announced or deferred until reports etc., completed
- If it is a Judged trial, the Judge will usually publish a copy of his formal Judgement soon after.

If it is possible to obtain a copy of the Judgement, please do so and pass it to us at NAG, as this gives the best summary of the legal points in the trial. The defence lawyer will be given one. In any event, any remarks by the Judge or Chair of Magistrates needs to be given special attention in reporting.

Helping the accused

If you wish, it is OK to contact The Accused before the trial and discuss it with him/her, if they are willing to, but please respect their wishes if they don't want to. They can invite you in to join in discussions with their lawyers, but only if all the parties agree.

Your report

Here are a few particular points to watch out for, and note where appropriate.

- Was there any evidence of solicitation of complaints from the public by the police?
- Was there any evidence that witness statements had been influenced by police?
- Was there any evidence of collusion between witnesses (including police officers)?
- Did the arresting officer state what law was being broken at the time of arrest? If so, what?
- Was sexual activity alleged? If so, what?
- Regardless of what law the accused was charged under, were any of the following mentioned, if so provide details: Public Order Act 1986; Sexual Offences Act 2003; Outraging Public Decency.
- What actual harm, and to whom, was alleged as a result of the incident for which the charge was brought?
- Were the accused's intentions, as well as actions, investigated and taken in to account in the judgement?
- Did you think the trial was fair? Please give reasons.

When your report is complete, please send it to NAG "The Risings", Kington, Worcestershire, WR7 4ED or email it to duncan.heenan@naturistactiongroup.co.uk . If you have any queries, phone Duncan Heenan on 0844 357 5196. And thank you again for helping!

Observer's Details:

Name,

Address,

Phone number,

Email address,

Date(s) of trial:

Court:

Judge or Chairman of Bench:

Was there a Jury?

Accused's name:

If available:

Accused's address.

Accused's age, sex, marital status, occupation.

Membership of any naturist organisation?

Previous criminal record, prosecutions or cautions.

Defence solicitor

Defence Counsel

Details of Charge (specify which laws the Accused is charged under, as well as incident details)

Judge's Opening Remarks (if any)

Prosecution Opening Speech

Defence Opening Speech

Prosecution Case .

Defence Case

Prosecution closing speech

Defence Closing Speech

Judge's summing up

Verdict, **Judge's reasons**, sentence, award of costs.

Personal Comments, observations, opinions etc. upon reflection.