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The barrister

Teacher's notes

Summary

This DVD programme could be used as a follow up to the topic of law in Unit 8, pages 78–80 of the Student's Book. This programme extends the theme of law and order as barrister Mike Baker describes his job, some of the traditions associated with the job and why he became a barrister.

Background information

There are several different terms used in the programme for people whose job involves courts and the law. *Lawyer* is the general term for someone who is qualified to advise people about the law, to prepare legal documents and to represent people in court. To qualify as a lawyer you have to get a degree in law (or a degree in another subject followed by a law specialisation). A *solicitor* is the term used in British English for a lawyer who is qualified to give legal advice, draw up documents and represent clients in the lower courts of law. Solicitors often deal with cases involving divorce, house purchase and wills. A *barrister* is a lawyer who has done special training (called *pupillage*) and is qualified to represent clients in the higher courts of law. In Scotland a barrister is called an *advocate* and in American English a *solicitor* is the term used for some lawyers who work for the government.

Procedure

Before you watch

- 1 Put the students into small groups and ask them to write a list of questions about a barrister's job they would like to hear the answers to. Groups should keep the list to refer to after the first time they have watched the programme.
- 2 Ask the students to tick the places on the list that they expect to see in the programme. Do not check answers at this stage, but tell the students they will be able to check their answers as they watch for the first time.

Places seen in the programme are a, c and e

While you watch

- 3 Ask the students to put the questions in the order they hear them asked. Remind the students to listen to see if the questions they

wrote in Exercise 1 are answered, and to check their answers to Exercise 2. Play the DVD.

Collect feedback from the class about whether they heard the answers to any of the questions they wrote in Exercise 1, their answers to Exercise 2 and the order they heard the questions in.

a) 5 b) 2 c) 6 d) 3 e) 10 f) 4
g) 1 h) 7 i) 11 j) 8 k) 9

- 4 Ask the students to work in pairs and to try to remember Mike's answers.

- a) The job entails representing people who are accused of having committed a crime. Mike visits courts, prepares cases in his office or at home, talks to clients and visits clients in prison.
- b) Mike specialises in criminal defence law.
- c) In the office he wears jeans and a t-shirt, he wears a suit to meet clients and his barrister's collar, wig and gown when he's in court.
- d) Solicitors prepare cases and barristers present them in court.
- e) Mike likes the freedom and the responsibility. He doesn't like the stress.
- f) You have to get a degree in law, or another degree and a year's specialisation, then you have to do another year's training and a year's apprenticeship.
- g) A barrister prepares solicitors' cases and presents them in court.
- h) The barrister's collar replaces a normal shirt collar. The tabs replace a normal tie. The gown has a pocket on the back and the wig is worn if the court case is serious and in front of a judge and jury.
- i) Mike chose criminal law because he has a strong sense of right and wrong.
- j) Briefs are wrapped up in ribbon and barristers don't shake hands with each other as a sign of trust.
- k) Mike's favourite client was a retired criminal. He was a real gentleman and gave Mike a statue for his office.

- 5 Ask the students to try to answer the true/false questions from memory before they watch the programme again, or ask them to read through the sentences first in preparation for watching. Play the programme again and ask them to check their answers or to tick the boxes.

- a) True f) True j) True n) False
b) False g) True k) False
c) False h) False l) False
d) True i) False m) True
e) True (to visit clients, not to be punished)

- a) Barristers are required to do another year's training.
b) I represent people who the police have accused/who are accused by the police of doing/committing a crime.
c) Occasionally it is necessary for me to go to prison to see a client.
d) Briefs are received (by barristers) wrapped in a ribbon.
e) In my youth I had a strong sense of right and wrong.

- 6 Ask the students to correct the false sentences in Exercise 5. They may do this orally in pairs or as a writing activity.

- b) Solicitors deal with divorce cases.
c) You can take a degree in another subject as long as you then do a year's law specialisation.
h) The gown has a pocket at the back for clients to place money in.
i) The Temple is the place where lawyers study and practise law.
k) Tax cases are tied with green ribbon, criminal defence cases are tied with pink ribbon.
l) His favourite client was an armed robber.
n) He became a barrister because of his strong sense of justice.

Note: the verb *practise* is applied to the law. For example, *I've been practising law for 15 years now.*

After you watch

- 7 Ask the students to look back at the picture and to name as many items as they can.

barrister
tabs
brief
ribbon
collar
gown
wig
court

- 8 Ask the students to discuss the questions and to report back on anything they found particularly surprising or interesting and whether they thought any traditions were useful or useless.
- 9 Ask the students to rephrase the sentences using the words given. Remind the students that they must include the word given and that the new sentence must mean the same as the original.

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The barrister

DVD script (08:25)

(M = Mike; I = Interviewer)

M: My name's Mike Baker and I'm a barrister and I'm sitting in my chambers which is my office, in the Temple in Central London.

I: What does a barrister do?

M: A barrister gets given a case by a solicitor and prepares the case for the court hearing. Er, once you're at court then you argue on behalf of your client. Because I'm a criminal defence barrister, that means my client is someone who's accused by the police of doing a crime.

I: What kind of law do you specialise in?

M: I specialise in criminal defence law. That means I represent people who the police say have done a crime. Sometimes it will be not very serious, like someone's a bit drunk and gets in a fight and sometimes it's much more serious, like people who import serious drugs into England.

I: What's the difference between a barrister and a solicitor?

M: When someone has a problem like, maybe they want a divorce or they're accused by the police of a crime or where they live the landlord wants them to leave, they go and see a solicitor and the solicitor prepares the case and says 'I want a specialist in this area to present the case at court.' And the difference between a solicitor and a barrister is that the solicitor prepares the case and then the barrister is the specialist who presents the case in court.

I: How do you become a barrister?

M: To become a barrister you first of all have to get a degree in law. That takes you three years, or you can get a degree in another subject, my degree was in English, and then a further one year law specialisation. Then you're a lawyer, then you have to do another year training to become a barrister. Then you do an apprenticeship which is called pupillage, and after a year of that then you're a barrister.

I: What does the job entail?

M: I work in courts all over England, usually in London. Most days I'll go to a court in London and work there until perhaps five o'clock, then I'll come back here and prepare a case for the

next day or maybe see a client about their case in the future. Or some days I have to go to prison to see a client there. And on other days I'll stay at home and I'll read and prepare a case there.

I: What clothes do you have to wear for work?

M: When I'm here in chambers working all day on my computer I just wear jeans and a t-shirt. When I'm meeting a client then I wear my suit and when I go to court I wear this, I wear my barrister's collar, my wig and my gown.

I: Tell me about the clothes you have to wear to court.

M: When I go to court I take off my ordinary collar and put on a barrister's collar. These are still worn today by people who go to posh weddings and who go to posh parties. Instead of my tie I wear these barrister's tabs. Also I wear my barrister's gown. Three hundred years ago a gown was a sign of academic learning, worn by scholars and school teachers. Today not many scholars and school teachers wear them, only barristers wear them, and today you can hear barristers are called 'my learned friend' in court. The unusual thing about a barrister's gown is a barrister's gown has a pocket on the back and traditionally that was how you paid your barrister, by putting money into the pocket. Also I wear my barrister's wig. Three hundred years ago in England all gentlemen, by which I mean men of an upper class, wore wigs. Today the tradition has died out and only barristers wear wigs. Women barristers as well as men barristers wear wigs. I don't wear this every time I go to court. I wear this when I go to do a serious case in front of a judge and a jury. When I go to court to do a less serious case I just wear my suit and I don't wear this when the case involves children 'cos it frightens them. We're standing in front of the Royal Courts of Justice in The Strand. Just down that alleyway is my chambers and beyond that is the Temple. The Temple is an eight hundred-year-old institution. Historically, all student barristers used to have to live and sleep and eat in the Temple in order to qualify, and when they qualified as barristers they usually worked in the Temple. Nowadays

lots of barristers still work in the Temple. As you can see, there's some typical English weather today and it's a bit cold so I suggest we go somewhere a bit warmer.

OK, well that's better. Now, what do you want to ask me?

- I: Tell us about some of the traditions of the Law Courts.
- M: Oh, there's lots of traditions in the Law Courts. One tradition is that whenever a barrister gets a brief it's wrapped up in ribbon like this. Normally it's pink ribbon but a prosecution brief is white ribbon and I think a tax case is green ribbon, but whenever I get a case it's pink ribbon because it's criminal defence. Another tradition is that when a barrister meets another barrister for the first time they don't shake hands because you're saying 'I know you already because I trust you, because you're a barrister.'
- I: Who's been one of your favourite clients and why?
- M: My favourite client was a retired, serious criminal. He was an armed robber and after he retired he was wrongly accused by the police of something he didn't do. He was very worried, but he was a gentleman throughout and he was a real pleasure to do business with and after the jury found him not guilty he gave me that statue that you can see in my room.
- I: What do you like and dislike about your job?
- M: What I like about my job is the freedom. I can do my own cases and what I also like is the sense of responsibility. I really feel like I've achieved something when I win a big case. What I don't like is that that responsibility is very stressful and it's difficult to always be in charge of a difficult case.
- I: Why did you choose criminal law?
- M: When I was younger I had a strong sense of right and wrong, a strong sense of justice. When I became a barrister I wasn't interested in houses and in contracts so it was natural I was going to do criminal law because it's about real human issues, it's about real people with real problems.