

Wargrave Local History Society

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My Life of Crime! - Torie Griffiths

The members of Wargrave Local History Society always enjoy a presentation by a member of the local community, and this was certainly the case for their February meeting, when village resident Torie Griffiths recalled “My life of Crime: reflections of a former Crown Prosecutor”.

Torie said that she had had an interest in crime and criminal law from an early age. She had enjoyed reading the works of writers such as Dorothy L Sayers, and also biographies of people such as Bernard Spilsbury – the noted pathologist who gave evidence in many important court cases – or of the great Queen’s Counsel barristers. In part, this choice was influenced by her father, who was a solicitor. He often represented the police at court cases in Coventry, and subsequently became the coroner for the city. At that time, judges had been appointed from the ranks of barristers, but when it became possible for solicitors to also assume that role, Torie’s father was one of the first to be elevated to the judicial bench.

It was natural, therefore, that Torie would study law at university, and she qualified as a solicitor in 1971. At that time, the work of processing prosecutions was undertaken by a department of the local police force, and Torie joined the Greater Manchester police as part of their legal team. It was a high-pressure task, as there were 12 magistrates’ courts sitting in the area every day, with many cases involving drugs and prostitution to be dealt with.

Torie then took time off from legal work, when she had her children and moved to Wargrave.

The Crown Prosecution Service was formed in 1986. The previous process whereby the police themselves decided on the charging of suspects “left much to be desired”, and a Royal Commission was set up, which considered that the work of considering what charges, if any, should be brought against a person should be made independent of the officers who carried out the police investigation. This led to the creation of a nationally organised Crown Prosecution Service (CPS) which, whilst completely independent of the police, works closely with them. At every stage of a case, the police and prosecutors will have looked closely at the information gathered, so that the case is reviewed many times. This will include consideration of information that has been discovered by the police investigation, but is not being used as part of their case, as it may have to be disclosed to the defendant’s legal team, whilst there may also be issues with some of the witnesses to be called, who might, for example, have a ‘history’ that could lead to their evidence being challenged in court. Before a case is brought to trial, there are two critical factors that have to be taken into account. Firstly, would the evidence to be presented in court be reasonably likely to result in a conviction of the suspect – if not, then the case ought not to proceed. Secondly, if there is sufficient evidence, is it in the public interest to proceed with the case. This might relate to the penalties likely to be imposed, or the age of either the accused or the victim, for example.

Torie spent many years in prosecuting suspects on behalf of the Crown at the Magistrates’ Courts in Berkshire. These courts were restricted in the sentences they could impose, so did not determine the most serious cases, but could still be challenging, and certainly never dull. Sometimes Torie would have to struggle with the hand-writing of previous prosecutors involved in the case, whilst still giving a professional presentation in court. It was certainly necessary that she be convinced that the Crown evidence was superior to that being offered by the defence. The prosecutor had also to be aware of any problems that might arise if bail was granted to a defendant. No two cases were ever the same – even for outwardly similar cases, there might be a different defence, or there might be mitigating circumstances

which had to be taken into account. In the audience was Patsy Roynon, who was the chairman of the magistrates for a local court. Torie observed that she was always well-informed, and fair but firm, so if the case went against the Crown, she would “accept gracefully”. Some cases, however, seemed a little surprising, such as that of a man who was disqualified from driving. He had then applied for a second licence – in the name of his dog – although it was ‘some time’ before the police became aware of that! Then there was a well-known rugby player who was brought before the court on a drink-driving charge. He pleaded not guilty, as – it was claimed – his liver did not process the alcohol sufficiently. The prosecution showed that evidence could not support the claim, and in due course, the defendant changed his plea to guilty, having been poorly advised by his solicitor.

Being the prosecutor on behalf of the Crown, however, could result in some unpleasantness, with the lawyer being sworn at, threatened, or spat at, being seen as ‘the enemy’ by those charged with an offence. Torie recalled the most notable day was at the Slough Magistrates’ Court on August 3rd 2000. A group of armed gun-men, wearing high visibility jackets and balaclava helmets, burst into court number 2, where she was presenting her case against a burglar in the dock at the time. Everyone was told to stay down, and after 10 minutes were ushered out into the adjacent police station. The gang then moved into court number 1, where the people they wanted to free were on trial. A shot was fired, and two of the accused escaped, although one remained in the courtroom. The incident became the lead story on the news that day, and it led to top level security measures being introduced to all the courts in the country.

A group of cases that Torie described as hard to pursue, but very rewarding, were those involving rape or child abuse. She had dealt with a number of these, where the main witness would often be seen by means of a video link. Some times a case would appear very good in written form, but when a witness was actually present in person, they might appear to be very arrogant, or there could be doubt about the validity of their evidence. In such cases, if a prosecuting lawyer decided not to press charges against an accused on the basis of the evidence available, then the facts would be put to another prosecutor to consider. Eventually, a specialist unit was set up to deal with this type of case.

In due course, there came a time when Torie had to decide if she would spend all her time working in the Magistrates’ Court, or whether she would join the Crown Court team. She decided to do the latter, as although she would no longer appear in court, everything was being done digitally, using laptop computers, which was not the way she wished to conduct cases.

The Crown Court dealt with the more serious cases, such as aggravated burglary, murder, and so on. The police and Crown prosecutors worked mostly as a team. There could be 70 to 100 cases to be managed at any one time. If at the start of considering a case the evidence looked thin, the lawyers might recommend changes to the investigation if that might be more likely to result in a conviction, but the legal team had also to ensure that they complied with any orders by judges as to a time scale to be observed. The situation might not be straight-forward – such as the case of a fatal stabbing in the Slough area. It was evident that drug dealing was a relevant factor, although not that the victim themselves was involved in this. Although two people had been apprehended, it became clear from closed circuit television footage that a third was involved. To find out who this was needed a painstaking search of phone records. In due course, the 3 people – all under 21 – were charged. One of them had a very long record of drug dealing and knife crime. One of them then claimed that it was the victim who had attacked them – material which the prosecution might not use, but which would still have to be disclosed to the defence lawyers. Every item of police evidence has to be correctly categorized, and could need to be disclosed – such as if a witness was not themselves ‘squeaky clean. However, some evidence might not be disclosed if it was not in the public interest to do so, but the process had to be done correctly, as otherwise it could result in the collapse of a trial. In the event, the Slough stabbing case resulted in all those charged being convicted at the end of a 7 week trial.

A difficulty of a different kind arose following the brutal killing of an elderly lady in the Marlow area. There was no doubt that the accused had done this, as they were at the scene, but the charge of murder was denied. The defence evidence included a doctor’s opinion that the accused had themselves been the victim of an assault in their home country, and this meant that a psychotic episode could have meant he would not have had ‘intent’ in his actions. The prosecutor’s doctor agreed with that analysis, and so the charge had to be

reduced to that of manslaughter due to diminished responsibility (to which the defendant made a guilty plea). In cases where an accused has the charge either dropped or reduced to a lesser one, the victim, or members of their family, have to be advised of the situation, It was a very uncomfortable meeting, but the prosecuting team could do nothing else, as their own witness agreed with the defence. In due course, the defendant was convicted and then sent to Broadmoor.

In recognition of her life's work, Torie was very proud to be invited to a Buckingham Palace Garden Party. Her colleagues then asked to wear her 'garden party outfit' when she retired – although it seemed slightly strange to be wearing her very large hat to the office!

Torie's interesting insight into her work was then followed by Patsy Roynon's view as a magistrate having to hear such cases – there being a clear mutual respect for the preparedness with which each approached the work, so that cases were dealt with efficiently and effectively.
