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Magistrate defames defendant while acquitting him

Mr Louis Blom-Cooper's defence of the Marlborough Street magistrate (10 December 1976) falls down on its own terms. If Lord Wigg had been acquitted without more ado, no one would have been entitled to infer that, in Mr Blom-Cooper's words, 'the police officers were perjurers'. This is because there would have been an alternative inference open, namely that the police evidence (even if true) disclosed no offence in law. That alternative inference was of course the correct one. There was thus no need to 'acquit' the police, as Mr Blom-Cooper puts it. They would not have been 'acquitted' if the case had been before a jury, and they should not have been in this instance. A successful defendant is entitled to leave the court without stains on his character gratuitously applied by the magistrate who acquits him.¹

¹ *The Times*, 16 December 1976.