

NOTES ON THE STYLE OF THE LAW

Review: Vardy v Rooney (C4)

by

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≈ review ≈ television ≈ fiction ≈ criticism ≈ culture
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LEGAL DRAMA is already a difficult medium in which to work, but the makers of *Vardy v Rooney: A Courtroom Drama* (Channel 4) decided to up the challenge. This, we are told via text on screen, is 'A factual drama', made from courtroom transcripts. Documentary theatre can be thrilling; perhaps most famously, the play and later film *Charlie Victor Romeo* is able to grip audiences with real transcripts of cockpit dialogue before aviation disasters. This approach works so well because the drama of an aeroplane crash can be played out in real time, with the stakes and imminence needing no extradiegetic intervention. In court, on the other hand, proceedings last much longer than the length of a television programme, and thus do not readily play into a short drama. There may be a few dramatic instances but the pace and structure of trial transcripts is unsuited for transposition without heavy editing.

Hence, the best courtroom movies work hard to adapt matters for the screen, because otherwise the trial exactly as it was will fail as dramatic presentation. The real incident in the First World War on which *Paths of Glory*¹ is based probably did involve some speeches would officers against the utterly unjust executions, but such speeches were certainly not have been as moving or eloquent as that given by Kirk Douglas in the film. could we have expected any military court advocates to have Mr Douglas's charisma or rugged good looks. Even when verbatim extracts are used, they are usually severely edited. A good example is Orson Welles's stunning peroration courtroom closing speech in his rôle as Mr Clarence Darrow. (renamed, due to the *film à clef* structure) in *Compulsion*,² which quotes directly in places from Mr Darrow's real closing speech, but which is enormously condensed and changed to heighten the cinematic qualities.³

1 1957, dir. Stanley Kubrick

2 1959, dir. Richard Fleischer

3 It works really well.

The makers of *Vardy v Rooney* appear to realise that verbatim court proceedings are ill-suited to human drama, because they constantly mix in high-tempo suspenseful music,, sometimes at a level that feels as high if not higher than the dialogue. It is like the programme is constantly shouting at the audience ‘This is interesting’, which is a sure sign it is not very interesting at all. Probably also out of fear of ennui, the programme makers constantly cut from voiceovers from the courtroom to footage of Mrs Vardy or Mrs Rooney sitting in an office reading a witness statement, or perhaps typing out a text. This lack of commitment to the format dooms the programme to be neither a good general drama about *l’affaire* ‘Wagatha Christie’ nor a gripping one act courtroom play. If the whole production is naturalism made from verbatim transcripts, to get the viewer the courtroom, to show us the drama that was cut of from the world, cutting away ruins that dramatic illusion. This should have been done like a stage play (or indeed a courtroom hearing) and confined in character and location. Had the makers followed the Aristotelian confines, they might have allowed enough tension to build in the confined space of a RCJ courtroom that the viewer was even mildly engaged. Instead, by constantly visually exiting that setting, they reduce the power of location to shape the drama.

The cast is talented, but given little with which to work. Chanel Cresswell as Mrs Rooney and Natalia Tena as Mrs Vardy do a good job at showing the stress and perils of being cross-examined, but the restricted format shows us nothing more of their characters and gives the actors little time to shine. The other prominent woman in the cast, Georgiana Neilson-Toy, has one of the most thankless rôles imaginable as Steyn J, and is confined mainly to a series of Kuleshov experiments as she apparently reacts silently to things said by others. There is only the briefest shot of the judge working on the judgment, followed by some voiceover reading. This was a missed opportunity; *Denial*⁴ did an excellent job of, via only a few relatively brief shots, depicting the judge considering and wrestling with the issue. The advocates, in particular, are merely drama delivery mechanisms, with no inner lives of their own. Michael Sheen, playing 5RB’s David Sherborne, is clearly having fun in the part, but seems to think that barristers deliver dramatic points with shouting. It felt like watching stereotypical jury advocacy, up to the excessive glee Sheen showed every time he scored a point. Simon Coury, playing Matrix’s Hugh Tomlinson KC, was a bland, empty vessel, who was mainly noticeable for sounding nothing like the advocate he was playing.

Here again is a missed opportunity for drama. The actual substance of the case is uninteresting: the big revelations about phones in the North Sea and Instagram stories do not have the staying power to occupy 90 minutes. The correct route would have been to focus on the drama of legal preparation, the drama of having to fight this case by the rules, the drama of dealing with clients who appear to be taking dishonest measures. The characters are perfect—on the one side Mr Tomlinson KC, refined, learned, the picture of Bar success and so erudite he translates French philosophy. On the other, the bad boy of the Bar, a man as experienced as appearing in tabloids as defending tabloid stars, Mr Sherborne, allegedly denied silk because he was too tawdry for lace. That is interesting. Instead, the lawyers are just drama delivery devices, deprived of inner life, which is unfortunate because it makes both of them seem pompous and dislikeable. The only personal trait of Mr Sherborne that comes across is he likes tea, and in Britain that is a default, not a new trait. We don’t

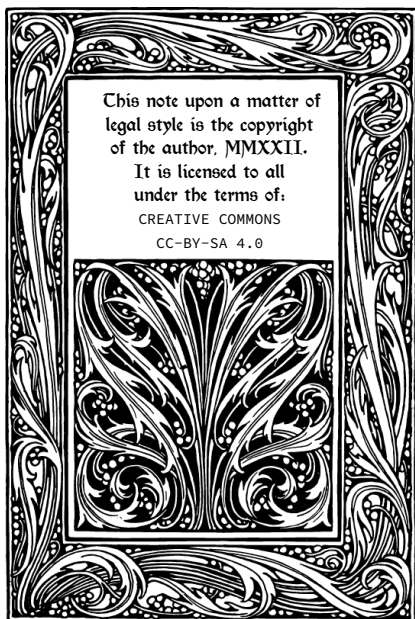
4 2016, dir. Mike Jackson

see their stresses and worries, the human side, the nervousness that even top barristers experience before cases, the endless preparation. We don't see their co-counsel or the solicitors, which is a real shame because they would have been a hook into the groundwork the public don't read about in the papers. That would have been added value to contemporary reporting.

Instead, we get a story that tells us nothing, except that the turnaround time on this programme was so tight it was quicker to buy the transcripts of the trial than pay a screenwriter. It is boring, inaccurate about the law, and lacks any suspense or drama. As everyone watching will know the big points of the trial, not least that Mrs Vardy lost, the entire purpose of this drama should be to show us the human side not captured in the legal discussion in Steyn J's judgment.⁵ Instead, the producers have opted for the worst of all possible paths of an adaptation. This programme is one to be avoided.



⁵ [2022] EWHC 2017, QB



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