

34.7 *Duty to assist the judge with authorities, guidelines and statutory requirements*

R v G 2014 EWCA Crim 1221 LCJ D was convicted of rape and other sex offences. Before the verdict the Judge warned counsel he was considering a life sentence. Some of the offences were committed before the 2003 changes. Others were not. The Judge received no assistance from prosecution counsel. Counsel said the Judge was experienced and did not need any help. Held. Bearing in mind the time span over which the offences were committed and the significant changes made by legislation, a judge needs help. It is incumbent on the prosecution to assist the Judge about his powers and remind him of the relevant authorities. The amendments to the legislation needed to be carefully analysed by the Judge. We will ask the DPP to make sure Crown counsel are reminded in cases of this gravity assistance must be provided whatever view may be taken of the experience of the judge.