

Lent 1 St Laurence Long Eaton 2010. Justice.

It's probably something that most of you know already, that Fr Simon was ordained in Bristol and served his curacy in Knowle where his parish priest was Fr Keith Newton, as he then was. And during most of his curacy, I was his church warden. So let your churchwardens be warned! Now Fr Keith was always very happy to give away his pulpit for others to preach which surprised me, so I asked him about it. Well, he said. If it's a good sermon, it is a joy to listen to. If it's bad, then it makes them appreciate the home team.

So here's one for the home team, and I must start with a disclaimer. Despite the billing, I'm sorry to tell you that I'm not a high court judge. That's the sort who wear red like Judge John Deed. A friend of mine became a high court judge. He was asked whether the programme was anything

like his daily life, and he said, no. Except for all the sex.

He was joking. But as a real high court judge, he can afford to. I'm just a recorder of the Crown Court, which means that I am still a barrister practising in criminal law, and for about a month a year, I sit as a deputy crown court judge.

And so it is that Fr Simon has invited me here today to preach on justice. Lawyers have the same reputation for intake of alcohol as medics, so I was very glad not to be invited to preach on temperance.

So week by week, my daily life involves dealing in our criminal justice system. Many of us play our part. There are criminals of course. Without them, we'd be pretty idle. Police and forensic scientists to prepare and present evidence. Solicitors to prepare the defence. Magistrates to hear most of the cases, and then for the rest, the

most serious, lawyers with wigs, barristers and solicitors, jurors called from their daily lives to serve for a fortnight, as Fr Simon has done, now on four occasions, and ushers, court staff, court loggers to keep a note, judges, probation officers to prepare reports on the guilty and limit their offending, and then of course prisons with governors and staff. And that of course is just the criminal justice system, to say nothing of civil justice, and tribunals for immigration, and employment, and benefits. It's a huge business.

And it seems a business that many don't know much about. In one sense that's a good thing because it means that people generally aren't appearing either as defendants or as victims of crime. But in others, it's a shame, because of course, the system is administered for our benefit, but also it is a sign of a civilised society. One of the questions I'm often asked is, how can you defend someone you know to be guilty. It saddens me, because I'm never asked how can

you defend someone you know to be not guilty. Still less am I asked about prosecuting someone I know to be innocent. They're much more difficult.

But the question about defending the guilty can easily be answered. In our system, no one can be taken from their homes and their families, and imprisoned for a criminal offence unless the state has persuaded twelve independent ordinary members of the public that they are sure that the person has committed a crime. To take someone's liberty away is big bucks. As a barrister, I can't make up a defence for my client, and I can't mislead the court. If he tells me he burgled the house, then he can of course plead guilty, or he can choose to make the state prove his guilt. But what I can't do on his behalf is claim he is not guilty because he was in Barbados when he has told me that he was in the premises.

And I'm not going to tell you which, but I've committed a criminal offence or two. All I'll say is that they're somewhere between parking on a double yellow line, and murder. It's possible that one or two of you might have as well. Should the guilty be defended? What about if someone goaded you and goaded and goaded. Kept you awake at night with shouts and taunts. Kicked in your door. And one day you snapped. Wouldn't you want someone to put things in context? Someone to speak on your behalf? Someone to give your side of the story?

You see, it has always seemed to me that our system has in fact been based on Christian principles. It gives a voice to the weak, it protects those who are less able to protect themselves, ensures that the power of the state is kept in check. And it also tries to punish without vengeance and retribution.

But there mistakes. Not every criminal is convicted. Not every innocent person is found not guilty. It's a human construct, and a human system, and it's fallible. Because ultimately perfect justice is only achieved by God. If we look at the bible for justice, then we can sometimes find surprising things. After all, Moses committed murder. St Paul at least aided and abetted St Stephen's murder. Not every character in the bible has the wisdom of Solomon. And of course, we might want to think about an eye for an eye and a tooth for a tooth, but if we think about a system of Christian justice, what do we feel about the woman taken in adultery? There Jesus defended someone he knew to be guilty. Or a thief? Jesus said, if he takes your cloak, give him your tunic. Or if you're beaten up? Offer the other cheek. Or if you've done a day's work, how happy are you to be paid the same as someone who only worked an hour?

Justice isn't simple, at least human justice isn't. I wonder when you last made your confession. In the words of absolution, there are these words: "whatsoever good you do, or evil you endure, be to you for the remission of sins, the increase of grace and the reward of everlasting life". They're words that I hang on to. When our system fails: when the innocent are convicted and wrongly imprisoned, or the guilty are acquitted then it is a comfort to think that ultimately both will receive their reward. As human beings, we are a bundle of strengths and weaknesses, truths and lies, holiness and sin. Is it any wonder that our system makes mistakes, any more than that we make mistakes too?

The theme of these sermons is the four cardinal virtues. Justice is the proper balance between our self-interest and the needs and rights of others. This morning, rather selfishly, my selfishness rather than your needs have meant that we've thought quite a bit about criminal law, so it is

right to remember that as Christians we are called to live just lives. To seek to live in light and truth, considering others above ourselves. It's especially important these days where justice so often means doing what we want and to hell with the rest. We may wish it was otherwise, but our justice is Christ's justice, giving the tunic, turning the cheek. It is not about revenge. It is founded in love. Love of God, love of one another, and a true love of our true self. Through this Lent, as the book of Micah puts it, may God help you to do justly, to love mercy and to walk humbly with the Lord our God. For surely at the last day, each of us will have exactly the reward that we ourselves deserve.

Father James Patrick