

RANDOM HOUSE  BOOKS



Judge Savage

Tim Parks

Contents

Cover

About the Book

About the Author

Also by Tim Parks

Title Page

Chapter One

Chapter Two

Chapter Three

Chapter Four

Chapter Five

Chapter Six

Chapter Seven

Chapter Eight

Chapter Nine

Chapter Ten

Chapter Eleven

Chapter Twelve

Chapter Thirteen

Chapter Fourteen

Chapter Fifteen

Chapter Sixteen

Chapter Seventeen

Chapter Eighteen

Chapter Nineteen

Chapter Twenty

Chapter Twenty-One

Chapter Twenty-Two
Chapter Twenty-Three
Chapter Twenty-Four
Chapter Twenty-Five
Chapter Twenty-Six
Chapter Twenty-Seven
Chapter Twenty-Eight
Chapter Twenty-Nine
Chapter Thirty
Chapter Thirty-One
Chapter Thirty-Two
Chapter Thirty-Three

Acknowledgements

Copyright

About the Book

Promoted young to the position of Crown Court Judge – because of his ability, because of the political convenience of promoting a man with coloured skin – it's time for Daniel Savage to settle down. Perhaps his marriage is happy enough after all. Teenage children require a father's attention. His career demands the most responsible behaviour. Day by day Judge Savage presides over those whose double lives have been exposed. He must be above suspicion.

But why does his daughter refuse to move to their spacious new house? Why does a young Korean woman keep phoning him to beg for help? As the most tangled lives are ironed out in court, Daniel Savage's own existence descends into a mess of violence and confusion. English society has fragmented into an incomprehensible public gallery where every face conceals a different culture. And those with whom we have the greatest intimacy are suddenly the most frighteningly mysterious.

About the Author

Tim Parks studied at Cambridge and Harvard. He lives near Verona with his wife and three children. His novel *Europa* was shortlisted for the Booker Prize.

ALSO BY TIM PARKS

Fiction

Home Thoughts

Loving Roger

Family Planning

Goodness

Cara Massimina

Tongues of Flame

Shear

Mimi's Ghost

Europa

Destiny

Non-Fiction

Italian Neighbours

An Italian Education

Adultery & Other Diversions

Translating Style

Hell and Back

A Season with Verona

Judge Savage

Tim Parks

VINTAGE BOOKS
London

ONE

THERE IS NO life without a double life. And yet one grows weary. On March 22nd, 1999, having at last resolved the conflict that had dogged their marriage for many years, and with the financial confidence arising from his recent appointment to the position of crown court judge, Daniel Savage and his wife Hilary settled on the purchase of a house then under construction on the hills to the north of their town. It was, as Daniel would later recall, a clear day; there was a sharp light on a windswept, still wintry landscape; and indeed his overriding impression on taking this major decision was one of unprecedented and empowered clarity. He and his wife embraced in the shell of what promised to be a sensible four-bedroom, free-standing structure with spacious garden. I should like them to put in a fireplace, Hilary said. To be together by. Daniel agreed. They had fought each other too long. The spring will be marvellous here, he laughed, and that evening he made the unusual gesture of jotting down a few words in his diary: I feel I have at last taken, he wrote, and taken for the best, all the major decisions of my life, which is to say, all the decisions that are most difficult and self-determining. From now on, I shall be free to concentrate on the job I am so fortunate to have, to love the woman beside me to the best of my ability, to help my children as and how I can. Finally everything is clear. The time of metamorphoses is over. I have become myself.

After speaking briefly to the builder's agent, the couple enjoyed a quiet drink in the pub that seemed set to be their local and on arrival back home announced the decision to

their adolescent children. Predictably, Sarah was unimpressed, while the younger Tom was delighted. Gently and earnestly, Daniel encouraged his daughter to think how much better off she would be out of town. In a bigger house she would have more privacy. The girl pulled a thin face and slammed the door. We can get a dog! Tom shouted. Hilary hugged the boy. We shall have a fireplace to sit beside, she announced. I'm seeing the builder about it tomorrow. The spring will be marvellous, Daniel repeated, up there on the hill.

Shortly after Daniel and Hilary had gone to their bedroom, the phone rang. Hilary raised then replaced the receiver. Whoever it was hung up again, she said, and when she looked over at him, Daniel knew at once what she was wondering. Lightly, he remarked: Perhaps now I'm a judge we'll get more of those. They turned out the lights. In the new house we'll make sure we're ex-directory, she said. Hilary, he whispered. They held hands in the shadowy room. This flat had been too small for them for some years now. Perhaps I could get you a better piano, he promised, for our twentieth. The date was looming. I am so thrilled, Daniel, she said. She was reassured.

The following week Daniel tried a case of indecent assault. He was still quite new to his role and savouring it. A man with many years' service in the council's child-care division was accused of having molested a sixteen-year-old. What Daniel was savouring was the freedom of not being embattled on one side or the other, whether for the prosecution or defence. The girl was retarded. The defendant had been driving her home in the council's mini-bus. In the past, Daniel thought, impassive and bewigged behind his darkly polished table, I would have had to do everything I sensibly could to find a flaw in the prosecution's case and to get this man off, while perhaps believing he was guilty. The alleged victim was not present in court. Or alternatively I would have had to do everything in my power

to get a conviction and hence inevitable prison sentence, while perhaps convinced that prison was entirely inappropriate to a man in his early forties who just once had embraced and fondled a girl in the front seat of a mini-bus. If he had. There was no suggestion of violence.

Questioned on video, the girl looked physically adult and undeniably attractive, but her speech was slurred and babyish. Inappropriately, she wore a tight, low-cut blouse. Now you can just observe it all, Daniel told himself, orchestrate the whole contest, without sweating. The breasts were prominent and full. You are under no pressure, he thought, overruling some half-hearted objection from the defence, to perform or to win, only to react to the performance of others in the proper way. Propriety was the key. He had always feared the possibility of burnout as an adversarial lawyer.

At the back of the court in the public gallery, the defendant's wife made faces of scorn and disdain while evidence was given. She was seriously overweight, a bulky and bullying presence. Her husband was without charisma. His voice trembled. On the second day, the girl's mother was questioned about her claim that there had been a sperm stain on the child's clothes. Counsel for the defence wanted to know why it had been put in the wash, why it hadn't been made available to the police. But Daniel could see that the jury were entirely convinced by the girl's mother. Particularly the young Indian man. They found her reaction of disgust, her desire to be rid of that stain without delay entirely credible. It was a mistake, Daniel felt, on defence counsel's part, to keep referring to the girl as a child. She was sixteen after all. What he might have brought to the jury's attention, perhaps, was the dangerous combination of her mature sensuality and lack of those defence mechanisms that would normally scare off an insecure man long before he touched her. Consent might have been the best defence. But it isn't a judge's duty to

instruct defendants and their lawyers what line to take. Freed from the fray, the judge is entirely alone. He keeps his own counsel. Both lawyers were older than himself, Daniel knew. Perhaps jealous.

On the video, ably questioned by police experts, the girl was detailed and convincing when describing what had happened. The jury were grim, the defendant's wife shifted and frowned, the mother wept. Only toward the end of forty minutes of testimony did it occur to Daniel what was so curious about it all: the girl, as she spoke to camera, was strikingly calm, even absent-minded, as though actually thinking of something else! This the defence might have drawn attention to. He might have pointed out that it was the *mother* who was upset, not the victim. As it was the mother most probably – an alert and articulate woman – who had chosen this low-cut, fashionable blouse and bought the girl her expensive cosmetics, eager perhaps – and for a moment Daniel couldn't help thinking of his own difficult daughter – to take pride in her physical charms precisely because she was a lost case in other departments. But defence counsel was not after mitigating circumstances. Possibly more afraid of his wife than of the court, the defendant had not only pleaded not guilty, but insisted he hadn't so much as touched the child. He too used the word child. Unwisely. And throughout the proceedings, bald and bowed, he examined his offending hands, unable to look the jury in the eye. There was no mention of the girl's father.

In his closing speech on the Wednesday, counsel for the prosecution used the word monster. This exaggeration – so predictable – made Daniel acutely aware, if only because he had wielded it himself and fought it himself many times in the past, of the great shift in perspective that had occurred when they made him a judge. Rather than participating, rather than seeking to colour events one way or another with colourful words, to sow doubt on the one hand, or reap conviction on the other, he was now seeing the whole thing

with a clarity that was both an intellectual pleasure and an emotional strain. It was quite probable, he had thought, as he sat listening to the proceedings, and in particular to the irritating hesitations of the defendant as he admitted that he could, yes, have rearranged his rounds so as not to be alone with the girl in the mini-bus – quite probable that this man and this girl had engaged in all kinds of petting before the mother discovered that damning stain. He had been driving her home every day for months. He had had every opportunity. And perhaps it was precisely because the stain wasn't actually available as evidence that the defendant had hoped he could convince his terrifying wife that he had never touched the girl at all, while for her part the girl had been so shocked by her mother's reaction to the merest dampness on her skirt that she hadn't wanted to say that this business happened most days without her minding at all.

So your only promising line of defence was tossed away for fear of standing naked before the person closest to you, Daniel thought. Your fear of being left alone. Or at least that was one possible scenario. Convicted and sent to gaol, you can still insist on your innocence. You might even be considered a martyr. Your wife loves you all the more perhaps. She starts a campaign for your release. The important thing is not to confess. But it was merest speculation.

Summing up to the jury, Daniel invited them as ever to reflect on the words 'satisfied so that you are sure', or in the old formula satisfied 'beyond reasonable doubt'. A new judge, his appointment controversial perhaps, he was very much aware of the need to follow the conventional pattern. You must be satisfied so that you are sure, he repeated, if you are to convict. But he was in little doubt himself that very soon he would be giving the man a severe sentence. The jury would deliver a guilty verdict and at that point a judge must respond appropriately. If you are free from the

tussle, he reminded himself, of prosecution and defence, you are not free from public opinion. The newspapers demand exemplary treatment for offenders of this kind, not nuanced reflection. It is a wicked thing and a terrible breach of trust to take advantage of a retarded girl in your care. So only the following morning, when the jury reached their verdict, he would stand up in court and give the defendant three years. For just a second their eyes met. He will lose his job, Daniel thought. Rightly so. He is a ruined man. Somebody led the obese wife sobbing from the court.

Lady phoned for you, Mr Savage. Twice. She wouldn't leave a name. I said you were normally in chambers late afternoonish.

It was Thursday. Daniel wasn't concerned. He knew Jane would not call again. He had grown used to that. There was even a complicity in the mutual silence that lent it a lingering sweetness. Daniel was at ease. I don't even *want* her to call, he discovered, placing his wig in its box. It would be an anti-climax, another breach of trust. Aesthetically wrong, he told himself vaguely, using an expression he knew was his wife's. There was a way in which he and Hilary were indeed two parts of the same entity. He felt safe.

Actually, I shall be out this afternoon, he told the young clerk. She too was a charming girl. Whoever it is, she'd better try tomorrow. Tomorrow's first case, he remembered, was a simple burglary. A fourth- or fifth-time offender pleading not guilty. But how is it, Daniel asked himself, slipping the relevant papers in his briefcase, how is it that you can form a single entity with a woman who is so musical, whose life has to do with music and aesthetics, with her sensitivity to the slightest falseness of pitch, when you yourself have no musical sense whatsoever, and no knowledge at all of aesthetics beyond the merest instinct for what you like and what you don't? The Bach more than the Brahms. The retarded girl more than the obese wife. Daniel smiled. Dear Jane. Yet it had made sense when Hilary said:

What you are doing is ugly. Of the few expressions that remained engraved in the mind, that marked turning points, or suddenly illuminated whole landscapes of consciousness, this was the one that had cut deepest, shone brightest. What you are doing is ugly; the moral and the aesthetic met convincingly in that word.

In town he was concerned to see that the price of a Steinway grand would significantly raise the level of their mortgage payments. Not all the decisions were behind him, it seemed. But this was a detail. He smiled. He knew his mind. His wife had always wanted a serious piano. They would get a good price for their flat, which was central and not without its attractions. As the dealer played a few arpeggios to make the instrument sing, Daniel was aware of being eager – childishly eager – to show Hilary that he cared, to show her, as he had been doing more or less every day for a year now, that all was well. And it was! He would stand beside her while she played Chopin in the flickering light of the fireplace. Her small square hands were rapid and incisive on the keyboard. Life was taking on a wonderful obviousness. He was not married to a fat, bullying mastiff of a woman. He was not an insipid fellow trapped in a mundane job that constantly exposed him to the charms of his helpless charges. Leaving a pretty clerk alone is not beyond a crown court judge.

Signing the cheque for the deposit, Daniel experienced again what had become a familiar emotion ever since the terrible conflict with his wife had been – they were both agreed on this – definitively resolved: a wave of exhilaration accompanied by the thought, clearly and gratefully articulated: How lucky you've been! How lucky you are! Got away with it! An image that sometimes sprung to mind in this regard was that of his close friend Martin Shields who before Christmas had spun off the motorway at high speed, bounced off crash barriers to one side and another, rolled over and over while other vehicles braked and scattered,

finally to emerge from his ruined Audi entirely unscathed. He hadn't even been prosecuted for dangerous driving! How can you be such a depressive, Daniel laughed, after an escape like that! Martin, a colleague from his old chambers, had serious problems that were all inside his head, and thus unforgivable in a way. His wife was very attractive. They had no children to obstruct their pleasures. Climbing into his own car, it occurred to Daniel that his daughter might start playing again when the new piano was installed in the new house with the fireplace and the dog. What kind of dog? He decided to take the unusual step of picking up Sarah and Tom from their school.

It is always interesting to see your children with their friends, especially when they don't know that they are being watched. Parked just beyond their bus-stop, Daniel was poignantly struck by a certain separateness that marked out his daughter, even in this group of lively seventeen-year-olds. There was something narrow and tense about the shoulders. Her head was bowed. It would be a phase she was going through, he imagined.

What are you doing here? Sarah demanded, leaning into the side window. Where's Tom? he asked. Crowds of children were pushing by. Sarah chose to sit in the back. Daniel couldn't see her face. They waited. Can you keep a secret? he asked. What on earth have you come here for? she repeated. I thought it would be nice, he said warmly, to pick you up. I'm perfectly happy on the bus, she said.

They waited. A secret from whom? she asked. Daniel was searching in the wing mirror for his son. How correctly Sarah spoke! From whom! Young people were supposed to be slovenly. Mum, he said. You see . . . No, she objected. The fact is I've just gone and . . . No! she insisted. No, what? Daniel hadn't been concentrating. Tom does get out at the same time as you, doesn't he? he asked. I don't want to hear any secret I have to keep from Mum, his daughter said. People shouldn't have secrets from each other. Not in the

family. But it's something nice! Daniel protested. No, I said no!

Getting out of the car, Daniel waved to Tom who came running from his friends. Dad! The boy was a charming, chubby figure, out of breath, cluttered with backpack and gym bag. Slipping back into his seat again, Judge Savage suddenly felt a soft slim arm round his neck and a mouth by his ear. Thanks for coming, Dad, she whispered warmly right against the lobe. Her breath was moist and her hair perfumed. It's so sweet of you. That's my girl! he immediately responded. Lovebirds! Tom cried. The door slammed. Where are we off to then? I thought we might drive out to the new house, Daniel suggested, to see how they're getting on, choose our rooms. No! Again his daughter's veto was brutal. I've got too much homework, she said. Then she had to go out. I have to go to Chapel. Early. It was a voice that passed from seductive intimacy to extreme authority. Daniel didn't think of opposing it. He bought his son a large ice-cream. And one for himself. I'm perfectly happy to use the bus, Sarah said, if you two want to have a drive.

Funny bloke, Daniel remarked later that evening. He put down his papers. At the kitchen table, Max Jordan was sitting over coffee after his lesson. It's lovely of Hilary how she makes the boy feel at home, Daniel was noticing. How so? Max asked politely. Oh, he denies *everything*, Daniel laughed. Police remove fragment of leather jacket from window thieves broke. Police raid defendant's council house where they find leather jacket. Tear on leather jacket *exactly* matches fragment from scene of crime. Accused is arrested and charged, but denies *everything*. Claims he never saw the jacket before. Somebody planted it in his flat.

Oh no! Max laughed. It's incredible they bother with some trials at all, Hilary remarked. She was bent down looking into the oven. My wife is a beautiful cook, a beautiful musician and a beautiful person, Daniel told himself. Max

was improving his Mozart, the sonatas Gould had sighed and grunted over. Above her left ear, wisps of hair had escaped their clips. Her backside was still tight in tight jeans. She doesn't smoke, drink, or dye, Daniel marvelled. He just couldn't get over how *comfortable* life was, and he said: Not at all. The chap might perfectly well get off.

He slipped the case bundle back in his bag. It was time for his whisky, his evening whisky. I like Max, he thought. It's nice to have a handsome young guest. But that's what I meant, Hilary protested. He liked the boy's formality and politeness. It drives me mad, she said, how many people get off. Then the room was suddenly transformed by a fragrance of fresh baking. Hilary stood proudly, knife in hand. But how can he? Max enquired. His ears were rather large. There was a youthful naïveté about him – Daniel sensed – Would he care for a whisky? – that meshed exactly with Hilary's nervous, rather bossy determination to please. But Daniel actually enjoyed her bossiness these days. Max showed no resistance to her opinions on how this or that piece should be played, then rapidly lapsed back – even a layman could sense it – into a natural, sentimental generosity. He plays beautifully, Daniel thought. People lay themselves bare at the keyboard, Hilary would always say when discussing her students. And now she said: Oh you wouldn't believe, Max, you just wouldn't believe the people Dan managed to get off when he defended. The bloke who stole his own car for the insurance and still kept driving it around! Scot-free! The dealers who always say the police planted the drugs on them. As the ice crackled under the whisky and the sponge-cake steamed, Daniel felt entirely happy. It makes you sick, she laughed. Max was also laughing. We'll make love later, the judge promised himself. He was aware of savouring the moment's happiness. I'll get fat, he thought, I'll grow jolly and complacent.

But surely – Max already had crumbs on his wet young lips – surely if the police have the fragment, if the fragment, I

mean the bit of jacket, matches . . . You really mustn't underestimate, Daniel interrupted his guest, then immediately was interrupted himself. In the sitting room the phone had begun to ring. There was a moment's uneasiness as husband and wife exchanged glances. You must never underestimate, Daniel repeated, the effect on twelve honest men and true of *the offended denial*. But Hilary had stiffened. It was exactly the same time as the call yesterday. Deliberately, Daniel did not move. It was Hilary who usually answered the phone. He would not have her imagine that he was eager to get there first. Those days were over. But there'll be witnesses, Max was protesting. He seemed oblivious to the sudden tension. There'll be people who'll say the jacket was his!

The phone rang on. Hilary was hovering. Daniel refused to let it bother him. He was enjoying the conversation. He made a comically expansive gesture. Picture it, he said: some steamy-faced little cockney, thirtyish, but could be fifty, whose wife and three kids have all given evidence that he was watching some soap with them at the moment of the crime, goes into the box, stares the jury right in the eye, bangs a meaty fist on the rail and shouts: I di'n't bleedin' well do it! That's all I know. I never sin this jacket nor whatever it is, not nowhere anytime in my life!

Again Max laughed, and what Daniel loved to do was to swirl his whisky twice around the glass and then down the first half in a gulp so that it rose to his head with the same rush as the smell of fresh baking from the oven. Hilary made for the door. We're going to be ex-directory in the new house, she grimaced. Too many phone-calls. Oi've got now blee-in' oidea 'ow it got there! Daniel was good at accents. He raised his voice above the ringing phone and made the gesture of banging his fist. All the man has to do, he told his wife's piano pupil, is to sow a seed, you see, of doubt. In the jury. One *tiny* seed of doubt and in no time at all it will shoot up into a towering beanstalk of innocence. Again he brought

the tumbler to his lips. The ice clinked. Apparently Max's father was a mathematics professor. Parents separated, Hilary had said. A nice boy, she had insisted, as if to explain why she had accepted a private student after such a long time without. He's already played a number of small concerts. Daniel leaned over his whisky: All I can tell yer is, if it took free blokes to do the break-in, it's pretty bloody queer the cops come right off to the one poor bugger's 'ouse what's lost 'is bit of jacket. Pretty blee-in' queer is all I say.

The phone rang. If the answering machine was on, it would have kicked in by now. In the sitting room a door opened. Daniel had a glimpse of his daughter coming in from the stairwell. Immediately his wife changed direction. Oh but you're soaking, Sarah, she shouted. The girl was drenched. The phone drilled. The whisky was rising to Daniel's brain. But what about the loot? Max demanded. He seemed engrossed in the conversation. Or fingerprints? Only now did Daniel notice that the young man wore a rather extravagant earring. Get your shoes off, at once! Hilary cried. She always went over the top with Sarah. You're muddying the carpet! Computer components, Daniel said. All recovered a few hours afterwards in a stolen van. No prints.

Then it was Tom, charging in from the bedroom section of the flat, who actually took the call. The ringing must have finally penetrated his Discman. Why doesn't anyone ever answer the bloody phone, he shrilled, dashing across the room. In his freshly broken voice, he said. Hello, Savage. Then, No, it's his son. Quite unnecessarily, Hilary was tugging Sarah's wet coat off. The girl was defiant, her hair dripping. Tom raised his voice: Dad, for you! Someone called Min, Minnie?

Sorry, Dan, I thought it was you. The voice was a whisper. Dan? And only now – though crossing the room he had sensed the memory coming – did Judge Savage connect.

Minnie! Only on hearing the distinctive voice, the broken accent. He caught his breath, closed his eyes. Then I couldn't hang up, she explained. She spoke as if whispering through a blocked nose. It would have been too suspicious, wouldn't it. That's perfectly all right, he said quietly. It was not. What can I do for you? His tone was too polite. He was aware of aping the normal. His hand was shaking. Damn, damn and damn. Can't you speak? she asked. No, that's fine. But now Daniel was distracted by his wife's extravagant fussing: Oh please don't go, Hilary was turning to Max. Sarah'll just get these wet clothes off, won't you love, and come and join us. She is determined not to listen in, Daniel realised, to show she trusts me. In his other ear, Minnie's voice was irritatingly faint: Just say, I'm busy tomorrow, if you have a problem. Really no problem, Daniel insisted. But why was *she* speaking so softly? He could hardly hear her. Why was she calling? Behind him, his son Tom dropped heavily on the sofa, sprawling for the remote. There was a blip of volume before he got the mute on. Oh, hello there! Max called, coming across from the kitchen. Apparently he knew Sarah already. Daniel half turned, receiver glued to his ear. Shush! Hilary hissed. Your father's on the phone! The channels flickered one after another. A man on his scooter in the desert. It's only, I've been trying to phone for ages, Minnie said, but it's always someone else answers. That's fine, he repeated. Really, Hilary was insisting to Max, it's not late, do stay! Daniel was disorientated. I should be alarmed, he thought. He said: I'm usually in chambers late afternoon, early evening, if there's something you need to discuss. Well, I can hardly strip in the front room, Sarah was saying. She smiled sarcastically at her father as if it were ridiculous of him to be speaking on the phone while she stood at the door dripping wet with her mother tugging at her clothes. Embarrassed, Max had moved to stand behind Tom, watching the TV. But how did you get so soaked? Hilary went on. You look like Ophelia

dragged from her lily-pond! No, look, Minnie was saying. Daniel tried to concentrate. This was frightening. It's a bit complicated. I've a favour to ask. Let me meet you this . . .

Leave off! Ow! There was a sudden clatter. For a split second – one ear exposed to home and the other firmly pressed to the disturbing past, to make contact, to exclude contact – Daniel supposed the sound had come from the television, so sudden was the leap in volume. But the screen was mute. A man in yellow shorts was about to take a free kick. No, it was the girl, Minnie. Leave me alone! she was shouting. Bloody hell, leave me alone! Then came something fierce in her own language and a man's voice, bantering. I'll have to change phones, she confided, dropping the whisper now. My dad, she explained. Daniel rolled his eyes for his daughter's benefit, as much as to say, these people bothering me after hours with their stupid problems! Though usually no one bothered him at all. Having protested she couldn't strip, Sarah had started peeling off her sweater, which brought her tee-shirt fleetingly up over her bra. Some kraut team, Tom was explaining to the ever polite Max. You can see from the ads round the pitch.

Waiting for the girl to change phones, Daniel noticed a sodden pile of roughly printed tracts on the low table by the door: In His Image, For Your Salvation. Fuck you, he heard a faint voice. This chapel thing was just a phase, he hoped. I'm phoning my black pimp lover, Minnie yelled, if you want to know! Daniel winced. Brilliant, Tom said. In Judge Savage's head, the whisky was making it that bit harder either to keep things apart or to put them together. How alarmed should I be, he wondered? That's wet too, his wife was saying, you'll have to pop to your room. Hilary's voice was oddly menacing. Just pop into your room and change, love, and then we can all have a nice drink together. Again there was a shout in the distance. Something fierce, in Korean. For some reason Sarah wouldn't budge. Suddenly,

standing by the door, their awkward daughter was giving the unusual spectacle of appearing rather pleased with herself. Now she peeled off her yellow tee-shirt too. Sarah! Hilary was trying to speak with her eyes. To plead. Max must have seen, but had turned back quickly to the football.

Coming to his wife's aid, receiver still at his ear, Daniel began a pantomime of grimaces to get Sarah to go to her bedroom. In the background Korean voices continued to argue. It seemed there were more than two. Oh please! Sarah laughed, unbuckling her jeans. Then she started to mimic him. She rolled her eyes and mouthed remonstrations. He almost laughed himself from sheer exasperation. Hilary was suffering. It's only the same as a bikini on the beach, Mum, the girl said calmly, slipping out of her jeans. If I really have to change. But this wasn't true. The white cotton of her underclothes was damp. Her nipples and hair were dark. Max dutifully kept his eye on the ball. Minnie still hadn't come back to the receiver. Unusually, Hilary was at a complete loss, Daniel noticed. What was this call about? How many years since he'd spoken to the child? How dangerous was it? Hilary had picked up the wet clothes. Sarah's body was wiry and hard. Again Daniel heard a shout in the phone, echoed by Tom's, Bloody Borussia, can you believe it! I don't understand you, Sarah laughed. She was shaking her head.

Then all at once his other ear was shocked by sobbing. Minnie must have picked up the extension with a yell. Oh please! the voice began, Daniel! Daniel! Then, just as Hilary was forced to hurry off to the bedrooms to fetch the dry clothes herself, the line was cut. The girl's voice was gone. Daniel collected himself. More loudly and pompously than was required, he told the microphone: If it's just a question of redistributing clerical duties in the interim, I'll have no difficulty supporting you. As soon as he got off the phone, he demanded of his daughter what on earth had got into her. What in heaven's name was she playing at, stripping by

the front door! But already his eyes were casting about for the whisky glass.

TWO

THE CLERK REPORTED no calls or messages when he arrived at court. Daniel had slept poorly. It was foolish to drink so much. He scratched at a stain on his robe. And to force the poor boy to drink too. Poor Max. But Hilary hadn't seemed suspicious of his sudden rush of party spirit, his determined festive extravagance. If there's wine in the fridge, out with it, he had said. I have an announcement to make, he declared. He winked at Sarah. Your honour, I have a piece of information to convey, Counsel for the Prosecution announced no sooner than the court was assembled. A pompous man. Daniel was ten minutes late. The jury had barely been trooped in than they were being trooped out again. A high window showed still bare branches gleaming in rain. I've bought a grand piano for the new house, he told them. Sarah had refused the smart clothes her mother brought and gone to her room to put on her sloppiest. Why? For our 20th anniversary, he announced. A Steinway. Yes, the very same that Hilary always sat at in Blumenthal's when she chose pianos for friends. The same those friends never bought. But *he* had. He had put down a deposit. And already, Daniel thought, as Tom and Max applauded and Hilary gasped and embraced him, already the instrument was doing its job, its music drowning out the unpleasantness of Sarah's provocations, of that strange and worrying phone-call. His wife folded her arms around him. It was money well spent. She was laughing and weeping. The English were such dilettantes, Hilary would complain on leaving Blumenthal's, the way they always went for the cheaper things, the Yamahas, the East European stuff. How

was it, Daniel wondered, hugging his ever so English wife, that she always talked about the English as if she were German, they Spanish, or Greek? May I smoke? Max had enquired amid the general festivity. His politeness was touching. Hilary hated smoke and said, Of course, Max.

Your honour, the elderly prosecutor told Judge Savage, your honour, the police have just this moment informed us that the stolen goods in question, which, as you will remember were recovered soon after the crime, were, er, stolen again last night. In exactly the same manner and from the same place, defence counsel added with a hint of a smile. Despite evident differences in age, temperament and class, both advocates, Daniel observed, were performing their roles in exemplary fashion. The prosecutor coughed: Since the material in question, more than thirty thousand pounds worth of computer hardware, was essential to the operations of the company who owned it, we allowed them to take possession on the understanding that certain items would be available as exhibits as and when required. That, I'm afraid, will no longer be possible. Defence counsel's smile broadened. The bright young man seemed extremely pleased with himself. Why? Daniel wondered. The business of the jacket would surely be damning enough. Prosecution counsel had said nothing about dropping the case. Nor did the crime's repetition exclude the defendant's having taken part in the earlier theft. I wonder if you could fetch me an aspirin? he asked the usher.

Then when the defendant was brought in, it turned out he was black. Was this, perhaps, Daniel wondered, why the case had been assigned to him? So the accent was West Indian, not cockney at all. Glancing around the court, he saw that in fact he and the man in the dock were the only two non-whites present. Why had Minnie called him, of all people, almost seven years on? The only non-white judge on this circuit. A special favour, she said. What favour? Daniel invited the defendant not to interrupt the court by

constantly muttering to himself. No doubt she had had other affairs since. Leaning forward from his seat the man was bull-necked and brutally handsome. Why come to him? You will have your opportunity to give evidence, Mr Conway, all in good time. Mr Cunningham? he invited the prosecution to resume. A judge ought to have everybody's names on the tip of his tongue, Daniel had long ago decided, though he was acutely aware of having had no time at all to collect his thoughts today. Sleep had been a lurid melodrama of which he remembered only the violent awakening, tossed into the morning as if from an angry sea.

It's bloody stupid, Mr Conway interrupted again. It's pathetic! He raised his voice. Once again Daniel warned that he would be removed from the court and tried in his absence if he didn't observe the most elementary of rules. It is within my power to order you downstairs, Mr Conway. As he spoke, firmly and softly, the contrast of his own measured Oxbridge accent with the defendant's rough street Jamaican could only alert the alert, Judge Savage was aware, to the cleverness of those who had made his appointment. His close friend Martin Shields had put it thus: They chose the only one of us who really *is* one of us, but with boot polish on his face. That was at the chambers party. Chromosomatism! Martin joked. They had had a lot to drink. Martin's wife Christine had tried to shut him up, but Daniel insisted that he didn't mind. They were old friends, he and Mart. On the contrary, he *agreed*. Of course, it was political correctness. He had been chosen to redress an embarrassing imbalance. I may have a little light tan on my cheeks, but at least I'm a red-blooded heterosexual, he laughed. He roared with merry laughter. It was *his* party after all. Hilary hadn't taken offence. They danced together. Martin had been overlooked *again*. There isn't room for all of us, he acknowledged. Not now the others have to be brought in too. He meant the blacks, the Indians, the women. It was the third time they had invited Martin Shields

up to interview, the third time they had denied him even so much as the position of recorder. He would never make it now. But then the imbalance *was* embarrassing: not a single non-white judge on this circuit. No point in being bitter, Martin would say. He had started a collection of British fungi. He began to talk about fungi. And moths. British moths.

Presenting the case to the jury, prosecution counsel brought up the question of the theft's being repeated early on. His manner was at once tedious and entirely convincing: the theft of the same materials in the same manner had been committed the very evening before this trial. You will want to ask yourselves, of course, he remarked without looking up, whether this was pure coincidence, or whether perhaps it might have been intended to weaken the Crown's case and . . . Your honour! Young Harper was immediately on his feet. This is the merest speculation!

Daniel accepted the objection, as Cunningham no doubt knew he would. Studying the jury, the judge was depressed to observe how often twelve people could be assembled without even one of them offering a temptation that would allow a now faithful husband to savour repression at work. The only pretty candidate had been excluded in the ballot. How can I know, Hilary had demanded, at the height of the crisis, that you're not just becoming more and more like your miserable father! Whoever he was, she added viciously. You knew my father perfectly well, Daniel objected. He referred, of course, to the recently deceased Colonel Henry Savage who had spent so much money to send both his sons to Rugby. Colonel Savage always said, *both* my sons. You were child to the people who brought you up. Certainly as much as brother Frank. The jury tittered on hearing the story of the jacket. Defence counsel, Daniel noticed, was definitely looking smugger than he ought. But this, perhaps, was theatre. Like one's wife, one's children, the jury were there to be convinced.

Aren't we spending too much?

At lunchtime the judge and his wife met briefly at the house to do some measuring. Hilary seemed both worried and delighted. These visits were already a pleasant routine. They wandered through the rooms, climbed an iron ladder upstairs. I wish we'd had three, she said. Here an old piece of furniture from the flat would fit, there another must be purchased. From her place at the piano – she had scratched out a shape on rough floor boards – she would be able to look sideways into the flames of a fire that was to sit in a modern cast iron core, but clad, distinctly Regency, in a delicate stone surround. You look – she gave him the brochure. How was it that they had stopped arguing, Daniel marvelled, turning the pages? The grey stone? he asked. Three children would have been happy here, she said. The crisis they had had did not quite seem to explain it, he felt, this contentment, this lack of tension. Or the marble?

The brochure showed smiling faces staring into flames. Young faces. Combustion and heat distribution (there were graphs and tables) were the most efficient technology could provide. Do you think that Sarah will start playing again, he asked, once we have the new piano? As yet their daughter still refused even to come and see the place. Hilary laughed. They poked their noses out into the rain. That was a terrible exhibition she put on for Max last night. For Max? Daniel was nonplussed. She used to play so well, he said wistfully. A bit mechanically, Hilary said. Should they terrace the front garden where it sloped down quite steeply? The religious thing is just to be provocative, I think, she said.

Then Hilary exclaimed, Oh but for heaven's sake, I forgot: Christine phoned to say they might be interested in buying the flat. In fact, she was positively gung-ho. What, Martin's Christine? The Shields? I'm sorry, I should have said at once. I don't know what I was thinking of. Suddenly, his wife turned and embraced him under their umbrella on a muddy path. As soon as they've got the doors on, let's bring up a rug and make love. All right, Daniel agreed, though sensing

this was more the kind of thing one did with a mistress than a wife of twenty years. Still, he felt very happy, looking across the sloping hills in the rain. Some workers were watching from one of the other houses. Very happy, he told himself. The piano had been an excellent move. It was true Sarah's playing had been mechanical. And it would be too good to be true if they simply sold the Carlton Street flat at once to old friends. Yet at the same time – or rather this was somehow part of that happiness – he had the elusive impression that his life was actually over already, burned out. It was Tom and Sarah who had the kindling in their eyes now. Their middle aged father would just relax on the terraced lawn or on the hearthrug, listening to the ordered progressions of Bach and Mozart.

At what time was exhibit one seized? Defence counsel asked. The jury had been shown the fragment of jacket. The morning after the crime, the police officer said. I asked at what time? The policeman consulted his notes. Ten-thirty. And of course the exhibit was immediately taken back to the station? Yes. That was February 12th? Yes. And at what time was the search warrant on the defendant's house executed? The following morning. February 13th? Yes, we felt . . . At what time, Sergeant? Early. Five-thirty. And you immediately found the jacket? It was hanging in the passage by the door. With the fragment missing? Yes. And no doubt you rushed it straight back to the police station to compare it with exhibit one? We did. Taking Mr Conway back with you for safety's sake? We felt that given . . .

How wearisome this was! Daniel had his eye on the clock. Surely nothing could save the defendant. The evidence was overwhelming. Defence counsel was dragging it out. And a non-white judge, however sophisticated his accent, merely made it easier, Daniel thought, for an all-white jury to convict. He had told Minnie he would be in his room in chambers late afternoon and already it was four-fifteen. The pretty one lost in the ballot had been Asian. Would she

come? Did he want her to? Yes, but only in order to have whatever it was she wanted off his back. No desire, he thought, to repeat the experience. On the contrary, he had never been so eager to get home after work, to play safe. In another couple of minutes he would invite counsel for the defence to come to the point.

At what time, then, would the arrival of exhibit two have been entered in the station's exhibit log? Daniel cleared his throat: If defence counsel could, er, come to the point, he suggested. There were wry smiles. The police sergeant was clearly telling the truth. The jury was bored. The defendant, constantly muttering under his breath, seemed sensibly to have accepted the inevitable. He had the look of a man let out of prison only in order to see how quickly he might find his way back there. We are eager, Daniel finished, to hear where your questioning is leading, Mr Harper.

Of course, your honour!

It was only then, as the young man turned rather dramatically to the judge's bench to explain himself, that Daniel appreciated that it was a set up. How stupid of him! After all these years. Defence counsel, a young and eager performer, a man with ambition glowing from his eyes, dripping from his shiny lips, had been begging to be interrupted. Begging. He had been dragging it out *in order* to be interrupted. The interruption underlines the surprise – every lawyer knows this – as a noise is louder when one is woken by it, when one is shocked out of sleep. By a phone-call perhaps. Daniel had woken the jury with his demand, put them on maximum alert for whatever it was counsel was now about to say. Your honour – the boy even indulged in a flourish of the gown – your honour, I merely wish to demonstrate that the arrival of the fragment of leather jacket, exhibit one, was not entered in the police station log until *after* the police had seized the jacket itself, exhibit two, entry for exhibit one being made at 10 o'clock on February 13th, almost twenty-four hours after alleged seizure, and