



# Reasonable doubt

*Kia Abdullah on finding the confidence to write courtroom dramas with minimal legal experience*

I should have been flattered by the comparison. I should have poured a drink, put my feet up and toasted the fact that I'd finally arrived. 'Kia Abdullah's legal thrillers make John Grisham seem like a maiden aunt,' said Mark Sanderson for the Sunday Times Crime Club – but instead of unbridled pride, I felt uneasy. Unlike Grisham, I am not a lawyer nor do I have a law degree, so what business did I have writing legal thrillers?

My first, *Take It Back*, began with a question. What if four Muslim boys were accused of raping a white girl? Would they be trialled by media, or would they get a fair shot? I'm fascinated by the intersection of race, class and faith, and felt that a court case would offer a compelling lens through which to study it. I was encouraged by *Apple Tree Yard* and *Anatomy of a Scandal*, two extraordinarily successful courtroom dramas that were not written by lawyers. I decided that my book, like these, would be a human story with a courtroom twist.

I cold-emailed five barristers and blithely asked for help. One kind soul – now a QC and part-time judge – replied and patiently answered a hundred questions over the following year. I needed advice not just on major elements (bail conditions, sentence lengths) but myriad trivialities (do jurors tend to wear jeans? How do barristers ask for a break if they need the toilet?).

I spent a week at the Old Bailey watching part of the Aylesbury sex-abuse trial. I scoured the internet for trial transcripts and read a slew of legal memoirs, from Tim

Kevan's *Law and Disorder* to Alex McBride's *Defending the Guilty* and, of course, *The Secret Barrister*.

A year of research paid off. *Take It Back* was named a *Guardian* and *Telegraph* thriller of the year. It earned out its own advance and that of my next book too.

Alas, my relief was short-lived. Like any savvy business, my publishers wanted more of the same. My 'human story with a courtroom twist' mutated into the

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first of a series of courtroom dramas, for which I felt ill-equipped. While most police procedurals are not written by police officers, it seems intuitive that courtroom dramas should be written by lawyers. The judicial system with its arcane vernacular and complex intricacies seems only truly knowable to the anointed few, and yet there I was, a lowly novelist, trying to distil it.

Naturally, I was daunted. After all, protagonists in police procedurals often break the rules with nothing more than a slap on the wrist from their long-suffering



boss. In the law, the rules are necessarily rigid, which means that my characters can't stray too far off-piste.

I considered pushing for a shift in genre, but I remembered what drew me to court in the first place. The British legal system is adversarial rather than inquisitorial, which makes it ripe for conflict. The stakes are inherently high, which naturally ramps up tension. What's more, it offers a powerful medium for examining the contemporary social issues that most matter to me.

So many of those who pass through the courts are from disadvantaged corners of society. People from Black, Asian and minority ethnic communities, for example, make up a disproportionate share of the prison population in England and Wales: 27% compared with 16% of the general population (according to Ministry of Justice statistics from 2019). This climbs to more than half among young men. The courtroom drama allows me to examine prejudice through the posing of a question: what happens when four Muslim boys are accused of raping a white girl? Or, in my follow-up, *Truth Be Told*, what happens when a young man from a conservative Asian family experiences sexual assault?

I was reassured by the fact that Michael Connelly, the multi-million selling author of several legal thrillers, is not a lawyer. Nor is Jodi Picoult whose novels about family and relationships double up as courtroom dramas.

I also took comfort from the lawyer-writers who take significant creative license too. Imran Mahmood, barrister and author of *I Know What I Saw*, tells me that in his debut, *You Don't Know Me*, a key speech takes 10 days to make. 'No speech would ever be that long in real life,' he says, 'but this was a novel and a novel needs the space to tell a layered story.'

Gillian McAllister, former lawyer and author of *That Night*, also takes a pragmatic view. 'Since leaving the law I feel able to take more creative freedom with it,' she says, 'because writing is now my job rather than law. I also think probably a small percentage of my readership knows or cares, and a much larger percentage wants a good story!' When Harriet Tyce took to Twitter in June she adopted a similar line: 'Going down the editing solution of taking major liberties with court proceedings', she tweeted, 'but what can you do... plausibility is key, not accuracy.'

There is, of course, a fine line between taking creative license and making a mistake, as Mahmood is keen to stress: 'My peers already know that I know what I'm doing in a courtroom, so if I'm using creative licence in a novel they know it's for a good reason.' McAllister adds, 'The better you know the rules, the more freedom you have to bend them.'

With this in mind, I approached my research with renewed vigour. I read dozens of public court judgements, labyrinthine guidelines from the Sentencing Council and 10,000-word policy documents from the CPS. I phoned my QC consultant and told him that, with a new book deal in the works, I could finally afford to pay him, if not quite at QC rates. To my surprise, he staunchly refused to take my money. (Lawyers, it seems, *do* have souls.)

He answered a new slew of questions and offered some hypothetical legal advice as well. For example, had I unwittingly taken photos inside Inner London Crown Court one day, he might have looked at me in horror and

## Letter of the law

Mistakes to avoid, according to the experts

'Counsel wearing the wrong court gown, carrying the wrong practitioner text, and the absolute worst – which happened in the ITV series *Quiz* – saying 'objection' in a trial. We never say 'objection', 'sustained' or 'overruled' in courts in England and Wales.'

**Nadine Matheson, solicitor & author of *The Jigsaw Man***

'Gavels! There are no gavels in English courtrooms. There never have been either! It is a US custom, and yet they are all over the place in films and books!'

**Gillian McAllister, lawyer and author of *That Night***

said, 'You took photos *inside* the court? And they are on your phone right now?' I might have haltingly answered, 'Y-yes...' and realised that in my effort to accurately chart the law, I had actually broken it.

Beyond my (occasionally overzealous) research, one other piece proved key: I had to admit to myself that despite my best efforts I would land on the wrong side of the line sometimes, and sit with that discomfort.

Many years ago, I watched an episode of Channel 4 reality show *Faking It* in which an amateur dancer had to convince a panel of experts that she was a seasoned professional. Unlike in other episodes, the interloper was spotted instantly.

'There was one arm movement that just looked very awkward,' said an expert. To the casual viewer, there was no discernible difference but it was clear to the expert that 'a dancer wouldn't do that.' In law, just as in dance, there is no substitute for years of practice and so I have to accept that I'll move my arm awkwardly sometimes and give myself away.

The thing that gives me confidence is that the stories I tell are worth sharing and their themes are worth exploring, be it racial prejudice in *Take It Back*, the taboo of male rape in *Truth Be Told*, or the stigma of childlessness in my new novel, *Next of Kin*. I know how to tell these stories.

On my most recent visit to Inner London Crown Court, I wandered into one of the faded courtrooms in the rear of the building. Unlike the Old Bailey, few casual observers venture here and the only other person in the public gallery turned to look at me. She was the mother of the defendant – a young man charged with knife crime – and the raw, ruthless exposure of her pain made me apologise and walk away. I may never master the legalese, but I can capture the look in her eye and that's what keeps me going. ●



**Kia Abdullah** is the author of courtroom dramas *Take It Back* and *Truth Be Told*. She is a journalist and the founder of Asian Booklist, a nonprofit that advocates for diversity in publishing. Her new novel, *Next of Kin* (HarperCollins), is out now. [kiaabdullah.com](http://kiaabdullah.com) / Photo © Ewelina Stechnij



**James Albon** is an author and illustrator based in Edinburgh. He studied illustration at Edinburgh College of Art, and went on to a postgraduate scholarship at the Royal Drawing School in London. He has written and illustrated three graphic novels: *Her Bark & Her Bite* (2016), *A Shining Beacon* (2018), and *The Delicacy* (2021).