



IN MEMORIAM

Posthumous PhD awarded to Christopher John Smith (1953-2019)

Dr David J. Cox*



Christopher Smith (photo provided)

Christopher John (Chris) Smith was a PhD student of mine from 2016 to 2019. He was also something of a polymath, being a magistrate, author and well-known local entrepreneur. More importantly, he also became a friend. He unfortunately passed away before being able to defend his thesis at a *viva voce*, but I am delighted to announce that after a somewhat lengthy delay largely down to Covid restrictions he has been awarded a posthumous PhD for his research entitled 'An investigation into the operation and effectiveness of conditional bail granted in magistrates' courts in England and Wales'. His widow Gail will accept the conferment of his degree on his behalf at the Degree Congregation on 19 July 2022.

I was proud to have been Chris's Director of Studies during his period of PhD research at the University. His embarkation upon his doctoral research studies was not however the first time that I had met with Chris, who was a very well-known figure in the local area, being the creator and publisher of *Village Voice* (a monthly community magazine) since 2005. I have for many years given illustrated history talks to local organisations including Rotary, Round Table, Probus and numerous local history societies. When giving such talks, I was often asked 'Do you know Chris Smith – he gives wonderful talks on the history of the magistracy?', and I often felt that I was trailing in his wake – I seemed to follow him around on the talk circuit until I finally met him in person a few years before he began his PhD studies.

It turned out that we had a lot in common: we were both fascinated by the history of the criminal justice system, we had both studied at the University of Birmingham and the Open University, we both were keen birdwatchers (though I remain nowhere near as knowledgeable on the topic as Chris was!), with Venus Pool in Shropshire being a mutually favourite birding spot, and we both had a keen interest in music from the 1970s and early-1980s (though again Chris's vast knowledge on this topic again easily eclipsed mine – more on his musical exploits later).

* Reader in Criminal Justice History, Law Research Centre, University of Wolverhampton; D.Cox@wlv.ac.uk. ORCID ID: 0000-0002-9680-3910.

Chris was also an author, and in 2013 he published *The Bench Will Retire: Stories from the Magistrates' Courts in the Borough of Dudley*¹. Chris's knowledge of the magistrates' bench was encyclopaedic; not only was he an expert on the history of the magistracy, but he was also the longest-ever serving magistrate on Dudley Magistrates' Bench, serving for 33 years. He was thus ideally equipped to undertake postgraduate research into the use (and abuse) of conditional bail by the English magistracy, quite apart from the fact that he had already also completed an MSc in Jurisprudence on the subject of the bail decision-making process.

Chris wanted to research and analyse the use of conditional bail since its introduction in the Bail Act 1976 – as he stated in his research proposal, 'Whilst it is a well-accepted and frequently used construct within the English criminal justice system, very little research has been undertaken into the way that conditional bail is used and its effectiveness' since 1976, and further justified his research by stating, 'It should be said that the evidence as to the effectiveness of conditional bail over this period seems to have been based almost exclusively on the numbers kept in custody awaiting trial or sentencing rather than whether the increased risks involved in granting conditional bail were justified. Very little meaningful research was undertaken during this period and indeed even today there has not been any significant qualitative or quantitative research into the effectiveness of conditional bail. This is not to say that it is an area that has been ignored completely—there have been several research projects completed over the years, but all have concentrated on the decision-making process rather than the outcomes.'

Chris was accepted as a PhD student in early 2016, and was supervised by myself and Dr Michael Cunningham. He was well on the way to completing his research and looking forward to writing up his findings but tragically he was then diagnosed with aggressive lung cancer. He fought bravely against his illness, undertaking a course of chemotherapy at the Georgina Unit at Russell's Hall Hospital, but he sadly succumbed on 30 April 2019, only a few days after his 66th birthday. Until almost the very end he had continued researching for his PhD; it had become a very important part of his life.

After his passing it was decided by both his widow and I that a posthumous grant of his PhD should be sought, and, thanks to several of my colleagues at the University, together with his External and Internal Examiner (Professor Barry Godfrey of Liverpool University and Dr John McDaniel of the University of Wolverhampton respectively), his research portfolio and his written work was accepted, and he was granted his posthumous award in late 2021. With the permission of Gail, I hope to edit at least one chapter of Chris's PhD research for publication in a forthcoming edition of *WLJ*.

I was very upset on the news of Chris's passing; he was not only a student but had become a friend, and I always looked forward to our supervision meetings. He was something of a polymath and was always extremely interesting to converse with. He also had an excellent sense of humour and was always happy to regale me with stories of his musical past. In his former life he had been a concert promoter, a manager of a pop group and a journalist, meeting with people such as Elton John, Eric Clapton and Elkie Brooks, but undoubtedly his most interesting anecdote concerned his decision in the mid-late 1970s in his role as concert promoter not to book an underground group with a female lead singer hailing from New York, as he felt unable to meet their demands as they were almost unknown in Britain. He always regretted this decision, as the group's name was Blondie, fronted by the charismatic Debbie Harry, who shortly afterwards achieved superstardom with the release of *Heart of Glass*!

RIP, Chris.

¹ Smith, C. (2013) *The Bench Will Retire: stories for the magistrates' courts of Dudley Borough*. Arcos Design, Dudley.