

Transcript

INTRODUCTION

00:00 Welcome back to the English with Rhys podcast. My name is Rhys, I'm a professional level English teacher from the UK, and I'm here to help you level up your English.

So, in today's episode, we'll be talking all about David Hampson, a man who refuses to talk to police, judges, doctors, and lawyers, which has landed him in jail time and time again.

As you listen through this story, you'll build up a vocabulary set on crime and punishment, you'll gain an understanding of how news is presented in English, and, of course, you'll improve your listening comprehension.

For those of you following the worksheet, you'll find activities designed to help you remember the vocab from this episode, you'll learn the grammar of how to talk about the future in the past, and you'll figure out how to speculate in English.

01:00 If you don't already have the worksheet, you'll find a link in the description. As always, the worksheet is free to my serious and dedicated members, but you can also download it as a one-off purchase. You'll also find a link to the free transcript which will help you follow and understand this episode, or if you're watching this as a video you can just hit the subtitles button.

MAIN PART

Our story is set in Swansea, Wales, or, to use its Welsh name, Abertawe.

Swansea is a city known for its areas of wonderful natural beauty, it's known for being the birthplace of the poet, Dylan Thomas, it's known for its laverbread which is a kind of seaweed that's boiled down and then fried, and now, Swansea is famous for The Silent Man.

02:00 It's the 3rd of December, 2020, right around 4:45pm, and right outside Swansea Central Police Station, the traffic suddenly comes to a standstill.

Three police officers head outside to see what the commotion is only to find a middle-aged man standing in the middle of the road. He's obstructing traffic and he's refusing to move, and when the officers walk over to the man, they begin to question him. That's when things become a little bit stranger. When they attempt to talk to the man, he doesn't say a thing.

“Why are you standing in the road?”, “Are you okay?”, “Could you tell us your name?”. Nothing. The man remains silent. But the officers do manage to get one thing: his driving license. The officers look down at the driving license and
03:00 that's when it finally hits them.

This isn't the first time that they've met The Silent Man and it probably won't be the last.

The Silent Man had previously made himself known to police all the way back in 2014. Back then, it was very much the same story. The man would stand in the

middle of the road, he would stop cars from getting where they want to be, and he would wait, seemingly for the police to arrive, and once they'd arrive, he wouldn't say a thing.

At first, it's unlikely that people really thought much about it. It might have gotten a mention in conversation between drivers and their families, but that was it. After all, it was just a man standing in the road. Strange, sure. But not that uncommon for a city centre.

04:00 That might be why the police officers just told the man to move along. It must have been thought that, presumably, this odd behaviour was a one-time occurrence.

But then the man returned, and he returned, and he returned.

After his fourth time standing in the road, the police decided that moving the man along just wasn't enough, and so, they took him in to the police station.

Of course, as you would expect from someone called 'The Silent Man', he refused to speak. But that didn't stop the officers from finding out whatever they could about him.

They learned that his name was David Hampson, a 43 year old man of no fixed abode, which is a nice way to say that he was homeless.

While it must have been frustrating that the officers couldn't get more information than that, it was still enough to give David a two-year conditional discharge. In

05:00 other words, he wouldn't be fined, he wouldn't go to court, he wouldn't see the inside of a jail cell, but he would be given an official warning.

If David was found standing outside in the road aimlessly again, the police would have no choice but to prosecute him.

For most people, the prospect of going to court would have been enough to stop them in their tracks. But not for David.

It was just the next year that police officers would be alerted yet again to a man standing aimlessly in the road, obstructing traffic. Immediately the officers knew who it would be, and finally David would find himself in court.

When his court date came, David, of course, kept his mouth shut. He didn't answer any questions, he didn't make any comments, and he didn't say a word
06:00 as he was convicted of a public nuisance offense. In other words, he was found guilty of annoying the public.

As punishment for his behaviour, David would receive his first Criminal Behaviour Order, sometimes referred to as a CBO. This is very similar to the conditional discharge that he got from the police. If he was found blocking traffic again, he would be prosecuted. The only difference is that this time, the punishment would be much more severe.

The CBO would be active for the next five years but David didn't want to wait that long. Almost immediately, he walked back into the middle of the road and stopped traffic again, this time, allegedly, lying on the bonnet of a Royal Mail van

with his arms spread out and his face pressed up against the windscreen.

07:00 Drivers sounded their horns and became impatient as many got out of their cars to see what was happening until finally someone called the police.

Once an officer arrived, he quickly found himself worried that David might have been in an accident. But when he asked David if he was okay, David just looked at him silently. The officer, wanting to get traffic moving again, took David by the arm and led him to Swansea Central Police Station where the other officers immediately recognised him and the fact that he must have breached his CBO.

08:00 David was given a 36-week jail sentence while psychiatric reports were put together by two separate psychiatrists, which is a specialised kind of doctor. The first psychiatrist came to the conclusion that David was suffering from schizophrenia, which is a serious mental disorder which causes the person to see reality in a strange and abnormal way. The second psychiatrist came to a different conclusion. He said that David was fully aware of what he was doing and was using his silent behaviour to draw attention to himself, but also his poor financial situation.

With such differing conclusions, it may have been unclear what the right thing to do would be. Should David be sent to prison or to the hospital?

According to Wales Online, which is the news website that I use for this part of the story, it wouldn't have been so simple to send David to the hospital. To do so, they would have had to have had two psychiatric reports saying that he should go and get treatment. But since David only had one, he would just be

sentenced to a short stint in prison.

09:00 But it wasn't long before David would be back to his old habits again.

AD BREAK

09:38 Shortly after his release, David was found yet again blocking traffic and would find himself, yet again, in court.

David's court cases were always strange, not least due to the fact that he wouldn't talk. For example, David would never have a lawyer despite almost certainly being asked if he'd like one. After all, in the UK, like many countries, you can get free legal aid if you can't afford the legal costs. It would have been David's own refusal to speak or even nod his head that meant he couldn't get one.

10:00 The judge explains to the jury that there are two cases to be solved today. The first case is about whether David is silent by choice or silent because of something beyond his control, like an illness or an injury. The second case would be about his Criminal Behaviour Order, his CBO, and whether he had breached it.

David stands and the judge asks him to confirm his name but, as expected, David is silent. The judge explains to David what will happen during the trial and tells him that he can challenge any evidence. The judge asks David whether he understands but, again, David says nothing, and the trial truly begins.

The prosecution's claim is that David can speak, he just refuses to. They claim

that David's behaviour has developed over several years, even though the reason isn't really clear.

The first witness is called, an officer who saw David regularly during his time in prison. He tells the court that, indeed, David doesn't talk much at all but that doesn't mean he never talks. The officer claims to have heard David asking prison staff for things like tobacco and batteries for his TV remote.

12:00 A second witness, another prison officer, is brought to the stand and confirms that, yes, David is known for rarely speaking but, again, he does speak. He claims that David once asked him to see the prison nurse and requested some paracetamol, which is a type of medicine that you use for headaches, pain, and high temperatures.

A third and final witness, the police officer who found David in the street, tells the court that he offered David a cup of tea and David replied that he would have one later.

After each of these witness statements, David's asked whether he would like to ask any questions or reply to anything he's heard. But despite this opportunity, he still says nothing.

The judge asks him to submit any medical evidence or documents that would help his case but, again, David says nothing.

At this point, the jury leaves the room to consider its verdict.

13:00 In just nine minutes, including the time to walk to the jury room, elect a foreman, consider the case, and walk back to the courtroom, the jury had their answer.

David is found to be “mute of malice”. He is able but unwilling to talk. And that was the end of the first case. Now, we move on to the second case.

Now the jury is tasked to decide whether David is guilty or not guilty of breaching his Criminal Behaviour Order. Now, that David is legally considered “mute of malice”, the judge asks David whether he plans to challenge any evidence. Of course, as you might expect, David is silent.

So, the judge tells the court that any evidence can now just be read to the jury. Nobody needs to stand in the witness box.

The prosecution reads a statement from the police officer that most recently
14:00 found David standing in the middle of the road. He says that he led David back to the police station for his own safety.

Now, to understand why he can do that, you should know that, in the UK, we have something called the ‘Mental Health Act’ and that allows for you to be detained if your mental health puts you or other people at risk. If you're in a public place, police will ask you a few questions to see whether you're okay and they'll decide whether to take you to your home, to the hospital, or to the police station. So, in this case, David was taken to the police station since it was the closest safe space.

The officer's statement continues; once David was in the police station, the officer

decided to check his information on the police computer, finding that David was subject to a Criminal Behaviour Order. So, he arrested David on suspicion of breaching it.

15:00 A statement from a second witness, another police officer, is read out. It states that he had interviewed David to learn more about why he was standing in the middle of the road, but David didn't respond. However, he did respond when he was asked whether he'd like a cup of tea.

The judge gives David a chance to speak. He asks David whether he wants to say anything, but David remains silent, of course.

"This is your opportunity to address the jury before they retire and consider the matter. You can raise any relevant matter. Is there anything you want to say to the jury?"

Again, nothing.

The judge reminds the jury that the defendant has the right to silence, and he has used that right. In a court of law, the defendant doesn't have to prove anything. It's up to the prosecution to provide the proof.

16:00 The jury retires again to discuss David's verdict and, shortly after, they come back and they say that David is guilty of breaching his Criminal Behaviour Order.

So, now it's up to the judge to sentence David. He needs to consider David's history and come up with a fair judgment. For reference, David was first found

obstructing traffic four years ago and he's been caught doing so eight times.

The judge summarizes everyone's thoughts. "I'm sure you're wondering, as am I; What is this all about? I wish we could get to the bottom of this, but Mr Hampson simply won't communicate with me or with others. I know that if I were to allow him his Liberty today, he would go and do the same thing again. We have tried to get to the bottom of this but to no avail. I ask myself, what is the cost to the taxpayer, to you and I, of keeping him in custody?"

17:00

The judge makes one last attempt to find out why David has been acting in this way, asking David, "Is there anything you want to say to me?"

Nothing.

"Can you explain what this is all about? If I were to adjourn this matter for a pre-sentence report, would you be prepared to engage with probation?"

Again, nothing.

The judge tells David that this cannot continue before sentencing him to three and a half years in prison. He explains that the defendant will serve half that time in custody before being released.

The judge goes on to warn David that if he repeats his behaviour, he can expect to face the maximum sentence for breaching a Criminal Behaviour Order. The maximum sentence is five years.

18:00 The trial ends and David is taken to the cells, and we don't hear anything more about him for the next few years. Which brings us back to the beginning of our story outside Swansea Central Police Station.

Despite having already served his time; David still had his original five-year Criminal Behaviour Order; the five years wasn't over yet. So, David quickly finds himself in Swansea Magistrates Court, which is a type of law court that handles minor cases.

Unsurprisingly, David remained silent throughout the trial and was remanded in custody until he could have another trial in May, six months later.

His next and most recent court case was similar to the last in that he wouldn't speak. David was asked whether he pled guilty and he wouldn't answer, so the
19:00 courts recorded a 'not guilty' plea on his behalf.

The rest of the case was the same as the last one. David was again found "mute of malice" and to have breached his Criminal Behaviour Order. The only difference this time is that the judge ordered another psychiatric report into David. He hoped that the report could shed some light on David's odd behaviour and suggest possible help that he could be offered.

This was David's chance to get the help that he needed but, even then, he refused to talk to the court-appointed doctor.

In response, the court ordered that his medical history be given to the doctor.

The doctor later concluded that even though David chooses not to talk, it may be

due to social stress or financial stress. The doctor wasn't able to diagnose any specific medical condition, so David didn't get a hospital order.

20:00 David was sentenced to another three and a half years in prison where he still remains today.

IN CONCLUSION

I had such an interesting time researching this story, and writing about it, and telling you all about it. It comes from my country of Wales which is such a small country that we're not often making international news. But, when we do, I get a little bit excited.

So, let's talk about David. He never says a word and he stands in the middle of the road, and because he's never really said a word to pretty much anyone, nobody really knows why he does it. It's never been fully solved. However, most speculate that his homelessness is likely the main reason.

For example, one user on Reddit writes "It's not that big of a mystery, he's
21:00 homeless. The street he always stands in is outside the police station. This man has found a fool proof way to not sleep outside and not starve".

Another user writes "My guess is he knows that doing this will get him arrested. He's not harming anybody and being in police custody or prison is better than sleeping in a doorway. You get fed, it's warm and dry, and you get clean clothes".

But guys, I'm interested to read your thoughts. Do you think it's fair for David to spend years in prison for this? Do you agree that he's using this as a way to fight his homelessness? Leave me a comment if you can or email me at rhys@englishwithrhys.com. For my members, leave a comment under the episode and I'll be sure to read it out in the next episode.

So, very quickly before we finish, let's take a look at some of the crime and punishment vocabulary that I used in this episode, specifically in the courtroom.

22:00 And that's the first one, 'courtroom', a place where people meet to solve a case. Sometimes, a courtroom will just be called a 'court'.

Now, there are two sides in a court case: the 'defendant' and the 'prosecution', okay? The prosecution claims that the defendant has broken the law and the defendant is there to 'defend' themselves. That's another good word, 'defend'.

At the front of the courtroom sits the 'judge' whose job it is to decide whether the defendant has indeed broken the law and to decide a punishment.

There may also be a 'jury' which is a group of usually twelve regular people from the public. They're there to decide whether the defendant is 'guilty' or 'not guilty'. If the defendant is 'guilty', it means they have broken the law. If they are 'not
23:00 guilty', it means they haven't broken the law. But notice that they don't use the word 'innocent'. In a courtroom, it's always 'guilty' or 'not guilty'. 'Innocent' isn't an option.

At the end of the trial, if the defendant is found guilty, they will be 'sentenced'. In

other words, they will be given a punishment, or a 'sentence'. For example, someone might be sentenced to ten years in jail, or they might be sentenced to 100 hours of community service.

If you would like more vocabulary practice, to learn the grammar of speaking about the future in the past, or you'd like to perfect the past perfect, make sure you download the worksheet. As always, the worksheet is free for my serious and dedicated members. Link is in the description.

And lastly, before I go, I would love to give a big shout out to my dedicated students. That's Anzu Takakura and Jean Nxumalo. Thank you so much for your support.

24:00

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