

Delivering an effective closing speech

31 August 2022

What is involved

Your closing speech is your final opportunity to address the court and persuade it to decide in your favour. The key challenges of delivering an effective closing speech are:

- Assimilating the evidence the court has heard with your case theory.
- Summarising potentially complex points of evidence, procedure and law in a concise and persuasive way.

Your obligations

Delivering an effective closing speech can help you meet some requirements of our Competence Statement including but not limited to:

- B5 Undertake effective written and spoken advocacy
[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/#b5>]
- C1 Communicate clearly and effectively, orally and in writing
[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/#c1>]

It is also a requirement of our Statement of standards for solicitor higher court advocates [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/accreditation/higher-rights-of-audience/statement-of-standards-for-solicitor-higher-court-advocates/>].

10 top tips for an effective closing speech

Your closing speech is your final opportunity to address the court and persuade it to decide in your favour. You can use these tips to help you prepare and deliver an effective speech.

1. Confidence is infectious and persuasive so make sure you know your case inside out.
2. Prepare as thoroughly as you can. The amount of time you have to prepare will depend on the case you are involved in. Some advocates write their closing speeches out in full and rehearse them, others prefer to draft an outline. You may



need to update what you have prepared in advance if it isn't fully consistent with the evidence that came out in the hearing or trial.

3. Be engaging. Reading your closing speech from a script can stop you from engaging effectively with the court and maintaining the interest of the judge and/or jury.
4. Make sure your speech is clear, concise and well structured.
5. Remind the court of your case theory and explain how you have met the burden of proof, or why the other side has failed to meet it. For example, by:
 1. Summarising the evidence that has been heard in court.
 2. Illustrating parts of your case theory with examples from the evidence.
 3. Attempting to rebut or minimise the impact of the other side's evidence against your case.
6. Tailor your closing speech to the court you are in, as appropriate. For example:
 1. In magistrates' courts your closing speech should remind the magistrates of the relevant law and summarise the key evidence.
 2. In the Crown Court the judge will explain the relevant law to the jury and summarise the case so your closing speech should highlight the key issues and explain why the jury should decide in your favour. (In some cases you may need to remind the jury of some aspects of the law, otherwise, leave it to the judge).
7. In criminal cases never introduce evidence that wasn't heard in court, even if it was included in a witness statement. This is different in family and civil cases (subject to any directions previously given or any ruling by the judge), as witness statements stand as evidence in chief and can be relied on.
8. Remind the tribunal of fact of the law that is applicable to the case. For example, the elements of an offence in a criminal trial or the elements of a claim in a civil trial.
9. Remind the court of the burden and standard of proof.
10. Take your lead from the judge. If a judge is writing down every word, slow down so that they can take a note of all of the references and submissions you make. If a judge seems uninterested, decide if you should move onto a more persuasive point before you lose their interest.