



**‘It’s nonsense, this idea that you’re abused, then you perpetuate the abuse. We as a society have to stop making excuses’**

*Few childhoods are as violent as Constance Briscoe’s: she was attacked by her mother with knives, fists and sticks. Now a judge, she explains why her upbringing is no cause for self-pity*

INTERVIEW Helena de Bertodano PORTRAIT Jude Edginton

Nothing in Constance Briscoe's extensive legal experience could prepare her for the day in court when she faced her own mother, who sued her for defamation over allegations of maternal abuse in her autobiography, *Ugly*. "Come on, Clearie, tell the truth. God will forgive you," she says, imitating her elderly mother's voice – sometimes wheedling, sometimes bullying – in the courtroom and shuddering at the memory. "It was extraordinary – like being a child all over again."

Few people have travelled farther from their childhoods than Briscoe, now 54 and a successful barrister and part-time judge. Even her name is different – her mother called her Clearie, "because she could see clear through me" – and she did not discover her birth name until she applied to university. "I was born in the gutter," she says bluntly, "and rose without a trace." As well as her legal career she is also an author, not only of two non-fiction books, *Ugly* and *Beyond Ugly*, but also of a novel, *The Accused*, published this month. But it was her 2008 court battle to prove that *Ugly* was not a work of fiction that made her into something approaching a household name.

"I thought I had a reasonably good case because everything I said was true," says Briscoe of *Ugly*, which chronicled a miserable childhood of physical and psychological abuse at the hands of her mother and stepfather. Her mother, who had 11 children, singled Briscoe out for savage attacks, beating her with a stick, twisting her breasts so brutally she was left with weeping sores, forcing her to sleep in urine-soaked sheets and telling her – again and again – that she was ugly. "Ugly, ugly," Briscoe quotes her as saying. "Heavenly Jesus, sweet and kind, why have You given me a swine?"

But her mother put up a fierce fight against the way in which she was depicted in her daughter's book. "She denied absolutely everything and she managed to convince my sisters and brothers to turn up to give evidence against me. I had no idea who would win. The jury were out for a long time and I kept thinking, 'Why haven't they returned yet?' Tony [her partner Anthony Arlidge, QC] said, 'If it goes against you, we'll just go to live in France and you can be a gardener' – which is something I've always wanted to do."

In the end the jury found unanimously in Briscoe's favour. "I was very relieved," she says. "Not only was it a vindication, it was more than that: there was no hiding place for my mother and no hiding place for my sisters and brothers."

She thinks that her mother told her siblings they would gain financially from the case. "But she'd have cut them all out if she had won."

"I haven't seen or heard from any of them since. Apart from one of my sisters who sends me a Christmas card every year telling me that I will be damned in hell." She guffaws with incredulous laughter and shakes her head. "In a way I kind of understood where my mother was coming from: she'd been so dishonourable all of her life that I really expected her to continue being dishonourable. What I hadn't quite appreciated was the extent to which my sisters and brothers – who knew what had happened – would come to court to tell a pack of lies, knowing they were telling a pack of lies. I'm glad I don't have to see any of them again. My life is so much happier without them."



We meet for tea at the Charlotte Street Hotel, a London establishment too upmarket to understand Briscoe's request for a Jammie Dodger to accompany her tea. "A what?" asks the perplexed waiter. "It's a little biscuit with jam in the middle," explains Briscoe briskly. He goes off to fetch a menu and Briscoe stage-whispers, "Madam, please, this is the Charlotte." When he returns, Briscoe goes to the other extreme and orders a Pommery champagne tea, asking him to hold back on some of the food but to bring two glasses of champagne instead. "You are really a nice and generous man," says Briscoe, showing a steely persuasive side which no doubt serves her well professionally. "So I know that you will accommodate us."

Nevertheless she regards the resulting tiered platter of sandwiches, macaroons, scones and profiteroles with consternation. "It will take me a week to eat all of that." She peers into a little china bowl. "What's that?" she says, offering it to me for inspection. "Jam," I tell her. "I think that's as close as you're going to get to a Jammie Dodger." Briscoe rolls her eyes. "Honestly, it's not Tiffany's."

She is dressed from head to toe in black – including high-heeled zip-up black boots and a shot silk black shift dress with a tailored pinstripe jacket. "I do like nice clothes," says Briscoe. "I bought my dress in..." she hesitates. "I'd better not say Harrods because people will think I'm posh, but I bought it there during a sale."

Briscoe's cut-glass accent belies her background. "Posh? How could I possibly be posh? I came from nowhere," she says, taking a sip of champagne. "The fact that I've had a good education doesn't mean I'm posh. I'm completely in touch, I'm comprehensively in touch. Actually," she adds, laughing at



herself, "I don't know anyone who's more in touch than me."

Ironically, having had to defend her autobiography from accusations that parts of it were fiction, she now finds herself being asked if her new novel – a crime-fiction romp through South London, where she grew up – is based on facts from her own life. "Up to a point," she concedes. "The book is full of seriously strong women who, whatever happens, won't go under."

In *The Accused* the main character, Sam, has awful parents. "She had never wanted much in life, just a mother who loved her," writes Briscoe of Sam. In *Ugly* Briscoe describes a conversation with her mother before she leaves for good. "All I have ever wanted," she told her mother, "was a mum who loved me, not hated me, loved me... Mummy, I will never speak to you as long as I live and I think you know why."

Briscoe believes she was singled out by her mother because she was not as pretty as her sisters and was unable to stop wetting her bed. "Instead of washing my sheets, my mother would put them in bags and knot them up, then put them back on the bed at night."

The only other person in the family who came in for such abuse was her father George, who was driven out when Briscoe was very little. "I think their relationship was on the rocks before I came along. I remember my mother stabbing him with a pair of scissors and another time when she hooked him right through the cheek with a coat hanger. He died in 2005 – she would never have dared to bring the defamation action if he was still alive."

Her mother's new partner, Garfield Eastman, joined in the abuse, making her so miserable that she tried to get herself placed in a children's home. Social services told her she needed the consent of her parents first. In

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despair she went home and drank Domestos. "I chose Domestos because Domestos kills all known germs and my mother had for so long told me that I was a germ."

The abuse continued throughout her childhood. She removes her tailored pinstripe jacket and holds out her arm under the light. "Can you see my scar? It runs from here," she says pointing to her inside wrist and tracing her finger up it, stopping at a point nine centimetres later, "to here. My mother pulled a knife across my arm because I didn't prepare a chicken properly for dinner."

In her book she graphically describes the moment her mother spotted a few remaining feathers on the chicken that she had instructed nine-year-old Constance to get ready for the family dinner. "She pressed the point of the knife into my wrist... Beads of blood rose up from the track of the knife and a straight line of flesh opened up. Blood dripped down the side of my arm and all over the plastic table cover. 'Look what you have done,' she said in disgust. 'You have spilt your blood all over my tablecloth. You had better clean it up.'"

In court, Briscoe's mother denied all



From left: Constance Briscoe's mother, Carmen; Constance, second from left,

with her siblings in 1961; Briscoe today, in her role as one of Britain's first black women judges

knowledge of the chicken incident, as well as another in which she deliberately flew a toy plane into her daughter's face twice, causing deep cuts to her left cheek which are still visible today.

"A professional photographer came and took pictures of the scars on my arm and face, but when my mother was shown the photographs and asked if she knew how I got the scars she took one look and said, 'That's not my daughter.'"

Her mother denied so much, even the irrefutable, that she ended up weakening her case. "She even denied that my stepfather had convictions for assaulting me – which was ridiculous."

Some of the most heartbreaking pieces of evidence that emerged during the trial were two letters written by St Thomas' Hospital in 1972 to Briscoe's doctor after Briscoe, aged 13, underwent surgery on her breasts to remove the lumps caused by years of pulling and twisting by her mother. Briscoe herself did not know about the reports until her mother tried to sue her more than 30 years later. "She told a nurse that her mother had hurt her breasts because she wet the bed," reads the first letter. "She expressed a wish to die and go to heaven..." And the second letter, a week later, read, "She was anxious, tearful and unwilling to go home. She told nurses her mother had crashed a plane into her face and cut her hand with a knife because she upset a chicken. She claimed that her stepfather had burnt her hand with a cigarette butt and touched her privates. She is not suicidal but admitted a prior attempt at taking her life to go to heaven."

Despite the horrors of her childhood, Briscoe refuses to see herself as damaged. "I'm well-adjusted, actually," she says calmly – and indeed she does come across as someone with remarkable poise and self-knowledge. "I'm level-headed and quite balanced."

She says she feels almost no connection to the Clearie of yesteryear. "I don't know who she is any more, really. I think that happily she's been killed off. And I think that an early death was the best thing that could have happened to her. Put her out of her misery."

Yet she readily admits that the Constance Briscoe of today would not exist without Clearie. "That's the irony. I do think if my mother had treated me normally I would not have done the things that I have done."

"So in a perverse sort of way..." I start. Briscoe finishes the sentence: "She did me a favour!"

One lingering after-effect of her childhood, though, is an obsession with cosmetic surgery – which she acknowledges is due to her mother's insistence that she was ugly. "I've had quite a bit of surgery," she says, ticking off her eyes, her nose, her lips, even her

feet – which she had narrowed a couple of years ago in America, to the tune of £18,000. “Tony was absolutely appalled and refused to take me to the airport. Most men are old-fashioned; they don’t like the idea of their women going under the knife. They don’t know what they’re getting back.”

At the moment, she is taking a break. “To have more surgery now would be an indulgence.” She pauses and reconsiders. “But I wouldn’t mind a bit of liposuction. I have bingo wings flapping in the air.” She sticks out her arms and gives them a waggle.

Now with two grown-up children herself (Martin, 23, and Francesca, 21, from a long-term relationship with lawyer Adam Wilson), she finds her mother’s behaviour even more incomprehensible. I ask Briscoe if she can remember a single happy moment with her mother. “Actually I do. I remember a time when my mother bought me cakes with hundreds and thousands on them. She was particularly nice to me that day. I do remember that as an act of extreme generosity. And she bought me a doll once for Christmas – but after Christmas the doll disappeared and I didn’t see her back until the following Christmas when she reappeared wrapped up again. And that happened every Christmas after. I was very grateful to get her back, actually. I thought that was fine.”

Despite her miserable home life, Briscoe always stood out at school and resolved early on to become a barrister – inspired by the TV series *Crown Court* and a school trip to Knightsbridge crown court, where her class watched barrister Michael Mansfield, QC, defend some pickpockets. Afterwards Briscoe, only 12 at the time, collared Mansfield to ask him for a pupillage. “Sure,” he said jovially, giving her his card and suggesting she get in touch with him once she had her qualifications. He probably did not bargain on Briscoe’s extraordinary single-mindedness. “He gave me hope – I had something to work towards.”

Eventually Briscoe won a place to read law at Newcastle University. But when she asked for her mother’s signature on the grant application form, her mother tore it to pieces. “Only clever people go to university,” she said, then threw the pieces of paper up into the air. “Now f\*\*\* off out of my sight if you know what’s good for you.”

Without her mother’s signature, she could only apply for a grant by proving that she was self-sufficient for five years. Because she had been working for four years already – fitting both cleaning jobs and hospice work around her school hours to pay the rent her mother demanded – she only had to defer university for one year.

Even once she had qualified as a barrister, her mother still tried to sabotage her career, writing to the Bar Council to allege that her daughter had hired a hitman to kill her. The council dismissed the claim as unsubstantiated.

Mansfield was as good as his word but Briscoe did not win over the rest of his chambers, eventually securing a permanent tenancy elsewhere. In 1996 she became a Recorder, one of the first black women to sit as a judge in the UK. As a barrister she focuses on criminal law. “I specialise in murders, gangbang sex, child abuse, serious violence and firearms. More recently I’ve been specialising in really serious child abuse. They seem to think, ‘Constance will understand because she’s been there.’ You can never understand another person’s pain, but I do know where some of these children are coming from. I just finished a case in which a mum and uncle had grossly neglected 3 boys, now aged 9, 12 and 15. The eldest boy didn’t know how to express himself – he just barked like a dog. The mum said she was abused

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herself and I said, ‘Well, we’re both in the same club then, aren’t we? Does that entitle you to abuse your own children? It doesn’t wash with a jury and it certainly doesn’t wash with me.’

“It’s complete and utter nonsense, this idea that you’re abused and then you have some sort of abiding duty to perpetuate the abuse. We as a society need to stop making excuses.”

She says she has never been tempted to hit her own children. “The closest I came to losing it was when they were messing around big-time at bedtime and I stomped up the stairs heavy-footed and went into their room and said, ‘When is this going to stop?’ Fran was about 4 and Martin was 6 and as I closed the door I heard Fran say, ‘She’s not a very nice mummy, is she, Martin?’ And Martin said, ‘Fran, when you get to my age you realise that some mummies are like that.’ And I felt so bad.”

I ask her how her own mother would have reacted in such a circumstance. “She would have stormed up the stairs, slammed the door, pulled the sheet off and grabbed me by the

corner of my knickers and then she would have punched me – before she would have asked what was going on.”

Although she offers no excuses for her own mother, she firmly believes that parents in general need more help in the early days. “You have people looking out for your foetus all through your pregnancy. You have the baby, he’s weighed and measured and inoculated – and then you’re on your own. This thing is sleeping, next time he wakes up he’s going to want to be fed, he’s going to want to be cleaned, and if you’re lucky he won’t make a noise and if you’re unlucky he’s going to start crying and you won’t know how to shut him up. We need to try to assist mothers before it gets to the abusive stage – it would save so much money and heartache in the long term.”

Occasionally she finds herself wishing her own early years had been different. “This sounds odd but sometimes, now that I have completed most of my journey and the distance ahead of me is increasingly diminishing, I sometimes think that it would be so nice if I had a childhood I could look back on. Maybe just a picture of me in a nice dress. There aren’t really any pictures of me as a child.”

Briscoe says her mother’s denial of abusing her was strangely reassuring. “By denying it, at least that showed me that she knew she’d done wrong. I understood that the reason my mother was not admitting it was because she knew it was not a good thing to admit.”

Briscoe professes she has never been happier, but then contradicts herself. “I’m as happy as I will ever be. I mean I have not yet found happiness. I just think that happiness is something that wasn’t really made for me. But I get quite close to it. I’m pretty close to it now.” She feels most content at the house she shares with Arlidge in France. “It has a glorious garden and its own millrace. That’s my refuge, that’s my home; that’s where I’m at peace.” She has been with Arlidge, now 74, for 11 years and says she was originally attracted to his intellect. “And he’s an honourable man. He’s a very good man.”

She does not think she has heard the last of her mother. “I’m quite sure she’s going to surface again because she always does,” says Briscoe wearily.

“Sometimes people say I should forgive her. Well, sorry. Why should I? There is no way I will ever, ever, ever forgive that woman. I feel a lot better having hatred in my heart towards her. Unless somebody has walked in my shoes, they have no right to tell me to forgive.”

I ask her what she would say if her mother knocked on her door. “Wrong address. I’d say you’ve got the wrong address. Clearie doesn’t live here any more.” ■

*The Accused by Constance Briscoe is published by Ebury Press, £6.99*