

## The Wit of *Judge Rinder*: Judges, Humour and Popular Culture

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### Abstract

*Judge Rinder* is a British reality TV court show. It has much in common with the US archetype *Judge Judy*. But there are differences. One is Judge Rinder's humour, and more specifically his wit. Using a research database of *Judge Rinder* cases. The article examines the nature and effects of humour in this courtroom setting. It explores the role of the judge, the form the humour takes and the interactions and social relations it generates. A distinctive feature of the analysis is consideration of the impact of the audio-visual technologies, and the techniques and conventions developed around them, upon the interactions and social relations the onscreen humour generates with viewers. While the camera aligns the screen audience with the judge and the laughter track infects the audience with emotion the judge generates, the paper cautions against assuming that all viewers have the same emotional experience.

### Key words

*Judge Rinder*; reality TV court shows; *Judge Judy*; emotions; humour; laughter; television

### Resumen

*Judge Rinder* es un reality show judicial británico. Tiene mucho en común con el arquetipo de *Judge Judy*, de EEUU; pero hay diferencias. Una consiste en el humor del juez Rinder, y, más en concreto, en su ingenio. Utilizando una base de datos de investigación de los casos de *Judge Rinder*, el artículo analiza la naturaleza y los efectos del humor en ese escenario judicial. Explora el rol del juez, la forma que adquiere el humor y las interacciones y relaciones sociales que éste genera. Una característica distintiva del análisis es la consideración del impacto de las tecnologías audiovisuales, y de las técnicas y convenciones desarrolladas alrededor de aquéllas, sobre las interacciones y las relaciones sociales que el humor televisivo genera en los espectadores. Mientras la cámara alinea a la audiencia con el juez y la risa contagia

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a la audiencia la emoción generada por el juez, el artículo advierte contra la deducción de que todos los espectadores experimentan una misma emoción.

**Palabras clave**

*Judge Rinder*; reality shows judiciales; *Judge Judy*; emociones; humor; risa; televisión

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## 1. Introduction

Rachel has come to court to pursue a claim for damages. It relates to a loss allegedly caused by Tamar, a decorator who was contracted to do work in her home: £890 being the cost of correcting the damage caused by poor workmanship. Tamar is counterclaiming for £3,350. Part is for unpaid wages for the work done. The rest, the majority, is for loss of earnings resulting from Rachel's hostile feedback about his work posted on a website used by Tamar to advertise his services. This led to his details being removed which he claims caused loss of business. The central issue of the case is the terms of the contract and evidence, or lack of evidence, about them: there was no written agreement. While the case of *Rachel v Tamar* (Case 1, 13 February 2017)<sup>1</sup> is a rather small mundane civil dispute it takes place in open court and the public gallery is packed with observers. The judge in the case is Judge Rinder. In one of the first exchanges we see between the judge and one of the parties, Rachel, Rinder focuses on a particular incident; "There was something that happened with the ceiling, Rachel". She replies, "It fell down". Judge Rinder delivers a deadpan sarcastic response, "Yes, well, that's a technical term". It is followed by an outburst of laughter in the courtroom. While the interruption of the serious business of courts by laughter is not unheard of (Scarduzio 2011, Roach Anleu *et al.* 2014, Roach Anleu and Mack 2018, Bergman Blix and Wettergren 2018)<sup>2</sup> the fact that the laughter occurs off screen, and is provided by a soundtrack that also includes a thumping rhythm and other sound effects, suggests this is no ordinary courtroom encounter. This court is "ITV's court". ITV is the Independent Television company; a commercial broadcaster. The courtroom is located on one of the soundstages of a media production facility, Media City, in Salford in the north west of England. *Judge Rinder* is a TV role played by a barrister who previously had a career as a criminal advocate; Robert Rinder. *Rachel v Tamar* (Case 1, 13 February 2017) is the first of two cases that make up an episode of the daytime British reality TV court show, *Judge Rinder*, broadcast on the 13<sup>th</sup> of February 2017.<sup>3</sup>

The reality TV court format is a popular cultural representation of law that has a distinctive feature. It puts the judge, an otherwise marginal character in popular cultural courtroom representations (Black 2005, Levi 2005, Papke 2007), at the centre of the show: the judge is the star. *Judge Rinder* is no exception. The show's seventh season began in August 2018.<sup>4</sup> Broadcast at two in the afternoon it attracts audiences of over one million viewers per episode.<sup>5</sup> Judge Rinder has become something of a household name. In 2017 a UK based survey placed Judge Rinder as number two in a list of the top ten most influential TV "Justice Seekers" (Simpson 2017).<sup>6</sup> He is probably the best known UK judge.

The humour of *Judge Rinder* is the focus of my concern in this paper. The objective of this paper is to examine the nature of the humour of *Judge Rinder* in more detail.

<sup>1</sup> The parties to the dispute are only ever referred to by their first names. This informality potentially makes for a more relaxed and friendly atmosphere in the courtroom and at the same time gives the participants a degree of privacy that may be more difficult to maintain if their full names were used during the case. Sargent (2016) suggests that use of first names in reality TV courtroom shows contributes to viewer perceptions of the court as a location in which they experienced a sense of belonging.

<sup>2</sup> Humour in courtrooms in England and Wales also occurs in ceremonial contexts. For example see Moran (2018) on humour and laughter in the swearing in events inaugurating the career of newly appointed senior judges.

<sup>3</sup> The norm is that an episode is made up of two cases. The second case in this episode also focused on an issue relating to a contract. The legal issues related to the terms of the contract and also whether the horse was fit for purpose as described in the contract.

<sup>4</sup> The show was first broadcast in August 2014. As of September 2018 there have been over 400 episodes and 1000 cases.

<sup>5</sup> There is limited view on demand availability via ITV's digital hub. Extracts from shows and compilations of extracts are available via YouTube.

<sup>6</sup> The most popular "justice seeker" was the Manhattan prosecutor Jack McCoy, played by actor Sam Waterston in the US TV series *Law and Order*. Number three in the list was Judge John Deed, a fictional character developed by G.F. Newman. (See Moran forthcoming).

The analysis that follows is based upon a study of the humour in 11 cases, including *Rachel v Tamar*, that were originally broadcast in five *Judge Rinder* episodes first aired between the 13<sup>th</sup> and 17<sup>th</sup> February 2017 (see Appendix).<sup>7</sup> While humour as indicated by laughter<sup>8</sup> in the courtroom and on the broadcast soundtrack varies from case to case,<sup>9</sup> it is a feature of all 11 cases. A second source of data used in the analysis is comments from viewers about episodes in the *Judge Rinder* database posted on the *Judge Rinder* Facebook page. Last but by no means least the research draws upon notes made immediately after I attended a recording of three cases as a member of the audience in Judge Rinder's court at the Media City studios on the 28<sup>th</sup> November 2017 (Moran 2017).<sup>10</sup>

FIGURE 1



Figure 1. A selfie of the author with a cardboard model of Judge Rinder in the waiting area outside the *Judge Rinder* Studio on the 28<sup>th</sup> November 2017.

## 2. Taking humour seriously

The analysis of humour offered here is informed by the insights of humour scholars who draw attention to the inter-relational nature of humour and its social effects (Glenn 2003).<sup>11</sup> Humour calls for a response; laughter is one manifestation of this.<sup>12</sup> Wittgenstein (1980, p. 83) illustrates this by way of an analogy with playing ball. Making humour is like throwing a ball to another with the expectation that it will be returned. For Bergson, this interactional quality highlights the communal and group dynamic of laughter which he characterises as “a kind of secret freemasonry, or even

<sup>7</sup> This subset is a sample of a larger data base of 20 episodes of *Judge Rinder* first broadcast over a four week period between the 13<sup>th</sup> of February and the 10<sup>th</sup> March 2017.

<sup>8</sup> It is important to acknowledge that humour and laughter are not necessarily related. For example, nervous laughter may have nothing to do with humour. Likewise laughter is not the only audible or physical reaction to humour. A groan is another reaction to humour. See Roach Anleu and Milner Davis (2018) for an introduction to the debates about the nature of humour and related phenomena in judicial settings.

<sup>9</sup> The case with the smallest number of laughter incidents, just one, was *Dee v Chidozie* (2017), a dispute between neighbours relating to claim for damages cause by water from the upstairs flat.

<sup>10</sup> Two of the cases recorded on that date have been included in episodes. *Andrew and Sam v Kay Neave and Wendy* was broadcast on 22 January 2018. *Steven v Colin (Heavy D)* was broadcast on 15 January 2018.

<sup>11</sup> Glenn (2003) notes the possibility of laughing at one's own jokes as a possible exception that supports the general rule.

<sup>12</sup> One context in which the relevance and nature of the response is examined is in a debate about the status of “failed humour”; where the speaker's humorous intention is not acknowledged or responded to by the audience. For example see Holmes (2000). This is not an aspect of humour considered here.

complicity, with other laughers, real or imaginary" (Bergson 1911, p. 6). For Critchley (2002) laughter has a potential to generate and evidence social and cultural connections. The study of humour in *Judge Rinder* provides an opportunity to examine the becoming social and collective imagination generated by the interactions between the judge and audiences (Bergson 1911, pp. 2-3).

But, as various scholars have noted (Horton and Wohl 1956, Thompson 2005), interactions generated via the media and in this case screen media, differ from face-to-face interaction: they take the form of mediated quasi interaction. Horton and Wohl call the interaction between the viewer and the screen image a "para-social encounter" (Horton and Wohl 1956, p. 215). This may include the illusion of a face-to-face encounter. For example in the opening 24 second title sequence that accompanies all episodes in the dataset draws to a close the viewer is provided with a face-to-face encounter with the judge. Judge Rinder sits with folded arms on the bench and looks directly into the camera, and at the TV audience, as the voice over explains, "Judge Rinder is ready to rule in ITV's court". Another example of the use of a direct address shot is in a sequence that immediately follows on from a commercial break during the course of the case *Emma v James v Scott* (Case 2, 14 February 2017). As the judge looks into the camera he appears to speak directly to the viewer as he invites viewers to submit a dispute to him for resolution in his court. Posts from viewers on the *Judge Rinder* Facebook page also adopt the mode of direct address. An example of this is a post by Alison Fish (15/2/17) commenting on the case of *Dee v Chidoze* (Case 2, 15 February 2017);

Loved the show today but the neighbors (sic) decision was a good call Judge 😊 as always.you are the best Judge ever.dont know what i would do without you in my afternoons.looking forward to your show tomorrow 😊 see you then Judge.love you  
😊❤️❤� xxxx

Each episode, the total is now over 400, provides an almost hour long opportunity to become familiar with the nuances of Judge Rinder's on screen persona; his physical appearance, his voice, his mannerisms, his way of thinking, his emotions. The viewer watches and responds to him.

But the interaction is distinctive as the on screen character has no immediate capacity to acknowledge a viewer's reaction or respond to it: the screen encounter lacks elements of reciprocity.<sup>13</sup> Another important feature of the screen encounter is that the nature and parameters of the interaction with *Judge Rinder* are set by those who have produced the show. Thus when considering the ways in which humour works to generate social interaction between the one making the humour, the judge, and the audience responding to it, creating a community of laughers, careful attention needs to be paid to the way the industrially produced entertainment generates the illusion of an experience of interaction (Wood 2018).

In addressing this issue the paper examines the way the technologies, industrial practices and protocols that come together in *Judge Rinder* shape the interaction between the show and its audiences and more specifically generate the emotional bonds between the judge and his remote audiences. While some industrial practices are concerned with the visual representation on screen I also want to consider the importance of the often neglected soundtrack. Of particular interest is the laughter track. The study of *Judge Rinder* provides an opportunity to consider how an entertainment industry product provides audiences with emotional experiences that generate their imagined relationships with and sense of belonging in relation to the justice system in general and the institutional authority of the judge in particular. To

<sup>13</sup> When posting messages on the Facebook page of *Judge Rinder* viewers often adopt a style of direct address; as if they are in a conversation with the judge. See for example the comment by Alison Fish of the 15 February 2017 in this article. On rare occasions the judge responds to a post. It is more common for the judge to respond to comments made on his Twitter account.

set the scene for this analysis I begin with an introduction to the humour of *Judge Rinder*.

### 3. Introducing the humour of *Judge Rinder*

Humour is not so much an aberration in Judge Rinder's courtroom but more an institutionalised component. Official publicity for the show mentions humour as one of the judge's qualities;

With his razor sharp mind, witty remarks and legal expertise, Judge Rinder rules the courtroom in his own unique way (...). Judge Rinder hears the evidence and delivers his verdict with characteristic wit. (ITV Studios n.d.)

This extract suggests that the humour of Judge Rinder takes a particular form; wit. As Billig (2005) notes, wit is a category of humour that gained importance in the 18<sup>th</sup> century, linking humour to respectable gentlemanly behaviour. In good part this is due to its associations with intelligence, insight, imagination and wisdom. Wit calls for and exploits linguistic ability, mental dexterity and creativity, frequently involving word play, and a keen social and cultural awareness that work together to generate and exploit incongruities that are central to this form of humour. Of note here is the way the studio publicity conjoins wit with more traditional judicial qualities and skills; a razor sharp mind, legal expertise, and judicial courtroom practice such as hearing evidence and delivering judgment. The skills and qualities associated with this particular form of humour do not so much disrupt or undermine traditional judicial qualities and skills as echo some of their key characteristics.

Media commentators have also noted the importance of humour. Writing for the law blog *Legal Cheek* just after the launch of the show, Judge John Hack<sup>14</sup> (2014) described Judge Rinder's performance as, "... alternatively effervescent, comic, dramatic, sensitive, sensible and proudly camp". Of particular note here is the appearance of "comic" in the complex emotional landscape that Rinder's performance generates.

The research database of posts from *Judge Rinder's* Facebook page linked to the episodes database also suggests that the humour of the judge is an acknowledged and positive feature of the show. For example;

Judge Rinder you was (sic) really funny on this episode you were on top form. Loved to have you round for dinner i bet your (sic) a good laugh. xxxx. (Helen Tolley 12/2/17)

This lovely funny (...) man makes every week day just GREAT!!!! (Jane Potts 13/2/17)

Judge Rinder is so hilarious Today's episode looks very funny I will watch it on the planner later. (Andrew Rankin 14/2/17)

Just love watching your program you have a gift. Your intelligence combined with your gift to integrate humour pathos and get through to some of the people in your court is wonderful. ❤️ Happy Valentine's Day x. (Susan Linda Silver 14/2/17)

A suggestion that the humour might, as one Facebook commentator proposed, "lower the level" with which a serious matter was being dealt with attracted a swift hostile response, "Don't like it? Switch off, simples (sic) 😊" (Jane Potts 13/2/17). While the contributors to *Judge Rinder's* Facebook page are likely to be self-selecting champions of the show, its fans, the sample of viewer responses that cover the episode research database suggest that the humour of *Judge Rinder* is taken as a positive, engaging and endearing characteristic of the show in general and the judicial character in particular rather than a negative one.

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<sup>14</sup> "Judge John Hack" is the pseudonym used by Jonathan Ames, when writing for *Legal Cheek* a law focused news and blog website. He writes as legal correspondent for the *Times* newspaper using his own name.



My focus on the humour of *Judge Rinder* is in part shaped by Robson's (2007) call for non US scholars of law and popular culture to focus on home grown television shows rather than following the dominant preoccupation with US TV productions. He urges researchers to be sensitive to the different legal and cultural particularities and preoccupations of the local popular cultural manifestations of law and justice. In the context of *Judge Rinder* this calls for sensitivity to the particularities of this British version of a popular cultural format that has its origins elsewhere.

The format of *Judge Rinder* draws heavily on the US archetype reality TV court show *Judge Judy*.<sup>15</sup> The British court show<sup>16</sup> has many features in common with the most popular judge of the US reality TV court shows. One is the title of the show: it follows the US practice of naming the show after the judge. *Judge Rinder* like *Judge Judy* puts the judge at the centre of the show: the judge is the star of the show. The disputes the judge deals with are private law matters; not criminal. *Judge Rinder* like *Judge Judy* delivers cash justice. In these television courts there are no cash losers. Like in *Judge Judy* the production company covers the cost of the awards made by Judge Rinder. Awards are limited to a maximum of £5,000 per dispute. TV court procedure is judge led; there are no lawyers. The "courtroom" set of the British show, the interior layout, and props, the gavel and flags behind the bench, are more *Judge Judy* studio set design than typical British courtroom.<sup>17</sup>

Lorenzo-Dus (2008) notes that heightened emotions are a central component of the US reality TV court format. The emotions performed by the judge and generated through the judge's interactions with the parties to the dispute are central. *Judge Rinder* also fits this model. Of particular note is the fact that the studio publicity only makes one reference to emotion; Judge Rinder's humour. Publicity relating to the *Judge Judy* show emphasises the character's tough and aggressive style of judgecraft.<sup>18</sup> There is no reference to her humour. In his review of the different judicial characters that dominate the various US reality TV court shows Asimow (1999) argues that most adopt a *Judge Judy* persona. He describes this style of performance and character as, tough, aggressive, no nonsense; as a judge, "with an attitude" (Asimow 1999, p. 25). The gendered nature of Judge Judy's character is described by Foust (2004, p. 275) as the "tough mother": combining virtue, moral authority with a particular type of aggressive femininity.<sup>19</sup> Humour and laughter are rare in Judge Judy's courtroom.<sup>20</sup> The character and performance of *Judge Rinder*

<sup>15</sup> *Judge Judy* is broadcast in many jurisdictions, including the UK where it is currently available on a free to view digital channel CBS Reality. As of May 2017 there have been over 6,000 episodes of *Judge Judy* in 22 seasons of the show.

<sup>16</sup> The *Judge Judy* format has also travelled to other jurisdictions. German court TV shows have attracted particular scholarly interest. See Machura 2009, Moran *et al.* 2010, Olsen 2013.

<sup>17</sup> The fact that *Judge Rinder*'s courtroom is like other reality and fictional television versions of a courtroom is one dimension of the way Rinder's "reality" effect is produced. What Len Ang (1982) calls an "air of truth" is sufficient to sustain the legal "reality" of the show.

<sup>18</sup> Descriptions of her do incorporate many qualities that are commonly associated with a judicial officer. For example "formidable" (CBS Drama, <http://www.cbsdrama.tv/uk/shows.php?title=judge+judy>); "honest", "keen" (CBS Reality TV <http://www.cbsreality.tv/eu/shows.php?title=judge+judy>); "no-nonsense fact-finding", "brusque management", "incisive", "resolute", "strict" ([https://en.wikipedia.org/wiki/Judge\\_Judy](https://en.wikipedia.org/wiki/Judge_Judy)). Others highlight her emotional qualities, but I've not found references to her use of humour. Some of those highlighted on Judge Judy's page on Wikipedia include "coercive", "gruff", "volatile", "sadistic".

<sup>19</sup> Lovell Banks (2008) examines the impact of race on judicial character and performance in US reality TV court shows and notes similarities and differences between them and the Judge Judy archetype. Humour is not linked to the characters she studies. Olsen's (2013) work suggests that in different cultural and jurisdictional settings, her particular focus is Germany and the home grown judge shows, other cultural authority types, in particular the nurturing mother, may have value and may be engaged as part of the television judicial performance. She describes the most popular German reality TV court show judge, Richter in Barbana Salesch's judicial character as a "good mother" role; one that is associated with reason, empathy and nurturing and as a champion of social justice emphasising rehabilitation rather than a Judge Judy style of retribution. Again there is no reference to humour in Salesch's courtroom.

<sup>20</sup> A comparison of a number of episodes of the *Judge Rinder* and *Judge Judy* broadcast in the UK on the same day undertaken as part of this study suggests that humour is an example of jurisdictional differences. There was little evidence of laughter in the on screen audience or on the soundtrack of the episodes analysed. However this does not preclude the audience at home finding humour in *Judge Judy*. One



does include echoes of the tough and aggressive archetype<sup>21</sup> but the attachment of humour to the judicial star of the show appears to separate it out from the *Judge Judy* archetype. Last but by no means least, the particular locale of *Judge Rinder* is important for another reason. As Roach Anleu and Milner Davis (2018, p. 12) note humour is always culturally specific as are the social interactions it generates. This is apparent in the examples that follow as much of the humour requires a deep knowledge of British society and culture. In the section that follows I begin by examining the way humour is integrated into the TV courtroom setting. This will be followed by a consideration of the types of humour used and the various social effects Rinder's humour engages.

#### 4. Judge Rinder's humour

The pattern of humour found in *Judge Rinder* has a number of common characteristics. First, the humour is made through the courtroom interaction between the judge and the parties to the dispute.<sup>22</sup> An important factor here is the role of the judge. Judge Rinder does not perform the judge as referee role associated with the adversarial tradition. His judge is an active investigator generating the truth of the dispute: it is a more inquisitorial courtroom style. Sometimes his questions follow on from and seek confirmation of his summary of the history of the dispute based on pre-court generated information. On other occasions it takes a more traditional form of a judicial question followed by an answer from one of the parties.

The humour is judge generated through this process. Attempts by litigants to make humour can attract a hostile judicial response. For example in the case of *Lewis v Scott* (Case 1, 17 February 2017) a dispute about a contract for the sale of a snake, towards the end of the case in response to a comment by Rinder about the explanation given by the defendant about his failure to pay the outstanding payments for the snake the claimant, Lewis added, "He was a snake in the grass". This generated laughter. Rinder responded, "Just assume I make the jokes". Chastising the claimant draws attention to the role of the judge in making the humour in court; it is the judge's prerogative.<sup>23</sup> If in part the central role of the judge in *Judge Rinder* is merely a convention of the reality TV court format (Lorenzo-Dus 2008) a commonplace of humour scholarship is that the authority to make humour is closely connected to social and institutional hierarchies. The generation of humour tends to be the preserve of the one who occupies the dominant position in social interactions or in a particular a location or institutional setting (Boxer and Cortés-Conde 1997, Holmes 2000, Holmes and Marra 2002, Schnurr 2009).

An important related point is that the one who initiates humour is potentially in a position of sovereignty, with the power and authority to set the terms of the social interaction and the social relations it generates; in this context not only between the judge and the parties to the dispute and the people in the studio courtroom but also with the TV audience that are at a distance (Zijdervelt 1983, Crawford 2003, Kotthoff

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manifestation of the humorous potential can be seen in comic appropriations of Judge Judy. For example see Bianca Del Rio's performance of Judge Judy on *RuPaul's Drag Race* show available at <https://www.youtube.com/watch?v=RaSGkU19eR8>. Various scholars suggest that laughter is a common audience reaction to Judge Judy's performance of aggression and humiliation (see Epstein 2001, Lorenzo-Dus 2008).

<sup>21</sup> One of Judge Rinder's catch phrases is "moron", which he usually delivers in an aggressive manner designed to humiliate the litigant in his court.

<sup>22</sup> The exception to this is humour made through interaction with another character is the show, Michelle the courtroom usher played by actress Michelle Hassan. Exchanges with Michelle tend to arise out of the main forensic exchange and are a vehicle for adding a comment about a particular aspect of that exchange.

<sup>23</sup> There are examples in the cases studied where a response by one of the claimants causes laughter without attracting a hostile response from the judge. An example of this is in the case of *Paul v Bill* (Case 2, 15 February 2017) which is a claim for payment of money due under a contract for the sale of DJ equipment. The third laugh occurs almost 9 minutes into the case. The judge asks Bill if his longtime friend the claimant was a good DJ. Bill replies, "Not as good as me". The camera shows Paul laughing in response. Judge Rinder makes no comment about Bill's humour. In this instance the humour is in response to a question by the judge in the case of *Lewis v Scott* Lewis makes the humour on his own initiative.

2006). Lewis's comment and Rinder's reaction to it makes apparent the limited potential of humour from below offering an alternative worldview, challenging the judge's authority.

An example of Judge Rinder's wit that occurs in the to and fro of the forensic process is to be found in an example that comes from an exchange between the judge and the defendant/counterclaimant Tamar in the case of *Rachel v Tamar* (Case 1, 13 February 2017). As Rinder embarks on an exploration of Tamar's professional expertise he asks the following question, "How would you describe yourself as a business man?" Tamar replies and the exchange continues as follows;

Tamar: I'm a professional tiler.

Rinder: Professional tiler.

Tamar: Yes, slash decorator.

Rinder: "Slash decorator". That doesn't mean that you slash things [laughter]. Understood.

FIGURE 2



**Figure 2. Tamar laughs as Judge Rinder makes humour out of the word "slash". In this screen grab the courtroom audience are also on screen. Some of them are laughing. From the *Rachel v Tamar*, Case 1 Judge Rinder 13 February 2017.**

Here the humour is generated by Rinder's quick identification of the multiple meanings of the word "slash" and more specifically a meaning that sets up an incongruity. Tamar uses "slash" to refer to a textual mark commonly used to separate and connect two words, in this case two professional skills; "tiler" is on one side of the mark and "decorator" on the other: tiler/slash decorator. Judge Rinder's reply foregrounds another meaning of "slash": to make a violent and destructive cut. The incongruity is between Tamar as a professional who improves property and Tamar as a professional who destroys it. Rinder draws attention to his wordplay first by repeating Tamar's term and then by drawing attention to the second incongruous meaning; "That doesn't mean you slash things".<sup>24</sup> Language skills, a keen knowledge of the multiple meanings of words and the cultural significance of the term together with the necessary mental dexterity to identify and play with the incongruity to create the required element of surprise are all a part of Judge Rinder's wit.

While much of the humour takes the form of Rinder's quick response contributions made by the parties during the forensic examination there are examples that appear to be more extended self-conscious, comic interludes. They take the form of a short judicial monologue. One example is in a case involving long term domestic partners *Emma v James* (Case 2, 14 February 2017). Part of Emma's claim relates to costs

<sup>24</sup> This doesn't exhaust the meanings of "slash". It is also English slang for "urination".

arising from the upkeep of a dog. The dog was acquired as a part of an attempt at reconciliation between the parties after a period of separation. The forensic examination of the circumstances that led to the dog becoming a member of the family included the following exchange:

Rinder: The two of you started working through some of your issues and one of the ways you determined to work through your issues was by having a new addition to the family only, Emma, this wasn't necessarily your idea. Correct?

Emma: Absolutely not.

Rinder: What addition to the family am I talking about?

Emma: Our dog.

Rinder: Now who wanted a dog?

Emma: James.

Rinder: What dog did you want James? A nice little sweet shiatu? A charming small little Lhasa Apso? A miniature dachshund? Or perhaps you wanted to make yourself deliciously fruity and buy yourself a Chihuahua?

James: No.

Rinder: What was it?

James: I wanted a wolf. (*Emma v James Case 2*, 14 February 2017)

Of note here is the way the list of possible dog breeds both arises out of a forensic exchange but also has the effect of blocking the forensic process. It suspends any response by James to the straightforward question, "What dog did you want, James?" This focuses attention onto Rinder's performance. When the forensic process resumes the suspension has turned the defendant's response into the punch line of Rinder's comic interlude. The cases in the research database suggest it is a form of humour Rinder uses on a regular basis.<sup>25</sup> It is different from the mainstream humour in the show because of the extended nature of Rinder's performance. Its length also suggests it may be less spontaneous and subject to some pre-courtroom preparation than other instances of humour.

While the humour produced through this type of comic routine is a break from that generated through the forensic process it has much in common with it. It has many of the characteristics of wit. It calls for and demonstrates a finely tuned knowledge of dog breeds that also involves a keen awareness of the cultural connotations attached to particular breeds. Considerable skill is needed to select breeds that will generate a particular humorous effect. In this instance Rinder has selected breeds that have much in common; all are known for their small size, delicate mannerisms and highly strung nature. They are the antithesis of the attributes commonly associated with "a wolf", the actual breed of the family dog. A picture displayed on the court monitor provides a visual representation of the unspoken attributes of "wolf": it shows a tall well-built dog standing on its hind legs. It towers over a human figure (the claimant Emma) standing next to it.

The cultural connotations attached to Rinder's selection are captured in the common categorisation of the breeds in his list as examples of "Toy", "lap" and "handbag"<sup>26</sup> dogs, all terms that have strong gender (feminine) and sexual (gay) connotations. Central to the humour generated by Rinder's selection is the way the list works to stage an incongruity that has multiple dimensions. One is between size and other physical attributes of the dogs. Another is between the cultural associations

<sup>25</sup> Monologues by the judge are a feature in other cases: *Rachel v Tamar* (Case 1, 13 February 2017) the monologue focuses on wallpaper coverings and includes the judges attempting a regional accent; in *Alex v Jack* (Case 1, 14 February 2017) it involves a list of reasons for choosing Munich as a venue for a stag party; in *Lewis v Scott* (Case 1, 17 February 2017) the list involves different types of pet; in *Coryn v Scarlett* (Case 3, 17 February 2017) the focus is different reasons for holding a party.

<sup>26</sup> For more on "handbag dogs" see The Guardian 2017.

suggested by “handbag” dogs in contrast to those attached to a wolf. The dog types and characteristics also map on to two masculinities embodied by Rinder and James as respectively gay as indicated by his extravagant gestures, bodily contortions and soft musical delivery and straight working class hetero-masculinity, as indicated by for example his stiff gestures, vocabulary, and accent. The multiplication of breeds with characteristics in common provides multiple opportunities to make the incongruous contrast clear and to draw attention to it. The photographic image on the in-court display screen rams the point home. Rinder’s performance of the list also involves another dimension of wit, an element of surprise. His intervention disrupts the well-established flow of the forensic examination.

An example of humour that provides an opportunity to examine other dimensions of Rinder’s humour comes from the case of *Lewis v Scott* (Case 1, 17 February 2017). Lewis was claiming for monies owed under a contract for sale of two snakes and related equipment. During the course of the forensic examination Rinder spends some time exploring the background to and nature of Lewis’s interest in snakes in general and albino Burmese pythons in particular. Owning and breeding rare snakes is, he explains, a hobby that he has developed into a small business. During the course of his investigation Judge Rinder makes the following comment followed by a request:

A sentence I never thought I would ever say. Never a moment Lewis when I was sitting in Sierra Leone or thinking about being in the Hague, when I imagined I’d be in my judicial chair and I’d turn to a litigant and say, ‘I don’t suppose I could meet Sunshine the snake by any chance?’

As Lewis replies, “You certainly can”, he bends down behind the claimant’s desk and pulls out a large snake. As he lifts it around his neck gasps can be heard on the soundtrack. After watching Lewis struggling to raise the large snake onto his shoulders there is a cut to Judge Rinder. His eyes are wide open and his jaw has dropped. His facial configuration is one of a mix of shock, surprise and horror. This is echoed in his accompanying comment, “I have to tell you that when I asked you to reveal your snake I had no idea it was going to be that big”. Laughter follows on from his comment. Rinder continues by exploring with Lewis the feeding habits of the snake and safety issues when handling it. The judge then asks him to bring the snake to the bench. Lewis approaches and proceeds to drape the large moving snake around the judge’s neck and shoulders. Rinder struggles to hold the snake as it wraps around his body and moves towards his judicial chair. As he struggles to hold the heavy, moving snake he makes a number of asides about his experience all of which are met by laughter on the sound track.

The snake incident draws attention to another dimension of Judge Rinder’s humour that a focus on wit, with its associations with language, mental dexterity and cultural knowledge, might tend to ignore: the role played by Rinder’s physical performance in generating humour.<sup>27</sup> In this sequence the humour involves his facial expression as the snake is revealed; his popping eyes and gaping mouth. As the snake is placed around his neck the humour is linked to his stiffening and contorted body, the tone of his voice that rises and stutters nervously as he speaks. All combine to produce a performance of heightened animated anxiety due to the proximity of the large writhing snake. As Medhurst (2007) notes, treating a joke or, in this instance, a larger comic exchange between the judge, Lewis, the claimant, and Michelle, the court usher, as a verbal text is to miss an important part of the humour which is generated by the physical performance.

<sup>27</sup> Another is the role of props in the generation of Judge Rinder’s humour. In this case it is the snake. Animals are a regular focus of Judge Rinder’s cases. See also *Sharon v Patsy and Graham* (Case 2, 13 February 2017) that involved a horse, and a dog in *Emma v James* (Case 2, 14 February 2014).

Posts on Rinder's Facebook page in response to the snake case refer to the importance of his performance in the generation of humour. For example one comments on his dropping jaw and popping eyes;

Your face was a picture Judge Rinder, reminiscent of Edvard Munch *The Scream*. A mixture of Surprise, Horror and Regret. (Jan Atkins, 16 February 2017)<sup>28</sup>

Another Facebook post reads,

Omg this is when he holds the snake 🤩🤩🤩. Love you Judge Rinder 🤩🤩🤩🤩.. (Alice Woodhouse, 16 February 2017)

Another feature of the comedy in the snake case that is connected to Judge Rinder's performance can be illustrated by the following exchange between the judge and the complainant. It focuses on the latter's particular interest in animals;

Rinder: What is it particularly, and why is it that you have a personal interest in snakes?

Lewis: It's their length and girth mainly and the colours and patterns.

The verbal text alone offers little that might explain the loud laughter that beaks out as Lewis responds. Much of it depends on the performance that shapes the delivery of the lines. Rinder is on screen as he delivers his line. He nods his head and lowers his eyes in a performance of false modesty producing a coy but knowing look. Lewis's on screen deadpan matter-of-fact response is intercut with a shot of the judge's reaction; looking shocked and giving Lewis a stern disapproving look. This involves Rinder performing a number of extravagant gestures; sucking in cheeks, pursing his lips, cocking his head back as he looks down on Lewis. They combine to produce a pose of faux moral outrage. A reaction shot shows women responding to the humour; one is convulsed with laughter.

FIGURE 3



**Figure 3. A screen grab of a close up reaction shots of members of the audience laughing as the judge contorts his face and body in response to Lewis's reference to the length and girth of snakes. From *Lewis (with girlfriend Samantha) v Scott Case 1 Judge Rinder 17 February 2017*.**

In this case the humour is intimately connected with Rinder's facial contortions, bodily adjustment, and extravagant and effete tone of voice and the pacing of the exchange. More specifically Rinder's performative skill turns the potentially innocent text into a one that is all about sexual innuendo; into bawdy humour.

The humour that is generated through the snake is important for a number of reasons. First, it adds a dimension of humour that a focus on wit tends not to address; the importance of the performance in generating humour. It is also a counterpoint to

<sup>28</sup> This and other Facebook posts of the 16 February 2017 were commenting on the trailer for the show uploaded onto *Judge Rinder's* Facebook page the day before the first broadcast. The comic sequence with the snake was included in the trailer.

wit's strong class associations; with gentlemanly (middle class) respectability. Humour that relies on physical performance tends to be associated with humour of the lower (working) class (Palmer 1994, Billig 2005, Hunter and Porter 2012).

How are we to make sense of the judge's physical performance? As was noted above Medhurst reminds us that the written or verbal text is only ever one component of the humour. But Rinder's physical performance has another significance. One Facebook contributor commenting on the judge's performance in the case of *Rachel v Tamar* (Case 1, 13 February 2017) suggests that the performance has particular characteristics;

... would they really chose a flamboyant figure to play the judge in the first place? (He was on strictly too mind strutting his stuff 😏). So he is there for the comical purpose and it's a good show! 😄.. (Anastasia Horton 13/2/17)<sup>29</sup>

"Flamboyant" is used here to refer to Rinder's particular style of physical performance; his use of extravagant and ostentatious gestures and displays. The comment draws attention to the integral nature of Rinder's physical performance; it is part of his attraction.<sup>30</sup> The reference to "effervescent" in Judge John Hack's (2014) description of Judge Rinder's performance has similar connotations.

Another dimension of Hack's description of Rinder's physical performance that is particularly relevant here is the phrase, "proudly camp". Babuscio (2004) identifies a number of elements to camp; irony/incongruity, theatricality and humour that couples the incongruity with a real or pretended innocence. The snake routine is an example of Judge Rinder's humour that brings them together. One dimension of incongruity that the snake case brings to the fore is the juxtaposition of bodily functions, and more specifically same sex desire, with the cerebral qualities and characteristics associated with judgment and the respectable institution of the court. But as Babuscio notes, camp humour is not antithetical to the serious. He explains that "serious" is in fact crucial to camp. While camp may involve mocking solemnity, it never totally discards the seriousness of a thing or individual (Babuscio 2004, p. 128). He uses a quote from a character from a novel by Christopher Isherwood to make the point:

You can't camp about something you don't take seriously; you're not making fun of it, you are making fun out of it. You're expressing what's basically serious to you in terms of fun and artifice and elegance. (Quoted in Babuscio 2004 p. 128)

The conclusions to be drawn from this section about the nature of the humour in Judge Rinder is that much of it is judge generated but it is wrong to limit the humour to wit. Language skills and wordplay are important but Rinder also uses bawdy humour. His physical performance in general and its camp inflections are also important.

While this exploration of wit and other types of humour in *Judge Rinder* far from exhausts examples in the cases that make up the database the confines of this paper dictate that I move on to consider another important aspect of the humour in the show; the social dynamics of the community that comes into being through the humour. One dynamic linked to "superiority theories" of laughter foregrounds community formation by way of the common identification of a third party who is rendered "other" by way of ridicule and humiliation and thereby excluded. Other theories, such as "relief theory", suggests that the interaction humour generates does not necessarily depend upon social hierarchy or the need for social exclusion from the community of laughers. Here the humour is made by emphasising commonality

<sup>29</sup> The reference to "strictly" links Judge Rinder's style of performance in his court to his performance in a reality TV dance competition *Strictly Come Dancing*. See Moran, forthcoming.

<sup>30</sup> The comment "He was on strictly (sic) strutting his stuff (...)" also refers to the physical aspects of Rinder's television performances: "strictly" is a reference to a celebrity ballroom dance competition TV show, *Strictly Come Dancing*. Judge Rinder appeared in the 2016 competition performing a wide range of ballroom and Latin American dances (BBC 2016).



of experience that reduces or relieves social tensions. I want to consider examples from the cases with these points in mind.

#### 4.1. Superiority: the humour of "us and them"

The case of *Alex v Jack* (Case 1, 14 February 2017) involves a claim for damages for breach of contract arising out of the defendant's failure to deliver flights and a hotel for Alex's stag party. In the first four minutes of the case, Rinder questions the claimant and his girlfriend Claire, who is by his side, about the background to the stag party plans and the relationship they had with the defendant Jack. The judge then shifts the focus to the defendant with the following comment, "Let's pause while we turn to Judith Chalmers over there". This is followed by laughter.

Judith Chalmers is the name of a television celebrity best remembered for her role as the host of a popular television holiday travel show that ran from the mid 1970's to 2003: *Wish you were here*. Her on screen persona was that of a respected and knowledgeable travel expert who was a rather larger than life, late, middle-aged woman noted for her confident rather excessive style; platinum blonde hair, heavy makeup, brightly coloured and boldly patterned clothing. The Judith Chalmers' to name Jack sets up an incongruity. On screen Jack appears to be the antithesis of Judith Chalmers, being a young man casually dressed in jeans, his shirt outside his jeans, sloping shoulders and a mop of hair with a heavy unkempt matted fringe. It sets up a contrast that involves an element of ridicule; Jack has none of the signs that are associated with the model of a knowledgeable and dynamic travel expert that Judith Chalmers stands for. The humour provides an opportunity for viewers to laugh at Jack and thereby to generate a community of laughers who feel superior to him by way of his positioning as an outsider and align themselves with the judge who has set the terms of the character of Jack.<sup>31</sup>

#### 4.2. Relief: humour without hierarchy

Does all the humour in *Judge Rinder* involve the ridicule and humiliation of the parties to the dispute? The simple answer is "no". The humour generated by Judge Rinder's physical encounter with the albino python in the case of *Lewis (with girlfriend Samantha) v Scott* (Case 1, 17 February 2017) discussed above is one example that doesn't involve the superior model of humour. In that sequence Rinder is both the object of the humour as well as being its subject. There is an element of self-deprecation which invites us to laugh at his situation but ultimately this doesn't necessarily involve the diminution of his status. A post on the *Judge Rinder* Facebook in response to this incident makes this clear;

Haha , when I asked you to reveal your snake , I didn't realise it was going to be that big 🤔🤔🤔🤔🤔, I want Judge Rinder at my parties 🤩🤩🤩🤩🤩 , love ya ❤️❤️❤️  
❤️. (Liz Canton, 16/2/17)

In this case Judge Rinder's active role in making himself the object of bawdy humour does not lead this viewer to dismiss the judge as a figure degraded by the humour but appears to add value; he would be a prize guest. The multiple heart emojis suggests that at least for this viewer it makes him more endearing.

Another example that doesn't depend on social hierarchy or exclusion in the court is taken from the case of *Rachel v Tamar* (Case 1, 13 February 2017). Tamar explains that he has been a tiler for over five years. Rinder then asks about the website Tamar used to advertise his services. To get onto the website Tamar explains:

<sup>31</sup> Other examples of humour that engenders experiences of superiority in the audience can be found in other cases in the sample. For example see *Rachel v Tamar* (Case 1, 13 February 2017), *Emma v James* (Case 2, 14 February 2017), *Lee v Gio* (Case 1, 16 February 2017) and *Malcolm v Francesca* (Case 2, 16 February 2017).



Tamar: You've got to have a clean record, good recommendations, reviews from previous customers...

JR: It's not like Tinder, correct? (Laughter)

Tamar: That's correct.

JR: Somebody told me what Tinder, what that was. They apparently let anyone on it. (JR makes a circular gesture connecting himself with the defendant and claimant. It is accompanied by laughter).

Here the humour is made out of a contrast between the website on which traders offer their services to members of the public and Tinder, a dating/sex with no strings attached website. The former involves a vetting procedure that seeks to ensure competence and the necessary skills. The latter, Judge Rinder explains, does not vet the sexual skill or the erotic competence of those who put their profiles on the site. Rinder's gesture that accompanies this exchange plays an important role in the humour. He points to himself then the defendant and then the claimant before returning the gesture to himself. Thereby he suggests a similarity and interconnection between all the parties.<sup>32</sup> One dimension of the incongruity here is the juxtaposition of the hierarchical relationship between the judge, the figure of authority and the defendant with a gesture that brings them both to the same level. The humour, in part, works because it refuses the expected hierarchy of judges free from desire in contrast to the parties who are defined by their bodily needs. It has characteristics of "relief" humour as it may lighten the tension in a tense courtroom without the need for third party exclusion (Roach Anleu *et al.* 2014).

#### *4.3. Generating the emotional bonds of the screen community of laughers; the camera, the sound and the audience*

So far the focus has been on the form and social dynamics of humour. While this approach helps to understand some of the key components of the process of bringing into being a community of laughers it pays little attention to the role played by the medium through which these social relations are generated. *Judge Rinder* is produced for and delivered through a screen. All interaction generated by the humour of the show is mediated. Mediation involves various lens and sound technologies and the conventions and protocols that have been developed around the use of these technologies to produce screen entertainment. I now want to consider how these factors impact on the inter-relational and social dynamics of humour.

Film scholars draw attention to the importance both to what appears on screen, the diagetic dimension of the screen image, and what is referenced but off screen, the extradiagetic. Both are concerned with the different effects generated by the use of screen technologies and the cultural codes, that shape the use of the camera, the framing of shots and the juxtaposition of frame by way of editing practices and the use of sound recording. (Pramaggiore and Wallis 2008, pp. 63-4). Carol Clover (1998) has drawn upon the diagetic/extradiagetic distinction in her work on Hollywood courtroom drama and specifically in her exploration of the jury in that context. In part her interest is in the portrait of the jury that appears on screen. She notes that the jury in general, and individual jurors in particular, are rarely portrayed in any detail as on-screen characters.<sup>33</sup> Another key finding is that way the camera is used and types of editing techniques deployed regularly position the viewer in the location of the jury. This effect is what she describes as the extradiagetic jury of Hollywood courtroom dramas. The camera is used to put the audience in the cinema in the position of the jury in the courtroom. The lack of characterisation of jury

<sup>32</sup> If there is ridicule in this instance, Billig (2005) argues that all humour is linked to ridicule, then it remains the case that it is attached to all three. The negative connotations of sexual desire may not fall equally on the shoulders of all parties because of their different institutional positions, and the impact of class gender and race in this context. For a critique of Billig's position see Roach Anleu and Milner Davis (2018).

<sup>33</sup> The oft-referred exception to this is the film *12 Angry Men* (1957) directed by Sidney Lumet.

members on screen facilitates the cinema audience in taking on their role as “members of the jury”; there are no on screen characters to distract the cinema viewer.

In this part of the paper my particular interest is in the way the camera the use of the frame of the picture and editing is used in the episodes of *Judge Rinder* that make up my humour database. I want to explore how these devices are used to position the viewer in relation to what appears on screen and to thereby inform the viewer’s relational experience.

Analysis of the diagetic and extradiagetic aspects of *Judge Rinder* requires a consideration of the interface between the lens-based picture making technologies and the aesthetic conventions and practices of framing and editing the pictures that have built up around screen visual image production. The former include a number of now well established framing conventions (Pramaggiore and Wallis 2008, ch 6). One example is the establishing shot, used to set the scene and to locate the action that is to follow. Another is the action shot, associated with the visualisation of the dynamic moments of the drama. Close ups and medium close ups are framing practices particularly associated with the depiction of emotion and character; both tend to prioritise the face as the window into the soul of the character (Deleuze 1986, ch. 6, and Pramaggiore and Wallis 2008). Editing practices, juxtaposing different frames and camera angles are another important component of the visual language of the screen. The combination of action and reaction shots is one example of editing conventions that are used to visualise character driven drama. Another feature of editing is the various forms of transitioning from one frame to the next, such as a soft fade that overlaps one frame with another. These and other framing formats and editing techniques have become established conventions of visuals produced for the screen.

The visual language of *Judge Rinder* uses a variety of camera positions, framing formats and editorial techniques. For example the opening sequence of the first case of every episode begins with an establishing shot. It introduces the location and sets the scene in which the action that is to follow will take place. Figure 4 is an example of this type of shot taken from the start of the case of *Lee v Gio* (Case 2, 16 February 2017).

FIGURE 4



**Figure 4. An establishing shot from *Lee v Gio* Case 1 Judge Rinder 16 February 2017. It shows the general location where the action will take place. The desk on the left of the screen will soon be occupied by the claimant. The one closest to the camera will be occupied by the defendant.**

The camera is some way above the floor of the court. From this vantage point the viewer looks down over the area in front of the crowded public gallery where the yet to arrive parties to the dispute will stand to present their case. The camera then tracks to the back of the court. This is followed by a short sequence made up of a

combination of medium close ups and tracking shots that work to introduce each litigant as they enter the courtroom and make their way to their allotted position before the empty bench. The sequence for each litigant ends with a medium close up that puts them at the centre of the frame, a format that introduces each of the main characters and emphasises their importance in the drama that is about to unfold.

The visualisation of the forensic examination that follows is dominated by close-ups; some show the upper half of the body and face while others focus on the face and upper torso. When the judge is in these frames he tends to be shown in isolation, close to the viewer and positioned slightly above. Positioning the camera below is a convention associated with a shot that indicates the authority and higher status of the person on screen (Pramaggiore and Wallis 2008, p. 141). Other than when the parties are in close up, the framing of the parties tends to include a backdrop of faces in the public gallery (see Figure 2 above). To produce these shots the camera is in front and above the eye line of the parties. Positioning the camera above a subject and looking down is a convention associated with the depiction of weaker and lower status characters on screen (Pramaggiore and Wallis 2008, p. 140).

The rhythm of the forensic exchange, its toing and froing, is visualised through editing and more specifically through the juxtaposition of action and reaction shots. The action shots tend to be made up of Rinder asking a question or stating a position and calling for a response. The reaction shots visualise the emotional reaction of the parties to the dispute; both their verbal as well as their physical responses. Close ups are common; this draws on the cinematic convention linking this form of frame to the visualisation of particular moments of emotional significance or intensity (Pramaggiore and Wallis 2008, pp. 143-5).

With regard to the extradiagetic dimension of the conventions of framing and editing used in the production of *Judge Rinder* of particular interest here is the way in which the camera positions the viewer who is watching the screen. Both the frame and editing locate and direct the viewer's eye in relation to the on screen courtroom and their relationships with the central characters in the drama.

The comic dog breed routine in the case of *Emma v James* (Case 2, 14 February 2017) referred to earlier is my example. Details of the shots, edits and their extradiagetic effect, how they position the viewer in the context of this humorous episode, have been added to the transcript of the comic event;

Rinder: [1. Medium close up of Rinder centre of the frame – audience positioned below the judge in the centre of well of the court in a privileged position close to the judge in front of the parties and the audience in the public gallery] The two of you started working through some of your issues [2. Cut to reaction shot close up, head and shoulder of Emma nodding. She looks to viewer's left and glances once to the right of the frame in the direction of the defendant – audience is positioned on or close to the Bench next to the judge] and one of the ways [3. Cut to James reaction shot close up head and shoulders. He looks upwards to the viewers left towards the Bench – audience is positioned below and close to the desk where he stands] you determined to work through your issues [4. Cut to Rinder centre of the frame medium close up – audience positioned in the well of the court as before] was by having a new addition to the family, only Emma this wasn't necessarily your idea. Correct? [5. Cut to a reaction shot head and shoulders close up of Emma she looks to left of centre of the frame – audience is positioned next to the judge].

Emma: Absolutely not.

Rinder: What addition to the family am I talking about?

Emma: Our dog.

Rinder: Now who wanted a dog?

Emma: James [6. Cut to James head and shoulder close up. James looks to the left of centre of the frame – audience is positioned to the right of judge].

Rinder: [7. Cut to a head and shoulders close up of Emma she looks to left of centre of the frame – *audience positioned next to the judge.*] What dog did you want James? A nice little sweet shiatsu? (A. Soundtrack laughter) [8. Cut to Rinder centre of the frame medium close – *audience in the well of the court as above.*] A charming small little Lhasa Apso? A miniature dachshund? Or perhaps you wanted to make yourself deliciously fruity and buy yourself a Chihuahua? [B. Soundtrack laughter].

James: No.

Rinder: What was it?

James: I wanted a wolf. [9. Cut to James head and shoulder close up. James is smiling looking to the left of centre of the frame audience behind (C. Soundtrack laughter) – *audience is positioned to the right of judge.*] *Emma v James* (2017)

All of the shots identified in this comic extract put the screen audience in a privileged position vis-à-vis the studio audience. The majority of the shots put the screen viewer in a location akin to that occupied by the judge; on the Bench with Judge Rinder. The majority of these are also close ups. As such they invite viewers to participate in the judicial work of forensic examination and evaluation of the parties by way of providing a judicial point of view. They work together with the alliances being generated through the judge generated humour.

Three other shots turn the opportunities for scrutiny in a different direction. They position the viewer in a privileged location that invites and enables scrutiny of the judge's performance; to judge the judge.

How is laughter captured on screen? One of the rarest examples of laughter on screen, the judge himself laughing, illustrates the rationale for the inclusion of laughing faces on screen. During the course of an interview published in *Legal Cheek* Rinder described keeping control of his own emotions, and in particular his own laughter as "the biggest nightmare" in making the court show. He explained, "I broke down in a fit of laughter during a case involving a mother and daughter suing and counter-suing each other". But, he continued, "I insisted that the production team keep the scene in" (Robert Rinder quoted in Judge John Hack 2014). His insistence that the laughter be kept in points to the value of emotions in general and laughter in particular in the show. The phrase "broke down" identifies a particular quality of the emotion as shown and performed that is valued; the loss of control. Grindstaff calls moments such as this the "money shots" of reality TV. They are highly prized because they make, "... visible the precise moment of letting go, of losing control, of surrendering to the body and its 'animal' emotions" (Grindstaff 2002, pp. 19-20). Not all laughter has the intensity Rinder describes. But it is a commonplace that laughter is a bodily response that suggests spontaneity rather than conscious reflection and control (Provine 1996, Smith 2005).<sup>34</sup> Laughing shots the most common of which are of the parties and the studio audience laughing are all examples of money shots.

<sup>34</sup> Parvulescu (2017) notes that Robert Provine's (2000) study of laughter suggests that laughter may also be a nervous response, linked to embarrassment, awkwardness and shock. It can also be performed gratuitously.

FIGURE 5



**Figure 5. This example of diageitic laughter shows Alex the claimant (right), his fiancé Claire and members of the courtroom audience laughing at a comment made by Judge Rinder, who compares Alex's description of the events surrounding their engagement to a story in a romance novel by bestselling author Danielle Steel. The screengrab is from *Alex v Jack Case 1 Judge Rinder* 14 February 2017. See also Figure 2 above for another example from a different case.**

Before leaving on screen laughter it is also important to acknowledge the contribution made by the soundtrack. The soundtrack accompanying the moments captured in the screengrabs Figures 2 and 4 is of laughter. This is an example of a diageitic use of sound; the juxtaposition of the visual and audio stitches together the sound and the on screen visual image.

Sound is also used extradiageitically. An example of this is to be found in the case of *Dee v Chidozie* (Case 1, 15 February 2017), a case that Rinder describes as "one of the most extreme examples of neighbours at war". There is only one instance of humour in the emotionally intense 25 minute duration of the case. It occurs near the start of the case. The judge, who is on screen invites the claimant Dee, "... in clear terms [to] describe Chidozie as a man". This is followed by a cut to Dee who appears in a head and shoulders close up. In measured tones she begins her response, "I would describe him as a very arrogant, ignorant, bullyish (...)" After she announces "arrogant", there is a cut to a head and shoulders reaction shot of Chidozie. He stares forward with a sullen face. A cut takes us back to Dee just in time for us to see her follow "bullyish", with a moment of hesitation. There is then a cut to Rinder. He has a pained expression. The camera lingers on the judge as he pulls his head back from Dee and looks away to his right. As he does so he responds to her hesitation using an ironic tone of voice, "Don't hold back there, Dee". There is laughter made by multiple voices. But no one on screen is laughing. The laughter is only on the soundtrack; it is all out of shot.

What does the extradiageitic use of the sound of laughter refer to? The audience at home might assume it refers to the studio audience, who happen at that particular moment to be off screen. But this is problematic. For example, when in the example above the camera returns to Dee as she resumes, "... bullyish, very rude, ignorant person", there are no laughing faces in the audience behind her.

As Smith notes in his study of the history and practice of soundtrack laughter from the 1950's, recorded laughter has been an important dimension of TV entertainment shows, "part of the sonic wallpaper" (Smith 2005, 24). It has a number of uses. As live broadcasts began to be replaced with pre-recorded production, machine generated laughter, was added to simulate the "liveness" that had been provided by the studio audience that were now absent (Smith 2005, Parvulescu 2017). Another use of pre-recorded laughter is to augment the laughter of the studio audience (Gould quoted in Smith 2005)

At this point I want to draw upon the notes I made following attending a recording of three cases at the Media City Studios in Salford. The section of the notes that record my reflections on the experience of being a member of the live audience begins with the following observation, "The most significant thing about the experience was the preoccupation with the performance of the members of the gallery". The note continues:

The floor manager came to address us before the show began. The main theme was to encourage us to emote, and more specifically to laugh at Rinder's jokes and comments. Stress was placed upon how the gallery group were a part of the show and would be watched by the million plus viewers of the show with particular interest. We were, he explained, likely to be the object of viewer comments which indicated our importance for viewers. He almost made it sound as if we were the diagetic public that the extradiagetic public would identify with. (Moran 2017, p. 6)

And before the courtroom proceedings began Robert Rinder also came to talk to us;

Again the message was the importance of the visual image of the gallery audience. Rinder outlined what our role was to be; to emote. In part this might be to perform engagement in the proceedings (...). [W]e were told to look alert. We were told to be aware that we were on camera, under surveillance, at all times upon entering the studio. We needed to consider our deportment at all times. Rinder was keen to direct us to pay particular attention to what he was saying; to be always attentive. This was about a five minute speech about the importance of the gallery to the performance of the courtroom drama. (Moran 2017, p. 7)

A number of important points can be drawn from this. First, the studio audience are actually one of the characters in the courtroom show. A related point is that performing and showing emotion, including laughter, is an important aspect of this role; see Figure 3 above as an example of this. The notes also suggest that the production company plays a role in trying to ensure that the audience achieve the desired emotional performance for the camera.

The directions given to the studio audience by the floor manager and Rinder himself also draw attention to a concern that the studio audience might not realise the performance expected of them. Their performance may be lacking in certain characteristics. It may be a poor performance. The result may be that their performance is not sufficiently "real".

While there is much evidence in the research database of the laughter being captured by the cameras, see Figures 2, 3 and 4 there remains a question about the nature of the laughter on the soundtrack. The studio audience is unlike other performers in the studio. The individuals that make up that audience are not individually wired for sound. This does not preclude the use of technology to record the studio audience's performance of laughter but it does suggest that at best it is by studio based microphones.

But it does suggest that a laughter track might augment the studio audience response. An example of this is the third laugh in the dog breed sequence. James is on screen as he delivers the punch line that the dog is a wolf. He smiles as do some members of the audience who are seen behind him. But the smiles do not accord with the soundtrack that accompanies this shot. It contains a short burst of uncontrolled laughter.

The presence of an audience in the studio and in the frame of the on screen pictures provides *Judge Rinder* with a "live" quality. Their visual and audio presence in the show authenticates the emotions that are generated by the judge. The laughter of the studio audience on the screen is an object of scrutiny for the screen audience as well as an invitation to that audience to identify with that other audience. The laughter on the soundtrack, both diagetic and extradiagetic is another device that connects the screen viewers to the show. Smith notes that soundtrack laughter is used because of its potential to produce bodily responses in the television audience; reciprocal laughter. This utilizes what Provine notes is the "infectious power" (Provine 1996, p.

38) of laughter. The soundtrack laughter plays a role in connecting viewers to the humour and the social relations associated with it.

The entertainment industry conventions of framing, editing and the soundtrack found in *Judge Rinder* all impact on the community generating dynamics of humour and laughter. The use of the camera and the editing techniques tend to align the viewer sometimes literally with the judge on screen and sometimes in the all-seeing position of a judge off screen. The laughter of the soundtrack breaks the frame of seriousness that would otherwise attach to courtroom drama (Smith 2005). It provides a license to laugh. It also is a device that seeks to infect the audience at a distance with laughter. The pictures and the sound work together to create an intimacy with the judge who is generating the humour and the interrelations and social values that flow from it.

But there is a need for caution. The potential of these industrial devices if fully realised leave no room for the agency of the audience. But humour scholarship draws attention to the potential of laughter to signify a variety of responses and relationships. The laughter generated by *Judge Rinder* may result in a viewer laughing together with Judge Rinder. Another response may be that the viewer is laughing alongside him but laughing against him or laughing at him. There is also the possibility of laughing along and at the same time resisting Rinder's humour (Glenn 2003). And it is important not to forget the possibility of not laughing at all. This list is not an exhaustive list of options either. Humour scholars urge caution against the assumption that in a community of laughers all are laughing in unison at the same thing and in the same way; laughing together doesn't necessarily signify either a single or a homogenous community. As Sinfield (1991) notes, using an audience of a Noël Coward play as his example, the simultaneous laughter of two individuals sitting in adjoining seats is not necessarily evidence that they are having the same experience; they may perceive the humour very differently yet simultaneously. The potential for different responses to on screen humour is also exacerbated by the fact that those who view on screen tend to be viewing either in isolation or at best in small groups, in the home that provides many potential distractions drawing the viewer away from the screen.

The framing of the shot, the editing of the pictures that produce to diagetetic and extradiagetetic judge and the soundtrack all draw attention to the importance attached to creating and maintaining the at a distance audience. More specifically they direct our attention to the importance of emotions and more specifically emotional attachments in building relationships between the show and the audience. The screen audience is a key economic commodity that TV production companies grow and manage. The production company's use of a range of well-established visual and audio practices developed by media to build and maintain the audience at home is part of a process of commodification; the audience is being produced for sale to advertisers. A central feature of this process is relationships that are built between the audience and the judge who is the star of the show.

## 5. Conclusions

The case of *Rachel v Tamar* (2017) that opened this article provided the audience of *Judge Rinder* with many laughs. But as this article shows it was not alone in the way humour was incorporated into the case. Humour is a part and often an important part of the cases in the research data base. The study of these television cases provides an opportunity to consider the work done by a particular type of emotional performance, laughter, generated through humour in a particular setting, a television courtroom. In this article it has enabled a consideration of the role the judge plays in generating humour in that context. While a particular type of humour, wit, that has many characteristics that are in sympathy with some of the traditional skills and qualities associated with the judicial role, is the common form humour takes in the cases it is not the only form of humour the judge performs in *Judge Rinder*. In order



to understand how humour works in the context of *Judge Rinder* it is important to acknowledge that the interactions humour generates take the form of mediated quasi interactions. As the audience consumes the humour by way of a screen this article has examined how the lens and audio technologies and the established conventions that shape an audience's engagement with the humour of Judge Rinder. Their consideration is also important if we are to understand the way humour works in this context.

A key finding of this article is that these technologies and conventions position the viewer in an intimate relationship with the one who is generating the humour, the judge. Another key finding is that what appears on the screen and on the soundtrack invite and incite the audience to laugh. The production company deploy these technologies and devices to tap into and utilise the infectious quality of laughter to achieve this. The medium allows for the interaction generated by humour to take place at a time and place remote from the performance in the studio. This study of industrially produced screen images of courts and judges provides those interested in court communications with an opportunity to examine how lens and audio technologies are being used in conjunction with emotions, in this instance humour and laughter, to build relationships with at-a-distance audiences. This study of *Judge Rinder* also provides an opportunity to examine a courtroom context in which the public is first and foremost the audience in the mind of the judge on screen and the production company who generate the screen images of the judge.

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**Appendix: Humour analysis of Judge Rinder cases. Sample broadcasts  
13/02/17-17/02/17**

Case No	Date Episode No	Name of case	Issue	Party relationship	Humour incidents (laughter on screen and off screen)
01	13.2.17 01.01	<i>Rachel v Tamar</i>	<b>Claim:</b> £890 for cost of work arising out of breach of contract to undertake house renovations <b>Counterclaim:</b> £3,350. Part unpaid wages and part for damage caused by loss of business caused by claimant's libel. <b>Judgment:</b> Both claims dismissed due to lack of evidence of terms of the contract.	Consumer and trades person.	22
02	13/02/17 01.02	<i>Sharon v Patsy and Graham</i>	<b>Claim:</b> £4,402 damages for breach of contract relating to sale of a horse – not fit for purpose. <b>Judgment:</b> £3,500 (cost of the horse) payable on return of the horse subject to satisfaction of specified health checks.	Consumer and trades people.	9
03	14/02/17 02.01 (NB: Valentine's day theme).	<i>Alex v Jack</i>	<b>Claim:</b> £3,120. Breach of contract for a holiday that defendant failed to deliver. A class action on behalf of those who paid for the holiday. <b>Judgment:</b> £3,120 awarded to claimant.	Two individuals, one running a business on the side.	19
04	14/02/17 02.02 (NB: Valentine's day theme).	<i>Emma v James</i>	<b>Claim:</b> £4,395.69. Damages for damage to goods due to the defendant's negligence. Also for costs relating to purchase and maintenance of the defendant's dog. <b>Judgment:</b> £2,184.98 awarded to claimant for damages arising from Defendant's negligence. Claim for costs relating to the dog rejected.	Domestic partners.	13
05	15/2/17 3.01	<i>Dee v Chidozie</i>	<b>Claim:</b> £2,652.13. Damage to property due to negligence of Defendant. <b>Counterclaim:</b> £5,000 for damages caused by emotional distress. <b>Judgment:</b> Both claims rejected due to lack of evidence.	Neighbours.	1

Case No	Date Episode No	Name of case	Issue	Party relationship	Humour incidents (laughter on screen and off screen)
06	15/02/17 3.02	<i>Paul v Bill</i>	<b>Claim:</b> £850 for outstanding payments due under a contract for sale of DJ equipment. <b>Judgment:</b> £850 awarded to claimant.	School friends.	8
07	16.02/17 4.01	<i>Lee v Gio</i>	<b>Claim:</b> £5000 money due under a contract for sale of car. <b>Judgment:</b> £2000 awarded to claimant.	“Former friends”.	9
08	16/02/17 4.02	<i>Malcolm v Francesca</i>	<b>Claim:</b> £640 for replacement of goods lent to the defendant and not returned and £50 amount outstanding on a loan. Counterclaim: Unspecified amount for emotional damage. <b>Judgment:</b> £85 awarded to claimant subject to return of goods. Counterclaim rejected due to lack of evidence.	“Former friends”.	9
09	17/02/17 5.01	<i>Lewis (with girlfriend Samantha) v Scott</i>	<b>Claim:</b> £1620 amount outstanding on a contract for sale of a snake and related equipment. <b>Judgment:</b> £720 for money due under credit agreement with claimant.	Friends.	18
10	17/02/17 5.02	<i>David v Ian</i>	<b>Claim:</b> £1,000 for loss due to damage to property. Counterclaim: £200 for unpaid rent. <b>Judgment:</b> Claimant awarded £1,000. Counterclaim rejected.	Friends.	2
11	17/02/17 5.03	<i>Coryn v Scarlett</i>	<b>Claim:</b> £400 for damages arising out of negligence (a tattoo on the claimants arm) –issue of consent and joint liability. <b>Judgment:</b> £200 damages due to claimant’s part liability.	Defendant a close friend of claimant’s mother.	2