THE LONDON ADVOCATE

THE NEWSLETTER OF THE LONDON CRIMINAL COURTS SOLICITORS' ASSOCIATION

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The first paragraph of January's edition ended: "Now more than ever we truly live in interesting times…" What many of us wouldn't now give to return to merely "interesting" times? Whatever plans we all had for 2020 have been thrown into disarray by the coronavirus emergency and consequent lockdown. It seems only appropriate that this edition of The Advocate is devoted (with one notable exception) to the issues thrown up by our current (though soon may it finish) reality.

To quickly recap on the recent events, the week of 16th March saw growing concerns about the safety of our typical work environments, but a worrying insouciance from the authorities (at least in respect of Magistrates Court and Police Stations – *plus ça change*) who insisted on "business as usual". It was only towards the end of Monday 23rd March – a matter of hours before the government formally instructed the public to stay at home – that the status quo in the courts was finally conceded to be untenable. Since then all bail hearings have been adjourned until further notice, though real difficulties remain in respect of arrangements for custody hearings (of which more below). Similarly depressing, but similarly predictable, it was a further 10 days – marked by relentless fraught negotiations - before a national protocol was agreed in respect of police station interviews.

The Committee had, and continues to have, concerns about the detail of the protocol and – more importantly – how well it has been applied subsequently, but felt that it was better to sign up to it and retain a seat at the table than to reject it and potentially lose influence moving forwards.

So, where do things currently stand with respect to the various aspects of our work?

POLICE STATIONS

As expected, even once the protocol was agreed and, supposedly, disseminated by the NPCC, practitioners have been experiencing grave difficulties in securing agreement for interviews to be conducted safely. It is crucial that any member who has concerns reports them to the Association; Kerry continues to attend weekly update meetings and a direct channel of communication has now been opened up with Met Operations for us to continue to report back problems you have with specific stations. Please therefore continue to email us your examples but also ensure you are making complaints at the time to the Duty Inspectors, keeping your own detailed notes and using The Law Society's complaint form:

https://www.caseratio.co.uk/security/complaintform

MAGISTRATES COURTS

At the time of writing, only "priority" work is being listed, though the definition of "priority" may be broadened over coming weeks, possibly to include: custody trials and priority bail trials, indictable-only bail hearings, serious youth cases and some sentencing hearings for higher-risk offenders. Teleconference pre-trial reviews (which are currently being held in some cases but will be expanded from May 4th) are intended to ensure that trials can be effective when listed.

It was only in the middle of last week that plans to roll out video links for overnights across London magistrates courts were announced by HMCTS. We are told that London courts will go-live with police to court videolink as follows:

- **Croydon and Bromley – live since late March – Croydon police station added 23/4/20**
- **Wimbledon, Willesden – live 23/4/20**
- **Uxbridge – 28/4/20**
- **Highbury – 30/4/20**
- **Barkingside, Westminster – 5/5/20**
- **Thames – 6/5/20**

Practitioners will be able to access the hearing from home or office. Further detail is here:

- https://www.lccsa.org.uk/cloud-platform/
- https://www.lccsa.org.uk/video-remand-hearing-instructions-for-defence-advocates/

Each court has a dedicated email inbox to receive defence and other parties requests to join hearings and/or contact clients remotely. An HMCTS 'host' will

liaise with parties via email and/or phone to make arrangements:

CVP.Barkingside@Justice.gov.uk

CVP.Bromley@Justice.gov.uk

CVP.Croydon@Justice.gov.uk

CVP.Highbury@Justice.gov.uk

CVP.Thames@Justice.gov.uk

CVP.Uxbridge@Justice.gov.uk

CVP.Westminster@Justice.gov.uk

CVP.Willesden@Justice.gov.uk

CVP.Wimbledon@Justice.gov.uk

Please note that these inboxes will be activated according to the rollout timetable, so not all are in use yet.

These inboxes should only be used for communication in relation to a case being heard over the CVP on the day. The usual Court email addresses should be used for any general enquiries.

For conferences, a new scheme is being introduced for defence practitioners to speak to clients in court cells by mobile phone (though it is hoped that videolink hearings will considerably reduce the number of in-person custody hearings). HMPPS will provide special phones to custody suites to enable defence lawyers to book a 15 minute conference. Further details of the scheme and how to access conferences are yet to be published but are expected shortly.

The HMCTS mailbox londonholo@justice.gov.uk remains open for practitioners to feed back about their experiences at court (much as you would at a 'Court User' meeting.

DSCC

Your concerns about the DSCC have been raised with the LAA and those responsible for managing the call centre contract. Problems practitioners have encountered include: the website being down, calls from private numbers, giving out new reference numbers to the police where you have refused to return a case and the "Covid-negative" information being relayed in first calls.

We are told that the LAA will be looking into these issues and reviewing the "script" being used by call handlers now that government advice has being changed in light of asymptomatic people being able to still spread the virus. Do let us know if you continue to experience issues such as these (or others). You can also use the complaints email address complaints@dutysolicitors.org and copy in your Contract Managers.

LAA

Secure File Exchange is being rolled out which will allow you to share CRM7's electronically. The LAA however is still accepting these by post at this time.

Handy Tip: If you are in dispute with the LAA about PPE (of the paper kind!), you can give them access to a specific case on the DCS by calling them.

Kerry has raised concern about the lack of organisation and communication with regards to Duty Solicitor arrangements. They are going to look into how they can more proactively inform firms when they will be required to attend Court and where given that some courts are temporarily closed. They will also look into providing "hotlines" into individual Courts for practitioners to be able to promptly communicate any problems with covering Duty Solicitor slots.

They have confirmed that we will not be penalised for claiming travel from home addresses during the Covid-period.

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LCCSA NEWS

It will not surprise you to learn that the lockdown threw into disarray any plans for forthcoming events. Sadly, it is inevitable that the LCCSA Summer Party will not be going ahead as planned. The autumn conference, due to held in Lisbon, may go the same way but as yet the situation is uncertain. The Association will provide updates as soon as possible.

THE CLOSURE OF CAMBERWELL GREEN MAGISTRATES' COURT

Friday 31st January, a time before coronavirus and now seemingly a world away, saw the sad occasion of Camberwell Green's last working day. Very kindly, DJ Green has given The Advocate permission to publish her speech to mark the end of an era:

"It's quite a long time since I practised any serious advocacy in court, but I do remember very clearly a lesson that I learnt and tried to put into practice namely that you should always end any presentation on the upbeat.

The corollary of that is that you are allowed to start on a downbeat.

Why, I ask, would anyone want to close a court, one of the busiest in the country, which operates efficiently and

successfully and has done so for the past 50 years? One that is situated at the heart of the busy metropolitan area and provides ready access to justice for the residents of two of the most disadvantaged London boroughs comprising total well in excess of 600,000 people. One that is conveniently located and accessed by all the various agencies that participate in the criminal justice system, CPS, defence, police, probation, youth offending services, mental health services, victim support, the prosecuting agencies of the London boroughs of Lambeth and Southwark and others too numerous to mention.

I have struggled to answer this question since the proposal was mooted some four years ago and like our exit from the EU with what seems like remarkably similar chronology, things seem little clearer now than they were at the start of the process.

So this is not a "party" in the normally accepted sense of the word. For one thing according to HMCTS we're not allowed to have one - but I am exercising the well-known principle of judicial independence on that score!!

It is, if you like, more in the nature of a wake, but in praising the dearly departed I shed no tears for the building itself, but only for the ever changing cavalcade of people who worked here, suffered here, thrived and developed their skills here, demonstrated a true and enduring picture of real public service here, and contributed in every way to developing the strong and positive ethos of the court which has persisted right up to the end.

Most of you here are part of that history and represent countless others who for one reason or another are not able to be present today. There are genuine reasons why we have had to place a limit on the numbers and so we have tried to focus on inviting those of you who have made significant contributions to the Camberwell story, in many cases over a great number of years.

I first walked through these hallowed doors on 9th January 2001. Well - that's not entirely accurate. I actually walked through the judge's side entrance where in those days there was a security guard - and even a lift that worked. Some of you might even remember the time that all the lifts actually worked in this building! Although I doubt that anyone can remember when the heating did!! Well maybe Geoffrey Gordon…

All of my district judge colleagues here today will recognise the privilege that appointment to the district bench brings, together with its responsibilities. It is vital to remember that .But my task as a new district judge was made so much easier because of the culture which already existed in this building. There are simply too many names for me to mention who have influenced me, provided me with professional and emotional support and have been guiding principles in the way which I hope I have delivered justice over the years.

On a personal level I can't let this evening go by without mentioning one very important person who, during my time here and many of yours, was utterly instrumental in that who was the senior stipendiary magistrate at the time - Peter Davidson. Peter told me that when he first arrived here the justices sat at one end of the table and the (then) stipendiary magistrates sat at the other and didn't speak to each other. He recognised that an atmosphere of mutual respect and good working relationships with all of one's colleagues was the only way forward and by the time I arrived he had achieved this. He was of course absolutely right and it is one of the real achievements that this has been maintained and we can all be rightly be proud of it.

I need only to look around this room to see the fruits of that.

There are so many magistrates, who I'm delighted to call colleagues and indeed friends who are here tonight. The fact that so many retired magistrates were keen to be here speaks volumes and it's lovely to see you all. The contingent from the old Inner London Youth panel are a further testimony to the way in which this court contributed to youth justice .We had wonderful exchanges over the lunch table- not solely the intricacies of the CJA although there were times when we have actually discussed the law!!!.

And of course my district judge colleagues each of whom in their own way made such huge contributions to this court and for that, and all that you've done to support me my personal thanks.

As for the legal team what can I say about all of you? You are and always have been precisely that: *a team***.** I have seen a fair throughput in my 19 years but I think it would be no exaggeration to say that not one legal adviser or court associate who has left for whatever reason has not said how much they would miss their colleagues and, for many, over some bumpy roads, it was the one thing that kept them here. And I know that the same is true for the admin staff, a truly wonderful group of people whose goodwill kept this court functioning when subject to huge changes .Camberwell has always been like a family, and we have indeed shared family times together. Meeting one's partners, weddings, births, christenings: all special times that we cherish.

I find it hard to express in words my gratitude and admiration for the current teams. It's been tough. But you have continued to respond to an ever changing climate with your inevitable good will and professionalism. I tried to do a brief estimate of your cumulative years of experience. For those who know me well maths isn't my best subject (which is why I mainly omit to announce which band of fine I'm imposing!) And I gave up when I got to 170. And one of my legal advisers, who was brought up just down the road, told me that she knew this site when it was a scrapyard and there were market stalls in front of the building where the library now stands. So there is a long, long history in so many ways. And many wonderful memories.

I'm sorry that I can't name you all but I hope you know how valued and respected each and every one of you is.

So finally here we are four years on.

And so back to the first principles of advocacy to end on an upbeat which I really thought I would struggle with at this point.

But, I only have to look around to be reminded of what we have achieved under this roof and the note of optimism which comes with that.

I am really sorry I can't make mention of all the agencies across the board; I wish I had time to do so. But as I do look around and I feel a huge sense of pride in all of you who have chosen to be here .What each of you has contributed to the criminal justice service is something you can all be rightly proud of.

But this vision which we have built together and is shared by whichever of the agencies you represent is not limited by the confines of this building. It is something far greater, far more important and enduring.

And I have absolutely no doubt that you will ensure that it continues and flourishes wherever you are.

Thank you to each and every one of you."

COMMITTEE MEETINGS

The LCCSA committee meets on the second Monday of each month at 6:30pm, and all members are welcome. For the foreseeable future, meetings will be held by telephone or video-conference. All are welcome so if you wish to participate please contact the editor or Sara Boxer.

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ARTICLES

Each of the articles in this edition explores aspects of remote justice, which is probably the most significant consequence for criminal justice of coronavirus. While it is imperative that the system does not shut down completely, we should be wary of and alert to the real and potential pitfalls of removing what has always been a foundational principle of how criminal responsibility is proved: by assessing the credibility of live evidence in public. Despite now many years of experience of video-linked evidence in certain classes of case, the issues thrown up where *all* parties are "present" remotely are novel: it is vital that they are treated with care and thoughtfulness. The articles address some of the theory and research into remote trials, an account of a recent experimental role-play and, finally, an important reminder from outside the criminal jurisdiction of the impact on non-legal participants.

Ideas for articles to be included in future editions, and indeed contributions of any kind from readers, are always welcome so please do feel free to get in touch.

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TRIAL BY SKYPE: UNCHARTED WATERS

A welcome return in consecutive editions for Penelope Gibbs of Transform Justice - a national charity which campaigns to create a criminal justice system which is fairer, more open, more humane and more effective. Here, Penelope looks at what little research has been conducted into remote video proceedings (an important element of which remains unpublished, for reasons unknown).

Before Boris Johnson went into hospital, he, his staff and his cabinet were meeting via Skype or Zoom. But according to unnamed sources quoted in **The Sunday Times** everyone felt that decision making was the poorer for it: "The reality is that video conferencing is just not as effective as having people in the same room". This may be news to HMCTS (the courts service) which has been trying to persuade us for five years that justice by Skype is just as good.

The wheels of justice are turning through herculean efforts to conduct hearings on the phone or on Skype. But the transition has not been welcomed equally enthusiastically by all. **The Transparency Project** has hosted some brilliant blogs challenging the technophiles. In criminal courts there are "normal" hearings in magistrates' courts but some bail hearings, PTPHs (case management) and some first appearances have gone online – on video/phone. I worry a lot about the

implications for open justice (no public observers can access) and for justice itself.

These challenges and criticisms do not seem to have daunted the Lord Chief Justice who told the Times "It is inevitable that not all of these hearings will run entirely smoothly". He has one consistent red line however – online jury trials, which he has always ruled out. One of the problems, however, with suspending jury trials is that there are now prisoners on remand whose prison sentence, were they convicted, would definitely be shorter than the time they are spending on remand. Such prisoners have a strong incentive to plead guilty – just to get out.

But the Lord Chief Justice has not ruled out criminal trial by Skype altogether. And recently Mark Fenhalls QC, the leader of the **South East Circuit wrote**; "The hope is that remote trials will start in some Magistrates Courts by the end of this month. There is no technical reason why it could not be used in the Crown Court (and in other courts/ tribunals) but the practicalities present considerable challenges". I absolutely understand the dire financial situation the criminal bar is in due to the suspension of trials, but any support for Skype trials needs to be tempered with caution. The problems are not just practical, but ethical and legal.

No all-Skype trial has ever to my knowledge been held. There is no research into all-video trials. So we have no idea what impact they may have on justice outcomes or defendants' rights to a fair trial.

So what evidence hints at the outcome of an all-Skype trial? The richest source is sitting in government waiting to be rubber stamped for publication. The Universities of Surrey and Sussex have completed a **major evaluation of "video-enabled justice"** – they observed and analysed hundreds of video linked first appearances in Medway Magistrates' Court to assess the impact on video on access to justice. This research would be invaluable now, but either the Home Office or the Police and Crime Commissioner for Sussex (it's not clear which) is blocking release (for more on this subject, see Penelope's further blog: http://www.transformjustice.org.uk/can-we-access-video-enabled-justice/).

Other research prompts pause for thought before we embark on virtual trials, though none replicates a completely virtual trial. And all the research involves simulated juries rather than real ones. In Australia the New South Wales judiciary was interested in increasing the use of video links for defendants in trials. **Researchers simulated a trial** with the defendant in different positions – in the dock, in the well of the court with their lawyer, alone on a video link with their lawyer in the court or sitting with their lawyer on video link from the same remote location. The defendant was most likely to be convicted if he appeared in the dock. The defendant fared equally well if in the well of the court or appearing remotely, but *only* if the lawyer was sitting with their client, also remote from the court. And another feature of this simulation was that everyone in court was positioned in a completely different way to normal – orientated towards the camera in a "distributed court".

Vulnerable adults and children have long had the opportunity to give evidence and be cross-examined on video, pre-recorded and live. Again the jury is out on what difference it makes to outcomes. Professor Vanessa Munro was commissioned by the Scottish government **to review the evidence and her report** highlights just how little we know. A number of studies have been done, but always using "proxies". There is no research with real jury member or real judges, nor any research looking at real outcomes.

Professor Munro says these simulated trials indicate that juries are not prejudiced against video evidence, live or pre-recorded. But she does call for more research and cites some studies which indicate that video may affect reactions. A study by "Fullwood et al (2008)" recruited and grouped 60 undergraduate students across three conditions to observe an adult female give testimony concerning a 'fairly innocuous' domestic incident: either face-to-face, via a video, or via a video preceded by a brief face-to-face introduction. The authors concluded that jurors' perceptions were influenced by mode of delivery to the extent that they "perceived themselves to be less able to emotionally engage with the witness and felt that the testimony was less believable when presented via video compared to the face-to-face presentation".

Professor Munro is also worried about the effect of the tech. "Jurors are prone to be distracted by the poor audio and visual quality of live-links and pre-recorded evidence when they are used in many courtrooms, and that factors such as the choice of camera perspective may bear careful scrutiny for their potential to influence jurors' assessments of witness credibility".

The most worrying study about the effect of using video links for defendants is the **government's own 2010 study** which found that defendants who appeared on video link from the police station were less likely to be represented by a lawyer and more likely to get an increased prison sentence (maybe because of the lack of lawyer, maybe because of the disconnection).

The government is presumably contemplating remote summary trials because they are possible to organise, less important, and the criminal sanctions less serious. But summary trials can be complex and involve unrepresented defendants. Thousands of people every year are sentenced to imprisonment after a summary trial, and every criminal sanction brings with it a lifelong criminal record.

We live in difficult times where radical solutions need to be considered. But there is no country in the world that has conducted or even simulated an all-Skype/telephone criminal trial, and all research indicates that defendants in such trials may be prejudiced. Should we be experimenting with people's fair trial rights and liberty?

http://www.transformjustice.org.uk/trial-by-skype-uncharted-waters/

@TransformJust1

@PenelopeGibbs2

For more discussion of digital justice in Covid times do listen to the following edition of the "Better Human" podcast, hosted by Adam Wagner and featuring Penelope Gibbs and Dr Natalie Byrom:

https://anchor.fm/better-human/episodes/20---The-untold-story-of-the-Covid-19-digital-courts-revolution-ecnn28

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AN EXPERIMENT: REMOTE CROWN COURT TRIALS - FAIR & EFFICIENT?

Orla Daly, barrister at QEBHW, recounts her experience of a recent and valuable case study in which participants role-played a fully remote jury trial. She concludes that there are real practical, psychological and even philosophical obstacles to ensuring fairness in remote trials.

In early April, I appeared as defence counsel in an experiment organised by JUSTICE, the law reform and human rights group, in collaboration with Corker Binning. Prompted by the coronavirus pandemic, the aim was to see whether it would be possible to conduct a fair and efficient Crown Court trial entirely remotely, with each individual participant in a separate location using a laptop or similar device to access the virtual court room. From jury selection through to deliberations and verdict, the entire trial was to take place with no participant coming into physical contact with another.

The exercise was broadcast on YouTube to a "public gallery" consisting of, amongst others, journalists, academics and representatives from HMCTS.

The defendant in our virtual case was the hapless Mr Hallett, on trial for an allegation of wounding following an unfortunate misunderstanding with a wheel brace and a much larger gentleman. There were two "live" prosecution witnesses, as well as the defendant and his witness. Exhibits were kept to a bare minimum, consisting of a couple of photographs and the defendant's interview. On paper, it was the most straightforward of Crown Court trials.

The jury was comprised of 12 volunteer law students, all taking part from separate addresses. Including the judge, counsel, defendant and witness (who swapped places on screen with the clerk when necessary), there were 17 people in the virtual courtroom. All 17 were visible on the screen at all times, with members of the jury being afforded less space than others.

On the morning of the experiment we were all sent a link allowing us to enter the virtual court in much the same way as Skype or Zoom. In theory, I would have been able to speak to my client on a private link at any time during the hearing, but this was not tested due to time constraints. Jury selection had been beset by technical glitches and delays. One juror could only see "frozen" faces on screen. Another seemed to be experiencing an issue with her computer's camera. Any attempt by two people to speak at once resulted in nobody being able to hear anything. The fact that none of us suffered interruptions from dogs, children or Amazon deliveries was largely due to luck. That said, this was an exercise set up at very short notice and, in all likelihood, the technology could be improved so as to minimise delays and interruptions, at least to the level currently experienced in real trials.

There were definite advantages to holding a virtual hearing, the most obvious being the time and energy saved by not having to commute to court during rush hour. It is difficult to argue with the fact that virtual courts would allow for minimal disruption to the lives of all participants. Taking children to school would no longer be out of the question and the hours of travel time saved allow other work to be done.

There were other positives. The public gallery was no longer a potential source of disruption or anxiety for any party. It was entirely possible for observers to watch proceedings, but they did so remotely, without any possibility of coming into contact with someone from "the other side". They could not bump into a juror. Any attempt to threaten or intimidate would be wasted, for want of an audience.

Another possible benefit for defendants is that they are afforded equal space on screen with other key participants. Their physical "presence" in the court is on

a much more equal footing with others, without the physical barrier and location of the dock.

In terms of positive technical aspects, the sound quality was generally excellent and, a few minor hiccups aside, the images of people were clear, albeit appearing at a fraction of the size that they would in a real courtroom.

Despite the undeniable benefits, there are concerns that any advantages, when applied to a real-life remote trial, would be outweighed by the disadvantages.

It quickly became clear that documentary exhibits of more than a handful of pages and CCTV, or other material requiring a screen, would present major problems. There is a facility to allow jurors to view "digital bundles", but it would be impossible to see if a juror were looking at the wrong frame of CCTV and difficult to assist a witness flummoxed by a large, electronic jury bundle. Instances of individuals struggling with exhibits would be tricky to remedy or, more worryingly, may simply go unnoticed.

Ensuring that each juror views identical material is another area in which difficulties can be foreseen. Where the visual appearance of an item is important, or the identity of a person in an image is disputed, it may be impossible to ensure that each juror is looking at images of the same size, clarity and colour as everyone else.

Screen display is also significant in another respect. One of the most unexpected aspects of this experiment was how exhausting it was, in a way that normal trials, however complex or emotive, rarely are. I suspect that this was partly due to having to concentrate on evidence from witnesses who appeared barely larger than a matchbox on screen. The requirement to have the faces of each of the 17 participants displayed at the same time also meant that the screen was cluttered and the images constantly moving. At present, there seems to be no facility to allow different people to see some participants in the virtual courtroom but not others. Having no option other than to constantly view 17 individuals on a small screen may quickly become draining for most people. In addition, the implications in a case where a witness is eligible for special measures and chooses to give evidence behind a screen in order not to see, or be seen by, the defendant are obvious. I also have the utmost sympathy for those whose faces partially disappeared from view after trying, and failing, to maintain a "passport photograph" style pose for several hours.

Some of the problems we experienced, for example the judge accidentally becoming privy to jury deliberations via the chat function, could be swiftly rectified. Security nonetheless remains a concern. In order for the public to have equal faith in the justice of a remote trial, it would have to be ensured that defendants and witnesses, as well as jurors, are in a private place with no access to other electronic devices and no contact during the evidence with any other person. There would need to be confidence that the proceedings were not being recorded, in circumstances where anyone could do so quite easily without being detected.

However good the technology becomes, it is wholly dependent on human beings who are both willing and able to operate it correctly. The Justice experiment was able to run fairly smoothly, driven by a great deal of good will on the part of all participants who wanted to try to make it work as efficiently as possible. The reality in a criminal court may be very different. Not every individual will come to a virtual court in the spirit of seeking to make the trial proceed as seamlessly as possible. Many will be resentful about having to participate in a trial at all. It cannot be assumed that each person will be able, or inclined, to follow the instructions provided for joining a hearing at the correct time. If anyone fails to operate the technology correctly, whether wholly innocently or otherwise, substantial delays are inevitable. There may be a risk of those who are less "tech savvy" becoming overwhelmed by the process as well as people who do not have a quiet corner in their own home constantly fearing interruption.

As well as concerns about technology or the practicalities required for a successful remote trial, there are other less tangible considerations. One of the most controversial aspects of conducting an entirely remote trial is whether it is possible to properly assess a witness's demeanour and make accurate judgements about their honesty over a video-link. Many advocates, and others, believe that evidence received remotely is somehow diminished and nuances potentially lost. That said, the existing system of permitting certain evidence to be received over a live link is largely regarded as having been a success. Many people who simply could not face being in a court room have doubtless been put at ease and the quality of their evidence improved immeasurably simply by being in a remote location. Others may have struggled to give evidence at all due to unavoidable commitments elsewhere. We are now used to witnesses appearing on a large television screen, in court, with the advocate's face occupying only a fraction of the space visible to the jury. The witness will have been consulted and been willing, if not insistent, that they give their evidence remotely. Usually, it works well. Despite this, there is a reason why prosecutors in rape trials, for example, generally prefer a

witness to be present in the room behind a screen while defence counsel, given the choice, would overwhelmingly opt for a complainant to give their evidence remotely. Rightly or wrongly, remote evidence is felt by some to lack impact. Whether there is real substance to this belief is debatable, but the perception that remote evidence may be less compelling is unlikely to be improved by a complainant or defendant being told that they have no option other than to appear over a remote link. Public confidence in the system is vital.

Another quality which may be difficult to define is the significance of physical proximity between witness and juror, counsel and client. Human contact may not be strictly required for an efficient trial, but it may be important for a fair trial. There is a quality to speaking to someone face to face which is difficult to replicate over a video-link. There are valid concerns that it may be significantly more difficult to calm a witness' nerves, or build trust with a defendant, without physically meeting them.

The Lord Chief Justice, Lord Burnett, while praising the fact that "great strides have been made in the use of technology", is said to be adamant that remote hearings will never be suitable for "serious criminal trials". Some have taken that to mean that remote trials will never be considered for cases which are tried in the Crown Court, others believing that shorter Crown Court trials may, in future, fall to be considered. How to determine whether a criminal trial is "serious", or who should make that decision, is unlikely to be capable of easy resolution. Each criminal trial, with few exceptions, represents a major incident in the lives of those directly affected. Few would believe that their case was not serious. Many of those involved in summary trials would argue that it is not safe to define seriousness according to trial venue when livelihoods and reputations, as well as liberty, are often at stake in the Magistrates' Court.

Most advocates will now have conducted conferences over Zoom and mentions over Skype. The experience of the past few weeks is likely to have made more of us ready to acknowledge the benefits of the available technology, even if not everyone has wholly embraced it. The Justice experiment has successfully demonstrated that, once we begin to emerge from lock-down and return to whatever "normal" will look like in the criminal courts, there are many areas in which cases can be progressed remotely. With efficiency and cooperation, almost all pre and post-trial hearings could be conducted without the parties having to physically attend a court building. What may require much more careful scrutiny is the ability to conduct a trial which is both fair and seen to be fair, with all key players appearing remotely.

https://www.qebholliswhiteman.co.uk/site/library/articles/an-experiment-remote-crown-court-trials-fair-efficient

https://www.qebholliswhiteman.co.uk/site/people/profile/orla.daly

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REMOTE JUSTICE: A FAMILY PERSPECTIVE

This article, first published by the Transparency Project (http://www.transparencyproject.org.uk/), is written by Celia Kitzinger, co-director of the Coma and Disorders of Consciousness Research Centre and Honorary Professor, Cardiff University School of Law and Politics. She tweets as @KitzingerCelia

The Transparency Project is a registered charity.which explains and discusses family law and family courts in England & Wales, and provides signposts to useful resources to help people understand the system and the law better. It works towards improving the quality, range and accessibility of information available to the public both in the press and elsewhere. As well as its website, the charity tweets as @seethrujustice

The author discusses the recent Court of Protection case A Clinical Commissioning Group v AF & Ors [2020] EWCOP 16 (https://www.bailii.org/ew/cases/EWCOP/2020/16.html). Although not a criminal matter, the experience of a family member of one of the parties to the case ought to give practitioners in all courts pause for thought about the effect of remote hearings on "outsiders", to the detriment of all, and how lawyers can perhaps change their conduct in remote hearings better to preserve the formality of the occasion.

Since the hearing described in the article, judicial guidance on remote hearings (in a variety of jurisdictions including the Court of Protection) has been published.

On Tuesday 17 March 2020, less than 24 hours after the Prime Minister's announcement to the nation to avoid all non-essential contact due to COVID-19, I attended the first entirely remote hearing for the Court of Protection. I was there in a voluntary, non-official capacity to support someone I'll call "Sarah", whose father was at the centre of a serious medical treatment case on the question of whether clinically assisted nutrition and hydration was in his best interests.

I've attended more than a dozen court hearings in similar circumstances and learnt a lot from families involved in these cases about their experience of the hearing itself, as well as in the run-up to and aftermath of the hearing. Sarah's experience was different – in part because this hearing was held remotely, via Skype for Business.

Not surprisingly, there has been a flurry of publications about remote hearings and I'm glad to see a sustained

focus on how to get them working efficiently and how to "*make the remote hearing as close as possible to the usual practice in court*" (Mr Justice MacDonald, 25 March 2020, The Remote Access Family Court, version 2). The overwhelming response reported so far has been positive. Despite acknowledging some technical glitches, judges, lawyers and journalists have said that they work well. But I haven't seen anything published about how 'lay' participants in court proceedings – litigants in person, witnesses, or family members who are parties to a case – experience remote justice. So, this is about Sarah's experience, and mine. She has read it, is quoted in it and is pleased that it will be made public.

In other cases I've been involved in, families have often talked about the gravitas attached to a courtroom hearing: the formality of architecture and room layout, the elevated more distant seat for the judge, the ritual of rising when the judge enters, the element of theatre. It can feel intimidating, but it is also reassuring evidence of the seriousness attached to the case and the ceremonial impartiality of justice. This is important because by the time a family reaches court, the question of whether or not a loved one should receive life-sustaining medical treatments has been addressed on multiple occasions, often without family members feeling that they have been heard. The courtroom setting is designed as a formal arena for putting that right.

With a hearing conducted wholly over Skype, all that gravitas is lost. Court architecture is replaced with the backdrop of barristers' and witnesses' living rooms. The judge appears up close and personal, just like anyone else with his face in a little square on the screen. And what we found in practice was that a preoccupation with the technology distracted people's attention from the substantive content of the case.

Two barristers have written their own account of the hearing for Sarah's father. For them, "*it felt comfortable and familiar relatively quickly*" and they thought witnesses might feel "*less intimidated*", pointing out that "*many wore casual attire and sat in their homes, responding to the questions, but not having the full glare of the court on them.*" Although they acknowledge some technical glitches, they conclude: "*what did we miss? In truth, nothing that mattered.*" Journalists, too, have been excited about the use of Skype in this hearing: one tweeted enthusiastically: "*I have to say it is super-fascinating watching this pioneering Skype trial – I could get used to court reporting from home! Also enjoying the occasional meow from someone's cat & checking out the décor of people's gaffes.*"

But it was precisely the "*casual attire*", the distracting pets, and the domestic backdrops that added to Sarah's distress. During the three days of this hearing, I was with Sarah in person. We were in a solicitor's office in an otherwise empty building, along with Sarah's pro bono solicitor and barrister. The four of us were there together – attempting social distancing as per government instructions – because we hadn't heard that the hearing would be conducted by Skype until the day before. We'd been told to prepare for a face-to-face hearing at Nottingham Civil Justice Centre and when the news came through that it would be moved to Skype, Sarah was on a flight from her home outside the UK, and I was on a train from my home in Cumbria. As it turned out, I'm glad and relieved that Sarah and I were able to be together for the hearing, and also to have Sarah's legal team there in person to explain what was happening. I cannot begin to imagine how tough it would have been for Sarah to have to go through this alone – listening without support to impenetrable arguments between lawyers about her beloved father, conducted in language that was, as she reminded us "*way above my pay grade*". I think she'd have simply become disengaged and unable to follow the proceedings. According to one study, that's exactly what happened to litigants held in detention centres in the USA: they stopped engaging with the legal process (and were more likely to be deported as a result)

Sarah's father is referred to in the judgment as AF. He had a stroke on 5 May 2016. About a week later, while AF was still in hospital he started refusing to eat and drink and said that he wanted to die. Doctors decided that AF lacked the mental capacity to make his own decisions and first inserted a naso-gastric tube against his wishes. Because he continued to be "*non-compliant*" with treatment, doctors (again against his wishes) made a surgical incision in his abdomen and inserted a feeding tube directly into his stomach (a Percutaneous Endoscopic Gastronomy [PEG]). He was then discharged to a nursing home where he has remained ever since. He still refuses to eat and drink enough to sustain his life – a short trial without clinically assisted nutrition and hydration found he quickly became dehydrated. Sarah's barrister was presenting Sarah's case: that PEG feeding should stop and that her father should be allowed to choose for himself whether he wanted the food and drink that would continue to be offered to him. Sarah accepts that he would probably refuse to eat and drink and would probably die.

As the judge acknowledged, Sarah does not want her father to die but was "fighting for his right to die" because she believes that is what he would want.

Sarah lost the court case. The judge said that:

> *"it would be categorically contrary to AF's interests for him to be set on the path that will lead to his inevitable death …. This may be a diminished life, but it is a life nonetheless which has, as I have said, intrinsic quality and from which AF derives pleasure and satisfaction."*

Of course, she (and I) feel angry and upset by this judgment, and this inevitably inflects the way we feel about the hearing itself. Sarah says:

> "*I'm left wondering whether I should have waited and insisted on a face-to-face hearing. It just felt like a second-rate hearing.*"

There is evidence that outcomes can be influenced by remote, as compared with face-to-face, hearings: one study found that 50% of applicants heard via video link were refused bail, compared to 22% of those heard in person. Nonetheless, my own view is that this was a complex case and that the judgment is not an outcome of Skype but rather a combination of some challenging facts and this particular judge's knowledge base, skills set, and established predispositions. I think he would have come to the same decision if we'd all been face-to-face in a courtroom. But a face-to-face hearing would not have left Sarah wondering if justice had been denied her father because of the circumstances of the hearing, or feeling that she missed out on her opportunity to influence the court.

For families in serious medical treatment cases, the court offers the opportunity of 'being heard', 'speaking out' and 'giving voice' to their relative's wishes – often after a long period of feeling silenced and ignored. It offers the opportunity of 'being seen' after having felt invisible within the medical system. For Sarah, who had only ever met her father's GP in person just once over the course of the three years the GP had been caring for him, and who felt she had been entirely side-lined by the professionals responsible for his care, this was her opportunity to ensure that they heard her truths about her father. What actually happened instead was that Sarah became invisible to the court after giving her witness statement, and the relationship between her and her father was effectively erased by counsel for the Official Solicitor who acted as litigation friend. Right from the outset, Sarah felt that issues other than her father's wishes were centre-stage. Because this was the first all-Skype hearing, there was a lot of talk about managing the technology at the beginning and end of each day, and intermittently throughout the day as glitches arose and needed addressing. It was definitely a distraction. At times there was what felt to us like an unseemly and self-congratulatory focus about being "*the first*" such case, about its "*pioneering*" role in remote justice. Sarah said:

> "*I'd like the judge and lawyers to know that this hearing was not about bigging yourselves up because you did the first Skype trial. This is about my Dad.*"

For me, there was a marked lack of empathy displayed for Sarah throughout this hearing (Sarah's own legal team excluded, of course). Having, for comparison, lots of experience of how judges and lawyers engage with families when they are co-present in a courtroom, I was shocked by the lack of sensitivity to what Sarah might be thinking or feeling at various points and by apparent indifference to her presence. This was partly – perhaps largely – accounted for by the fact that, except when Sarah was giving her witness statement and being cross-examined, she was not visible to other participants. Due to bandwidth problems, the judge asked everyone (except himself) to turn off video-cameras unless they were giving evidence or questioning a witness. This meant it was easy for lawyers to forget that Sarah remained in the virtual courtroom throughout the hearing. They spoke about her in her presence – nothing uncomplimentary, but just the fact of hearing yourself talked about in the third person is quite unsettling.

Nobody – except those of us in the room with her – could see how upset Sarah became at various points and so they didn't modify their behaviour to avoid causing her unnecessary distress. For example, counsel for the Official Solicitor routinely introduced herself to each successive witness by saying: "I'm speaking on behalf of A…" (where "A" was the first name of Sarah's father). Every time she said this, Sarah winced as though she'd been struck. For Sarah, she – her father's daughter – was the person speaking on behalf of her father, not this woman who barely knew him. To her dismay, Sarah had been refused permission to be litigation friend and that role had been taken by the Official Solicitor. Sarah knows AF better than anyone else. She wanted to be her father's voice, to speak on his behalf when he could not. It hurt to have this woman she'd never met speak on behalf of her father. And she found it disrespectful that he was regularly referred to by his first name, "A", rather than as "Mr F" (or even "AF"). I hope and believe that if the lawyers had seen Sarah's distress, they might have found ways of adapting their behaviour. Maybe if Sarah had been physically co-present, the judge might also have avoided the (to non-lawyers) bizarre claim, in the published judgment (para. 2), that AF himself (acting via the Official Solicitor) opposed his daughter's views and that AF himself was

saying that it was in his best interests to continue with the PEG.

Even when Sarah was giving her witness statement, she didn't feel as though she was 'seen' in court:

> *"In a court room people can see body language. They can feel the pain and emotion when you speak about that moment of utter desperation that you went through. But I was in a little one-inch box on a screen and being honest I bet half of them weren't even engaged in looking at it – as the judge couldn't monitor them to make sure they were paying attention."*

Sarah felt unable to get her message across as she would have done in person:

> "*Skype took away from me the ability to look these people in the eyes – these people who have their opinions about my Dad and only knew him through third-hand notes. I wanted to look them in the eyes and make them hear the truth but I was looking at a computer screen.*"

There were the usual hassles with technology – some of which I assume will get ironed out as people become more familiar with it. Two of the barristers involved described it as "*pretty plain sailing*" and, other than technical glitches, the only concern voiced during the hearing was the problem of not being able to see "the judicial pen" (because the judge was only visible from the shoulders up): this, for one barrister, led to uncertainty about how to pace his speech with reference to the judge's note-taking. But my experience was much less positive. Given the speed with which it had been set up and the novelty of what we were involved in, yes it was impressive that it was even possible and huge thanks are due to the solicitor who took responsibility for enabling this. But we had to contend with intermittent loss of connectivity and delays while key people reconnected (including waiting for the judge to reboot his computer); batteries going on two different witnesses' laptops such that they then had to dash to find their chargers and plug them in; and corruptions with recordings which led to the decision to stop and restart recording every 30 minutes. All of these led to hiccups in the proceedings. These technological problems were not *instead* of courtroom hassles - when microphones don't work, interpreters are late, bundles are unpaginated, documents are lost etc - but additional to them. It was still necessary to circulate paperwork to people who didn't have it – and attempts to do that over Skype (so that everyone could see it on screen simultaneously) failed, resulting in a resort to e-mail – and some witnesses struggled with opening emails or finding Dropbox documents at the same time as running Skype.

One disconcerting feature of Skype, which affected Sarah's questioning in court – and that of several of the witnesses – was that there was often an audio time lag which meant that the judge or counsel doing the cross-questioning would think that someone had finished speaking when, in fact, they had not, so would begin to speak with what was experienced by the witness as an interruption. The witness would stop – and so would the person 'interrupting'. A pause followed during which both waited for the other to continue. Then both would start up again simultaneously and the same thing would happen again. Sarah (and others) found themselves apologising for 'interrupting' when this hadn't actually been the case. This was enormously frustrating for lawyers who were good communicators and wanted to listen to witnesses with patience and courtesy. There were many occasions where people with really excellent communication skills were stymied by the technology.

In actual – rather than virtual – courtrooms (or in the waiting areas outside) it's not unusual for family members I've supported before to hear solicitors and barristers joking together, catching up on gossip and exchanging news. On occasion, this can be experienced as inappropriate and exclusionary for people new to the courts – but, lawyers do tend to know this and these conversations are often *sotte voce* on the front benches as family members seat themselves near the back. One effect of remote justice was to amplify this 'informal' aspect of courtroom interaction because it is equally accessible to everyone online. While we were waiting for a formal start one day, there was a discussion between the judge and some of the lawyers about the judge's current reading matter: Daniel Defoe's *Journal of the Plague Year*: it was beamed directly into our office where Sarah and I listened to a conversation about rich people decamping from the cities to the country to escape the plague, and speculation about this in relation to COVID-19. Jokey informality also came into play as lawyers tried to fix technical problems. At one point the judge asked a barrister to adjust her video, saying "*We can only see the back of your head. We are all looking at your left ear*". She replied, "*My Lord, that may be my best feature!*" Something similar could have happened in a courtroom, certainly, but it was, in this case, the remote technology that offered the opportunity for the quip and the technology that ensured we all heard it. Perhaps, for some parties this humanises the legal process. For others, this kind of levity threatens the formal justice process and diminishes the legitimacy of the court: it can work to underline the impartiality of the process by displaying how 'pally' some of these professionals are with one another (in particular, in this case, the judge and one side's barrister), leaving

the rest of us feeling outsiders – debarred from having that kind of exchange with the judge, not 'one of them' by profession or by class.

Sarah describes her feelings about the informality engendered by remote justice:

> *"It definitely made me feel like the outsider. In a court room I'd have felt like it was more of a level playing field. I know there's the pomp and ceremony of the court, but you can see the pecking order – from me at the bottom to the judge at the top, so you feel better because you know the structure. The visible structure makes you feel safer. But this felt chaotic, which made me feel nervous and insecure.*"

Part of the chaos was the intrusion of 'everyday life' disrupting the formal 'theatrical' elements of the courtroom – the cat that mewed and knocked over books, the tail-wagging dog behind one witness, the mobile phone that kept going off on one witness's desk. Sarah was not impressed that the judge's dogs barked loudly and long (necessitating a short break) when someone apparently rang his doorbell – not just once, but twice.

Skype technology also provided everyone with views of the interiors of other people's homes. The judge, to his credit, had an entirely neutral backdrop (a blank wall, I think). But that wasn't true of most other people – although one solicitor mentioned having removed a picture of a tiger that would otherwise have been visible onscreen. It would be worth considering the effect of some of these 'backdrops' upon a person who is not wealthy, who is unable to access legal aid, who is forced to scrabble around looking for pro-bono legal representation, and whose cultural heritage does not include large rooms with grand pianos or costly furniture – especially given that we were also treated to multiple superfluous Shakespearean quotations from the judge, which were not accessible to Sarah. These views of other people's domestic interiors with their displays of wealth or specific cultural capital can create, or reinforce, the impression that justice is administered by people with economic, educational and class privilege. And as Sarah says: "*I wanted my Dad to have his day in court – not in someone's front room*".

The term "remote justice" makes it sounds quite distant – and in some ways, it is. A family member can't see the lawyers in the flesh and can't "look them in the eye" and a person can be rendered invisible when their camera is off. But it can also be, paradoxically, quite up-close and personal in terms both of the facial images on screen (the proximity generated by 'remote' technologies can sometimes be quite startling) and the home environment behind which doesn't necessarily fit well with the 'gravitas' of the court, or reflect the seriousness of a decision about whether or not to honour an incapacitated person's choices.

Obviously, there are pros and cons to remote justice, and in the era of COVID-19 we have to accept that there is no realistic alternative. Hearings conducted by phone and video-conferencing are not new and I know from other families I've supported that they are sometimes very much appreciated – for example when someone has difficulty travelling (perhaps due to disabilities or because they want to stay by a loved one's bedside), or because of the expense of travel and overnight stays away from home. I've also heard about the problems that can arise. We avoided (I think) any embarrassing moments caused by forgetting to press "mute" or turn off our cameras in this hearing. In an emergency telephone hearing in a different case, about whether reinsertion of a dislodged PEG tube was in the patient's best interests, a family member overheard a barrister's doorbell ring, followed by the voice of a visitor expressing surprise that the hearing was not yet finished: the barrister was clearly audible as she voiced frustration and expressed her view that the hearing was a waste of time as the outcome was a foregone conclusion.

Remote justice is a real opportunity with the positive potential to make justice more streamlined, efficient, accessible and inclusive. I support its development both in the context of court hearings and in relation to best interests meetings that (in my area of work) regularly precede them. But this needs to be well-designed, well-researched and well-delivered. This is possible only if the experiences of everyone involved in these hearings are included in the analysis, and properly addressed, so that common law principles of fairness and natural justice are upheld, and seen to be upheld.

According to Mr Justice MacDonald, the feedback from those involved in this case "*has been universally positive*". But neither Sarah nor I had yet contributed to that feedback or reported on the '*things that mattered*' in our experience of a court hearing conducted wholly by Skype. This is our contribution. We would like lawyers and the judiciary to take it into account.

The last word goes to Sarah:

> *It felt like a second-best option. It didn't feel professional. It didn't feel like justice. It felt like a stop gap to ensure a box was ticked – rather than a serious and engaged attempt to make decisions about my Dad.*

♦ ♦ ♦ ♦

BRUCE REID

Camberwell Court 13 - 5th May 2020

Wanda Rabbit (Legal Advisor) - Is your name Matt Muskrat?

Matt Muskrat - Mmmphhhh, mmmmpph!!!!

DJ Snookums - Wally, I can understand his feet being in a bucket of hand sanitiser, but do we really need the Defendant mummified in cling film?

Wally Weasel (SERCO) - It's the way the police deliver them, ma'am. You asked for him to be brought up pronto and we didn't have time to unwrap him.

Felix Mansfield (Defence - *from beneath a motorcycle helmet topping the full leathers that he now wears for protection in court*) - I am Duty, I haven't seen him yet as the cells are an unsafe area but I can tell you without instructions that my client's rights are being abused...!

DJ Snookums - Shut up Felix, can't think why we don't do this for all the overnights, especially for the funkier ones. Oh, Ok, sorry....forgetting myself, I probably need a bit of Societal Awareness Training. Anyway, someone get some garden shears and get his mouth open at least. And if anyone says the words 'I need a requisition slip' they're getting 28 days for contempt. This is wartime!

Whilst you doing that call the next case, I have an infected train to catch back to an area with a better equipped NHS Trust.

WR - Are you Larry Lizard?

DJS - So why isn't Larry in cling film?

Squirrel Nutkin (Defence - *stopping briefly from dabbing Felix with Dettol*) - He is coronavirus free Ma'am. He has so many drugs in his system he cannot be infected with anything. They are sequencing his genome to develop a vaccine.

Larry Lizard - That's right, I am a service to mankind!

DJS - Larry, for years I have worried about your rabbit-like capacity for reproduction and its adverse effect on the crime rate, now you seem to be the Saviour of Humanity. Absolute discharge. What was it? Robbery? Hmmm....Review it, Selina - now!

Selina Stoat (CPS) - What about the failure to attend? That's number 75!

DJS - I knew you would see sense.

SS - But I didn't! (*quails under the basilisk stare and starts ticking boxes*).

The day proceeds. List Caller Marty Mole can't be heard though the goldfish bowl on his head and Squirrel's HazMat suit means that he can't work the iPad, but somehow they get on with it.

Matt Muskrat is recalled, the cling film partially removed to show a familiar face with his usual 'caught in the headlights' expression.

DJS - What's the charge? It's not on my register.

SS - Coronavirus offence ma'am, seen on a number of occasions within 2 metres of a couple of people. Doctors, no less!

Horatio Horseshoe-Bat QC enters the court with an air of majesty combined with not a little distaste, albeit comforted by the prospect of immediate repayment of his entire mortgage at the end of this morning.

HH-B - I represent this Defendant on this outrageous allegation in which there is not an iota of truth...(*His words hang in the air as he glares malevolently at the Bench*)

DJS - Thought he was ringer; that settles it. It must be an alias. Remand in custody para 5 for 24 hours to check his identity. Next!

HH-B - But my client has an important public announcement to make this evening...(*nudge, nudge, wink wink*)

DJS - Thameside have video facilities and he can have a reception call like everyone else. We have the technology; it's just a matter of using it.

WW - (*with an evil grin*) Van's ready ma'am. I'll collect the paperwork later.

10 minutes later.

WR - Ma'am there's a Lord Justice Were-Rabbit on the phone, says it's important...

LJW-R - Were-Rabbit of the Supreme Court, here, Snookums. We are doing all our appearances on the telephone and live link now, you know. Got to do our bit to keep things going. Just checking how things were on the frontline....

DJS - Excellent, Your Lordship, I knew I could rely on the Senior Judiciary to strike the right note. The Lord Chief's recent comments, despite being completely contradictory, have reassured us all.

LJW-R – Now, about your recent approach in this crisis to remanding defendants this morning. One example in particular has been brought to my attention...

DJS - You can take some overflow from this place if you have the facilities! Wally will pull the van up in about half an hour. (*Puts phone down*)

In keeping with the times, that evening's Government Daily Briefing is conducted in a new and isolated format.

Matt Hancock (*muffled by the reinforced screen, holding a telephone*) - RAF transport planes are, as we speak, flying 10,000 Turkeys to the UK for our front-line NHS staff to wear (*he pauses, peers at the auto-cue and hurriedly moves on*). As the February Venice Carnival was cancelled we have secured the delivery of 1000 masks for use in care homes. We have the best scientific advice in the world, data-driven by excellence. The NHS is rising to the occasion, a million doctors have qualified yesterday and will join the service and you can't see Guys Hospital for the pile of ventilators waiting to be unpacked....

At the end of the day DJ Snookums phones HMCTS for an update.

DJS - Stay well Nero, I am still getting defendants produced here, what's up with your Happy Snappy stuff? Although that's not my most pressing problem.

Nero Narwhale - (HMCTS) Give us a break, it's only been 5 weeks and my Android keeps crashing.

DJS - No Nero, it's about the fact that the cell area is now an impromptu morgue, I am ringing about the coffins you promised me last week.

♦ ♦ ♦ ♦

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