# THE LONDON ADVOCATE

THE NEWSLETTER OF THE LONDON CRIMINAL COURTS SOLICITORS' ASSOCIATION NUMBER 91 JANUARY 2020

Welcome to the first London Advocate of 2020, and a very happy New Year to all our readers. Here we are in a new decade, with a new European order emerging, and a new, emboldened Conservative government. Now more than ever we truly live in interesting times...

This issue features a report of and pictures from the Association's AGM in November, including the constitution of this year's committee. As ever, the Committee urges you to get in touch with any issues you feel need addressing, or with any ideas that you think might improve what we can do for our members. In 2020, as we await some (any?) progress with the Criminal Legal Aid Review, we anticipate rolling out a new, more user-friendly, website and we hope to be able to announce positive developments in the professional court user scheme: enabling fast track passage though court security by means of officially-approved ID cards.

Elsewhere in the issue you will find: the final part of Greg Powell's essay on the history of legal aid (with a sobering conclusion); Transform Justice's excellent twelve point plan to fix our broken criminal justice system; a report of a recent Court of Appeal case which addressed challenges brought on the basis of a flawed summing up; a review of "Essential Magistrates' Court Law" by Howard Riddle (contributor to the previous edition and speaker at the AGM) and Robert Zara; and of course a characteristically surreal offering from Bruce Reid.

We want The Advocate to be informative and engaging, and to appeal to as wide an audience as possible (the readership extends beyond members of the Association to include members of the Bar and the judiciary). We are always looking for content, so if you have ideas for an article, opinion piece, case report or book review (or indeed anything else that you think might fit) please contact the editor (esmyth@kingsleynapley.co.uk).

Ed Smyth, Editor

#### **LCCSA NEWS**

AGM, 14 November 2019



A veritable crowd of members congregated at the Malmaison Hotel in Clerkenwell.



Outgoing President Jonathan Black handed over to incoming President Kerry Hudson and the Committee for 2019-20 was elected. We wish Kerry lots of luck over the next year as LCCSA President.



Howard Riddle CBE addressed the meeting, very much in the vein of his article in October's edition of The Advocate; that 'Duty Solicitors are disgracefully underpaid. They save the system far more than they cost'



Committee member (and also member of the Law Society's Criminal Law Committee) Malcolm Duxbury was awarded an Honorary Life Membership for years of outstanding service to the LCCSA.

#### **COMMITTEE MEMBERS 2019-20**

President: Kerry Hudson (Bullivant Law)

Past President: Jonathan Black (BSB)

Vice President: Mark Troman (Powell Spencer &

Partners)

Junior Vice President: Hesham Puri (MK Law)

**Treasurer:** Rumit Shah (Galbraith Branley)

**Secretary:** Peter Csemiczky (Hickman & Rose)

**Training Officer:** Diana Payne (Blackfords LLP)

Law Reform Officer: Edward Jones (Hodge Jones &

Allen)

Media/Advocate: Edmund Smyth (Kingsley Napley)

Administrator: Sara Boxer

#### Other Committee members

Claire Anderson (ABV Solicitors)

Rakesh Bhasin (Edwards Duthie Shamash)

Steve Bird (Birds Solicitors)

Rose Davies Commander (Hickman & Rose)

Seema Dosaj (Berri's Law)

Claire Dissington (GT Stewart)

Matthew Hardcastle (Kingsley Napley)

Malcolm Duxbury (Bullivant Law)

Rhona Friedman (Commons)

Adeela Khan (Edward Fail Bradshaw & Waterson)

Alison Marks (MK Law)

Danielle Reece-Greenhalgh (Corker Binning)

Raymond Shaw (Shaw Graham Kersh)

#### **UPCOMING EVENTS**

BEYOND THE KNIFE: CARE **BEFORE** CRIMINALISATION SYMPOSIUM

6TH FEBRUARY 2020, 6pm-8pm

VENUE: CONWAY HALL, 25 Red Lion Square, Holborn, London WC1R 4RL

If vou wish to attend please email: events@25bedfordrow.com

Please note the schedule for the evening:

6.00pm Delegate Registration at Conway Hall, Red Lion Square, Holborn.

6.15pm Introductions, short screening from prominent gang member ex-offenders, campaigning for positive change.

6.30pm Speakers to address the audience

7.10pm-8.00pm Q&A.

8pm-9.30pm Drinks reception and further conversation.

### SAVE THE DATE

The Association's summer party (venue TBC) will be on Friday 3rd July 2020.

#### **COMMITTEE MEETINGS**

The LCCSA committee meets on the second Monday of each month at 6:30pm, and all members are welcome. Meetings take place at Kingsley Napley, 14 St John's Lane, EC1M 4AJ.

#### ARTICLES

#### A BRIEF HISTORY OF LEGAL AID

### A Practitioner's Perspective, Part III

Greg Powell's essay continues from the July issue, and in this final part he describes the crisis in access to justice, the unique challenges faced by London-based legal aid practitioners and what, if anything, might be achieved by the current review of criminal legal aid fees.

#### 8. Access to Justice

It was a by-product of the expansion of Legal Aid and the availability of firms within communities providing a range of legally aided services that many millions of people could buy into the <u>idea</u> that there was a degree of access to justice.

Much is written about alienation, voices not being heard, and the unrepresentative nature of politics, inequality and the socially excluded. Legal Aid cuts, in particular LASPO, have formed a backdrop which has accentuated exclusion.

Exclusion also has direct economic consequences. A family with less income because they are unable to challenge welfare benefit decisions live in greater poverty. Children in greater poverty are more likely to fail in the education system, often being excluded, more vulnerable to drift into gangs, crime and county lines drug dealing. Similarly challenging are living in conditions of disrepair, losing housing and the gross disruption of family life where there are cycles of imprisonment, alcohol and drug abuse and devastating adverse immigration decisions and deportation. Many live and are brought up in deeply hostile environments and too often the inability of fathers to access contact and maintain parenting has potentially disastrous consequences.

Add to these other factors such as loss of youth clubs, social workers, and the pressure of schools to exclude pupils. It is no wonder that the world of gang affiliation with its sense of identity and drug dealing giving access to otherwise unattainable riches is such a lure to young people and indeed older people involved in organised crime.

The extent of organised crime has been highlighted by the National Crime Agency in its bid for between £2-3billion to combat what it describes as a major threat to security and wellbeing. Will that funding and these initiatives drive more cases into the Criminal Justice System? The idea that more cases will arise which demand more resources stands in stark contrast to falling volume as a result of the debacle of the RUI stance adopted by many police forces in relation to the many thousands of people arrested.

What all of this means, including the review itself, is an extremely unstable environment for Legal Aid practitioners. Low margins make firms highly vulnerable to changes in case volume and case mix. A two year "review" is irrelevant to the immediate crisis. What is required is at least a short term injection of funds, the making good of the last 8.75% cut which was predicated on the manipulation of the supplier base producing fewer

suppliers with higher volumes, which never took place, and which was in itself arbitrary and unfair. What is also needed, however, are not only higher levels of remuneration, but an imaginative reworking of incentives and structure to support an independent legal profession and a degree of stability which would allow businesses to flourish whilst meeting need.

#### 9. London and its Hinterland

At over 650 square miles with the largest concentration of population in the country, London poses particular problems for Legal Aid lawyers.

It is an area of higher cost. Those costs relate to the costs of business premises, higher wages and higher costs for employees for accommodation and travel. In a recent Reed Business Support Salary Guide for 2019 an Office Manager in London is said to command a wage of £40,100. In the East Midlands the figure £23,700 and the North East £29,200 and the North West £23,900. In the South West and Wales the figure falls to £22,300.

Traditionally the particular costs base of London were recognised by additional London Weighting supplements on hourly rates. There is a powerful case for the reintroduction of London Weighting within any newly devised scheme.

Another myth is that there was an oversupply of firms in London. This is not true and the number of firms is proportionate to the population. This was established in passing by the KPMG report in the failed debacle of tendering Duty Solicitor Schemes.

London is the centre of political protest and government and inevitably public protest type crime tends to arise more often and so does financial crime attached to London being the centre of financial services.

A fundamental problem for practitioners has been the complete absence of planning. There is no court near a police station which is near a prison, they are spread haphazardly. The system has developed without the slightest regard for efficiencies that might arise from locating services together. Indeed plans to relocate remand prisoners only in Wandsworth, Belmarsh and Highdown, which is actually outside London in Sutton, would only exacerbate the problems.

Very large distances must now be traversed across London for defendants, 'victims' and witnesses and indeed all the participants in the court process.

The idea has been advanced frequently by the LCCSA for over a decade that there ought to be reform of the Duty Solicitor Scheme. At present solicitors join two court schemes plus associated youth court schemes but are

allocated to as many as *eight or nine* 24 hour police station schemes depending on the location of their office. This thins volume in any particular court. Bringing the schemes into line so that solicitors are allocated two or three police stations schemes most contiguous to their office and the court schemes ought to produce a greater volume of work for firms in their local courts.

### 10. Opportunity or Threat? The Criminal Legal Aid Fee Review

The immediate impulse for the review was the promise to the Bar to review the AGFS arrangements. That promise was then conflated with the existing idea of a review of the LGFS (no doubt more urgent from the perspective of the MOJ after the successful JR of their plan to cut £30M or so from the LGFS Scheme) and then in turn extended to encompass all fee schemes, police stations, magistrates' courts and the VHCC scheme.

Three elements dominate legal aid fees for the last twenty five years: erosion of fee structures by inflation; endless cuts to EVERY fee scheme; and hugely bureaucratic, unmanageable and failed 'reform' proposals (encompassing Best Value Tendering, Price Competitive Tendering and 2 tier contracting of duty solicitor schemes). The 2 Tier debacle was accompanied by a completely arbitrary 17.5% cut in fees. Subsequently 8.75% was restored after the failure of the scheme, still leaving practitioners with a completely arbitrary, and still huge, 8.75% cut.

The common theme has been an approach to Legal Aid as a 'market' to be manipulated with the sole objective of driving down price (cuts) encouraged by overtures from a handful of 'larger' suppliers who sought greater volume and market share. What has been absent is any coherent view of Legal Aid based on principles of fair trial, equality of arms or access to justice through increasing the resource that enables people to believe they have the means (legally aided lawyers) to pursue their rights, that their stake in society and belief in its fairness has meaning because they can rebalance the unfair advantage of 'others' who have the power (landlords, Councils, the DWP, insurance companies, the Home Office, Police) by instructing 'their' lawyer.

This is the real context of rearranging fee structures; it is not an end in itself but only one component of policy that ought to have this enabling outcome. CLAR, being confined to criminal Legal Aid fees only, perpetuates the division of crime and civil when the reality is that legal aid services are accessed across lifetimes in multiple ways as need overlaps the civil and criminal boundaries.

That vision is entirely absent from this Review, which is framed as the 'right time to think more widely about the future of criminal legal aid schemes', without any commitment to any funding increase, only to the 'right level' of legal aid provision. It is most likely to be a missed opportunity and actually another 'cut'. ravaging of value by inflation will not be addressed by a compensatory mechanism, permanent attempt to manipulate the market will yet 'ambitious' again misread its reality and lead to JR and debacle. Is this to be an opportunity for reinvigorating access to justice or another episode in the erosion of Legal Aid and its supplier base?

The complete absence of a commitment to restore funding levels and the absence of vision is depressing. There is little to indicate that the trajectory of the history of Legal Aid will change. Rather, what will emerge is a reality of cuts, loss of services and more people who believe that justice is not to be found within the society in which they live.

## HOW TO MEND OUR CRIMINAL JUSTICE SYSTEM – A TWELVE POINT PLAN

<u>Transform Justice</u> is a national charity set up in 2012 by Penelope Gibbs, a former magistrate who had worked (successfully) to reduce child and youth imprisonment in the UK. The charity aims to create a better justice system in the UK, a system which is fairer, more open, more humane and more effective. Here, Transform Justice presents a manifesto for change.

We are here with a new Conservative government which promised to be tough on crime and attributes some it's electoral success to this. We all want to reduce crime and its victims. During the election campaign the importance of mending our broken system was highlighted by the Fishmongers hall tragedy and by evidence of Joseph McCann's catastrophic rape "spree" (and the failure of rehabilitation which precipitated it).

So what should the new government do to fix our CJS? They have pledged to delay the release of prisoners charged with the most serious offences and to increase police numbers. If this is a given, what might they do to reduce crime?

1. One starting point might be to point out that <u>crime</u> <u>has fallen dramatically since 1995</u> (under Labour, the Coalition and Conservatives) and has not risen even recently. Some types of crime have gone up, as has police recorded crime (which does not accurately reflect real crime), but overall there is no rise. So we

- should reassure a worried public at the same time as focusing on those crimes which are increasing.
- 2. The criminal justice system and the police have limited ability to reduce crime the toughness of criminal sanctions does not deter anyone thinking of committing a crime, nor have a significant effect on re-offending. This administration might look at the wider drivers to crime, and ensure that other social and public services do everything possible to reduce crime. Until those who come out of prison can access benefits, jobs and housing, they are liable to reoffend.
- 3. Look at ways of driving change through the way money is distributed. If funds for criminal justice were localised, including prison and court budgets, local agencies would be incentivised to reduce offending. Justice reinvestment should lead to more efficient and effective use of the small budget available to the Ministry of Justice.
- 4. Work out why prosecutions are falling. Much has been written about how the sharp drop in police numbers in England in recent years led to fewer prosecutions, but in Wales there was a similar fall in prosecutions, but only a small reduction in police numbers. So something else is going on. Are police being diverted from investigating crime by a focus on paperwork, and supporting people with mental health problems? Are the police becoming quasi social workers?
- 5. Domestic abuse is an example of a wicked problem where more police officers are not the answer. Criminal sanctions do not reduce abuse. And only a minority of domestic abuse incidents lead to very serious offences. Meanwhile police officers are spending huge amounts of time processing the majority through the system. If we want to reduce domestic abuse we need to look outside the criminal justice system for solutions. And focus police resources on high harm.
- 6. Reduce the use of short prison sentences by stealth. This policy was championed by David Gauke as Lord Chancellor, but since abandoned. But we don't need legislative change to reduce the use of short sentences, which everyone agrees are ineffective. We need to impress on the judiciary why short prison sentences are worse than community sentences, even if the latter are still delivered by ramshackle CRCs. And get probation to present convincing alternatives to a short prison sentences in every case.

- 7. Reform the Sentencing Council. The body that was created to promote consistency in sentencing has achieved that, but at the expense of sentence inflation. Ramping up prison sentences across the board does not cut crime since no extra rehabilitation work is done in the extra prison time. We need a new approach to sentencing which considers the effectiveness of sentences, not just the length. The current Sentencing Council is not set up to do this.
- 8. Promote out of court disposals and approaches. Some people need to be prosecuted but some of the most effective responses to crime happen when police officers use their discretion to deal with a crime "on the street". Cautions, community resolutions and deferred prosecution all involve the person who commits a crime accepting a sanction and, in most cases, making amends. It is speedy, cost-effective justice. We need to increase diversion from the CJS for some people, and decriminalise a swathe of offences like non-payment of the TV licence.
- 9. Pause the reforms of Transforming Rehabilitation. There is little evidence that offender behaviour programmes make a lot of difference to re-offending (when their impact is tracked). But the new iteration of Transforming Rehabilitation relies on such programmes, and involves outsourcing them to private and voluntary sector companies. The programmes the government is outsourcing have not been evaluated, so we don't know whether they work. So the new reforms risk wasting more money.
- 10. Reform our criminal records disclosure regime. It's the biggest barrier to rehabilitation. Our system makes people disclose old and quite minor offences for longer than most other Western democracies. This makes it difficult for people who've been in trouble with the law to stay on the straight and narrow. And again, there is no evidence that the current disclosure regime is proportionate or effective in protecting employers and vulnerable people. Cultures prevent abuse, not processes. A new #FairChecks movement has been launched to advocate for reform of our outdated criminal records system: to shorten rehabilitation periods and remove out of date information from DBS checks. If you are interested in reforming our system so everybody can fulfil their potential do join the movement at fairchecks.org.uk.
- 11. I'm not sure that listening to victims has a direct effect on reducing crime but we need to understand their needs better. A common view is that victims want prosecution, conviction and tough punishment,

but some trends belie this. Research shows that victims of domestic abuse, sexual offences and common assault are withdrawing from the formal justice system in their droves. It is not clear why they withdraw, or refuse to engage in the first place. It's probably partly because the system is slow and unsupportive, but maybe also because they don't want to achieve justice or closure that through the criminal justice system. And who is to say they are wrong?

12. Unite the departments which deal with criminal justice. Prisons, probation and courts are within the Ministry of Justice and policing and crime prevention in the Home Office. The two departments have very different cultures and don't always align on policy. Policing and its outcomes should be dealt with in the same department.

http://www.transformjustice.org.uk/how-to-mend-our-criminaljustice-system-a-twelve-point-plan/

### APPEALING A CONVICTION ON THE GROUNDS OF A DEFECTIVE SUMMING-UP

Rebecca Thomas of <u>Sonn Macmillan Walker</u> reviews a Court of Appeal judgment - led by Simon LJ — in which the court outlined the limited grounds on which the contents of a judge's summing-up may be challenged.

The Appellant in this case was charged alongside several co-conspirators with the offence of giving, or agreeing to make, corrupt payments to public officials as inducement or reward for the award of contracts with the Lithuanian government. An earlier trial resulted in a hung jury and prior to the retrial the two named co-conspirators had pleaded guilty.

The trial involved a vast body of evidence. The jury were given electronic tablets, loaded with a timeline of relevant documents and events, which enabled them to access a total of 688 documents over the course of the trial. In addition to this, there was a hardcopy jury bundle which contained a 24-page schedule of Agreed Facts and 48 pages of graphics. The trial itself began on 22 October 2018 and concluded on 7 December 2018. It was an exceptionally long and complex case.

The Appellant appealed his conviction on three grounds, all of which were rejected by the Court. Ground 1 contended that the Judge's summing-up was imbalanced and was comprised of several separate criticisms of its contents. Ground 2 challenged the Judge's directions to the jury about the credibility and content of the Appellant's evidence. Ground 3 challenged the Judge's

decision to refuse to admit a piece of evidence undermining a co-conspirator's credibility.

The Court of Appeal held that the trial judge's exercise of his discretion to exclude irrelevant evidence had been appropriate in relation to Ground 3.

More interesting were the Court's comments in relation to Grounds 1 and 2 of the appeal. The Court conceded that some elements of the Judge's summing-up had been adverse to the Appellant, but nonetheless did not serve to undermine the Appellant in the eyes of the jury. In reaching this conclusion the Court made six 'general observations on the purpose and nature of the summing-up of facts' which are listed below:

- 1. Closing speeches made by counsel are no substitute for a judge's impartial review of the facts. Nonetheless, there is no obligation on the judge to recite all the evidence and points made on each side in many cases this will not be appropriate.
- 2. A succinct and concise summing-up is particularly important in long and complex trials. It is likely that the longer a trial has lasted, the great the jury's need for assistance in relation to the evidence.
- 3. There is no obligation to remind the jury of points made in counsel's speech.
- 4. If counsel remain silent during the summing-up, the Court of Appeal will proceed on the basis that what was said was not regarded as an error or at least a material error at the time. This is a change from the historical position where there was a more limited duty on defence counsel to raise criticisms at the time.
- 5. As a matter of fairness, if a judge is considering introducing an issue that has not been canvassed in the course of a trial, he or she should warn the defence advocate before final speeches so that the position can be discussed.
- 6. A judge must consider whether to express his or her personal views carefully. There can be no rules of universal application in this area, but use of the refrain, 'it is entirely a matter for the jury' will not necessarily absolve a judge who was strayed into advocacy on behalf of the prosecution.

In spite of these seemingly cautionary remarks directed towards judges it seems that this judgment in fact reinforces the obstacles to be surmounted when appealing conviction on the basis of the judge's summing-up. The Court criticised a number of the trial judge's remarks but was reluctant to conclude that any

amounted to a misdirection or illegitimate observation on the quality of his evidence. Indeed, it is unclear whether failure to abide by one of the guidelines stated above would be sufficient to enable a successful challenge in the Court of Appeal alone.

https://www.criminalsolicitor.co.uk/blog/reynolds-v-r-2019-ewca-crim-2145-grounds-for-challenging-judges-summing-up-further-restricted/

### ♦ ♦ ♦ ♦ BOOK REVIEW

Essential Magistrates' Court Law by Howard Riddle and Robert Zara, Waterside Press (9 Oct. 2019)

#### Paperback: 256 pages

This creditable book successfully demystifies the workings of the Magistrates Court. It presents legal concepts, practice and procedure in a straightforward, matter of fact manner. It covers the more commonly encountered court applications, the first court appearance, youths / vulnerable defendants, trial, common offences and defences, and sentence.

The book reads as a written record of the kind of clear and concise explanations a District Judge might find him or herself making repeatedly over the course of their career.

It is aptly titled 'essential' in so far as it contains the kind of necessary information anyone operating in the Magistrates' Court should be familiar with. That is not to say the book should be overlooked by more established criminal practitioners. This is an ideal point of reference for those instances where an easily intelligible and practical explanation is required.

For those caseworkers who instruct magistrates court advocates, but do not have a good grasp of what those advocates actually do in court, this book is also essential reading. An understanding of the Magistrates' Court Machinery enables meaningful and forward looking advice to clients and informs the effective and efficient instructing of advocates.

Every criminal legal practice would benefit from having a copy of this book. I would recommend it to any self-representing individual facing the prospect of proceedings in the Magistrates' Courts and to anyone embarking on a legal career in the legal sector.

I read the book in two sittings and was glad to do so.

Kelvin Mowatt, Powell Spencer & Partners

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#### **BRUCE REID**

#### DEAD BUT IT WONT LIE DOWN

Felix Mansfield strolled nostalgically past Camberwell on the way to work. The good thing about moving into Probate was that dead clients didn't ring you from the station at 3.00 am but he still missed the place. Just then the chipboard shutter door creaked open and Larry Lizard slipped out, spotting Felix with the 360 degree vision of an expert burglar.

LL - Wassup Felix? - I'm just surrendering

FM - Larry, Camberwell is closed - you'll have to go to Croydon.

LL - Nah, Felix, give Fergus a ring, he'll tell you, bit hush hush......

FM - But?

LL - Gotta dash, got a couple of clients roasting outside the Drug Clinic......

Puzzled, Felix rang Sgt Ferret at Walworth.

Fergus Ferret - You've been out of it a few weeks, Felix, so here's the catch-up:

None of the punters can find Croydon, much less afford the bus fare, so they all FTA'd and then surrendered to me so they got a free lift the following day. Custody was packed like Ryanair to Alicante but twice as drunk. Even worse, when Millwall were at home on Saturday they'd all come in Friday morning to make sure they weren't nicked before the match. The queue went down to East Street!

Got so bad, the Met hired a coach on Friday mornings. I would do a pick up at noon on the Green for the alkies, then on to the Brixton 'No Deal' Zone, then stop for the gangsters at Tulse Hill, then on to Croydon. By the time we got to the badlands of Thornton Heath it was mental: the barrage of discarded syringes and cider bottles coming from a bus driven by a police officer was beginning to attract attention. I got threatened with a CBO.

I suggested to my Super that we sabotage it, just cut the brake cable and the crime rate with one crash at the crossroads but she said that even Priti Patel was a bit iffy about War Crimes.

So, Fridays, a bus load of whacked out reprobates squalling for their lunch just made the cut-off at Croydon at 2.55. DJ Snookums went ballistic three weeks in a row.

The solution was that the mountain came to Mohammed: it's called 'Court 13'. Doesn't officially exist. They get in to Camberwell with a speakeasy knock on the chipboard and reconvene. There's a big laptop in the foyer, wired up

to Skype. DJ Cuddles does it from her greenhouse sorting the seedlings out, Barry Badger CPS's it in his pyjamas with a fag at the kitchen table, they blitz through the list and its out by lunchtime.

FM - But....Digital Mark-up?

FF - No sweat, Wanda Rabbit just enters it as a Virtual. She ain't there either.

FM - And if the MOJ find out?

FF - Won't happen, Oswald Orc just thinks it's all down to him and his brilliant "Enhanced delivery management of Virtual Courts. Strategic deployment of Police and Court Resources by effective liaison." At last he has got his Virtual figures up! Happy as a pig in muck, so he doesn't question where the swill came from.

FM - But....Security? What happens if Sue pots them?

FF - Sorted. It's like Amazon or Ebay, I run a "Trusted Defendant" scheme. Less than 95%, it's no entry at the speakeasy and my lasses will kick your door in at 3.00am.....on match day. They have to turn up in my Custody Suite within 30 mins max of Sue smacking them from her greenhouse.

FM - Brilliant, but it won't last; the developers will be in soon and start renovating.

FF - So we move. Got an option on the Church Hall at St Giles. Alcohol counselling, Housing Advice and surrender to your warrants, all in one go. One stop shopping. Give it a month or so to settle in and we'll go to Oswald Orc, fess up and suggest we formalise it. He'll figure it's worth an MBE and so he claims the credit.

But at the moment, Felix, it's strictly off record. Of course, there is no Duty Solicitor......turn up this Friday and you'll tout a fortune......

lccsa

**London Criminal Courts Solicitors' Association**