

12 Judging by appearances

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With Covid-19 British justice is, to quote Bob Marley, jammin'. The courts are improvising. And signal jams mean a frozen screen.

This is a kaleidoscopic look at the visual side of courts during the onset of the pandemic, contrasted with some pre-virus experiences. I write as an occasional unofficial sketcher having mildly hallucinatory courtroom sensations for my blog about drawing in different places. I see what the public sees but am free to present it in an idiosyncratic way, paying attention to the negative space, the bits in between.²

After the courts close the public sees precious little, so to set the scene here are four people on the legal front line whom I invited to write about their experiences: a campaigner, a judge, a barrister and an official court artist (see Box 1). Then I report on the illegality of courtroom drawing, rifle through artists'



Figure 12.1 During the first lockdown, the all-party law reform and human rights organisation Justice experimented with mock Crown Court trials online, to assess their workability and fairness. In one crucial innovation, people in the virtual public gallery could see non-confidential court documents displayed on the screen: transparency campaigners would like this to continue in court.

travelling kit and peer at the UK Supreme Court. I end with a pre-pandemic meditation on a visually unique courtroom experience, the Naked Rambler in the dock, and what that exposes about the justice system. A constant underlying theme: when you look at an image, believing your eyes is never the best policy.

First lockdown

Poor concentration, patchy sleep. Life becomes filtered, vicarious. Measured out in pixels. The courtroom migrates to the screen. Transmissions can be barnacled with time-wasting glitches. You look where the fixed camera says you must. You can't scan the room, subconsciously pick up the pheromones of a panicked QC, spot a bored instructing solicitor scrolling down Facebook, or hear the gentle breathing of the stranger asleep beside you in the public seats.

On the other hand, if you're watching at home, you can eat and drink in your dressing gown; file your nails with your Swiss army knife rather than surrender it to security; shout obscenities at the screen or split it with your Tesco order; decode taste in décor (the higher up the food chain, the greater the chance of an oak-beamed ceiling).

But first you must get permission to watch the virtual spectacle. It feels as if the public gallery has been junked for the duration, despite pious official assertions to the contrary. I don't want to eavesdrop on telephone-only cases, but my requests to watch video-streamed civil hearings meet unexplained refusals or no reply. Regrettably, things open up once I start to drop a name or two. (The lack of information about whether hearings are recorded and how to access recordings is beyond the scope of this chapter.)

Box 1 Lockdown experiences

Campaigner

Those checking on how the law is administered need more than a camera lens. Penelope Gibbs, a former magistrate, focuses her campaign on fairness, transparency and a humane approach. In 2012 she set up the charity Transform Justice which generates research and informs the public, legal practitioners and politicians. She reports on loss of access:

'Covid-era criminal courts were for a period closed courts. Many hearings were done virtually with no public access to lists or to the hearings themselves. The first month after lockdown started on 23 March 2020 was the worst. I spent it trying to gain virtual access to criminal court hearings, with no success. I also tried to work out whether it was legal to visit one of the magistrates' courts which was open. It was not at all clear whether travel to a court simply to observe constituted 'essential travel'.

In the end the Minister Chris Philp suggested that the public could legitimately visit magistrates' courts. So I started with my local—Highbury in

North London. The experience of getting in was not straightforward. I was rebuffed by court security there and at other courts, but insisted on my right to enter.

Once inside, the court was open as usual. Many seats in the public gallery were taped up to enforce social distancing, but very few people were watching. The challenge in some courts was in getting a good view of the defendants since they usually appeared virtually from police custody suites. They appeared on screens which were at an angle to the public gallery, so anyone watching got a distorted view.

I subsequently gained virtual access to two magistrates' courts via the Cloud Video Platform. I was one of the few non-journalists to observe magistrates' courts during the pandemic. It is a pity that so few people accessed these hearings. The normal justice rules were not followed at the peak of the pandemic and as a consequence I believe many defendants' rights were ignored. No research was conducted on criminal justice in the crucial months'.³

Judge

Robed or not, the judges trapped in their virtual doll's house squares evoke Francis Bacon's screaming popes. The stifled command, the confinement, the frustration with the bundles. Above the Master of the Rolls, grid lines of polystyrene ceiling tiles recede to infinity, echoing the painted popes' geometric cages.

But away from my flights of fancy, here is a measured look at reality from one judge:

'My overall impression is that remote hearings and mediations can work very well. I did my first remote mediation using the brilliant Microsoft Teams which allows you to put the different parties in entirely separate rooms, with no risk of anyone hearing anyone else (not something the Ministry of Justice's preferred platform, Kinly CVP, allows you easily to do). Counsel for one of the parties said his client preferred this form of mediation to the conventional kind, because there is absolutely no risk that you have to see or meet the other side.

You certainly need two screens, if not three, to allow you to have documents and emails open on one, while you conduct the hearing/mediation on the other. Again, being able to email at the same time is very useful, not least to warn people that you are about to pop into their space (or I might resort to using a bell!) but also to exchange documents, plans and so on.

My sense is that remote mediations might be easier and more popular than remote hearings, but it is too early to tell. In a courtroom, of course, a judge has an overview of what is going on, and can learn a

great deal from the reaction of parties and witnesses to evidence being given, which you simply do not get in a remote hearing (of course, no reference is ever made to any such clues in any judgment!). The other obvious point is that so much depends on the quality of your broadband or internet. I can well imagine that there will be many cases where the parties will not be able to take part, or will do so in a frustrating way. For me, the ability to work at home, and not to have to commute, is wonderful. I am sure that even when life goes back to 'normal' we will continue to use remote hearings and to conduct remote mediations'.⁴

In an aside, the judge comments about the visual side of arts events, but this chimes with what I see in virtual courtrooms too:

'I have been watching any number of remote talks and interviews: all the literary festivals have gone digital, and I am astonished that even really well established ones often have poor connectivity and, more strikingly, seem to give no guidance to speakers on background, height of webcam or distance from the screen. The best background is an entirely neutral one, but that is not always possible'.⁵

Barrister

Catherine Rowlands of Cornerstone Barristers gives the inside track from the early days:

'Remote hearings are inventing themselves as we go along. It's working well, because it's being developed by those of us who are actually doing it, rather than having a working party designing the system in the abstract and telling us what to do. Our processes work for us because they work for us, and the systems reflect the people who are adopting them. It's not surprising, then, that the visual aspects of our hearings are more casual and homespun than was initially intended. We were given stern advice about our backgrounds: they should be as plain as possible, they should not distract from our submissions, they should be appropriate and clean.

It didn't last long. We have backgrounds with books and with children's pictures and with fine art. We have clutter and mysterious blanket-covered heaps. We have shelves of files or shelves of spices. I've seen people in their bedrooms, even in their beds, in their living rooms with glimpses of the real world through their windows, and in anonymous, blank rooms that may be closets or bathrooms re-purposed but which are as distracting as a cluttered library as you wonder where they are.

We were supposed to behave as if we were in court. That didn't last long, either. Some behaviour is better: people interrupt less, knowing

that it's hard to manage. Some is less formal (worse? I don't say that). Judges swig coffee or tea (we assume) from mugs. I can't bring myself to do that, but I am acutely aware of how I look on screen—the bags under my eyes, despite wearing more make-up than if I were in 'real court' (and I always wear perfume!) and what faces I am pulling as I speak.

It's the closeness of the judge that is the shock. It's a lesson in advocacy writ large—you can read the impact of your submissions on the judge's face. That was a good point, and elicited a smile. A wince tells you that was a bad point. A raised eyebrow leads you to elaborate and explain your point—most judges have mobile, expressive eyebrows. The flicker of a judge's eye becomes all-important; a cloud across it, a twinkle in it, mean far more than they ever can in the courtroom. The distance is gone; you're close enough to share a smile of complicity.

And what about my expression as my opponent makes her submissions? I am not consciously trying to look sceptical or shocked or amused, but I read those emotions on my own face—a new experience, this, watching the spill-words write themselves across my features.

The one expression you can't afford to allow is boredom or distraction. You must gaze at the screen like a mother watching her sleeping child, never wavering. It's tiring; it's difficult. You can't let the background distract you, even when you notice something interesting. You start to worry about what your background tells others about you.

But the closeness also engenders familiarity. When the judge is sipping her tea, why not crack a joke? The screen is no barrier. When your opponent is so close you can see where he missed a spot shaving, why wouldn't you tease him a little? You do your best to treat it like a formal hearing but the façade soon slips. You're in someone's house—they're in yours—you must be friends, surely? This is not necessarily a good thing. Perhaps seeing the picture of the judge's kids behind him on the wall is stepping too close to intimacy. Perhaps the formality of the courtroom helps with respect. Image matters'.⁶

Court artist

I cover the point in more detail below but let's get this clear: in the UK it is illegal to draw or photograph court proceedings even if you are not in court but watching them on a device. Official court artists draw from memory. Here Elizabeth Cook describes that process:

'One of the earliest prominent cases after lockdown began was the libel hearing *Duchess of Sussex v Associated Newspapers*. The news agency PA Media commissioned me to draw the pre-trial hearing from home on 24 April 2020.

I would always prefer the interaction and close scrutiny that a live sitting would allow, but I can concentrate intently to the degree that I can memorise all I need to reproduce a good likeness. So the constraints I worked under for this hearing were no different from my normal *modus operandi*. I watched proceedings for about 10 minutes memorising the figures on screen, made brief notes re clothing and moved to an area out of sight and sound of the laptop to start the drawing. In fact, for a few years now, some defendants have appeared in pre-trial hearings on video screens in court, so the concept is not new to me. It is an advantage sometimes, in that I get a front view of the defendant rather than an awkward side view in a crowded courtroom.

Attending a trial is fascinating for any observer but for an artist concentrating intently on expression, mood, reaction and so on, it is very dramatic. I'm looking to convey all of these emotions in a single drawing. The interaction between the prosecuting barrister and the defendant is usually full of tension—there may be tears, an outburst, anger or indignation. Listening to the unfolding evidence, observing courtroom etiquette, running through the marble halls of the Old Bailey and planning the drawing while setting up my drawing board in a corner of the press room all provide a buzz of excitement. This was rather a contrast with the arrangement surrounding the Duchess of Sussex hearing, where I didn't have to catch the 5.50am train to London, squeeze on a rush hour Tube, go through security checks nor join the long queue to get into the courtroom and find a seat on the press bench with a good view.

If it's a warm and bright day it's nice to draw outside on a step near the court or a low wall. Passers-by stop and comment or watch for a while, surprised that I am able to draw a detailed scene from memory—they imagine a court artist draws in court.

When my drawing is finished I take it outdoors, photograph it on my phone and email it to PA Media who distribute it to the press nationally and often internationally within minutes. If a TV news company has commissioned me there will be a camera operator waiting outside to film it.

For the Duchess of Sussex hearing I drew exactly what I saw on screen. Disappointingly the screen was divided in four, with one quarter blank. There was no detail, just the head and shoulders of judge and counsel for the defence and prosecution in suit and tie. No paperwork was visible and the backgrounds were plain. My drawing would have been so much more interesting had there been a microphone visible or the back of a leather chair, files or books, a carafe and glass, or had participants worn wigs and robes'.⁷

Banned images

As highlighted by the court artist's account in Box 1, Section 41 of the Criminal Justice Act 1925 rules out drawing and photography in courts (excluding the UK Supreme Court) and their undefined precincts in England and Wales. Restrictions also apply in Northern Ireland and Scotland.

Technically, such activity is illegal only if it is 'with a view to publication', but no court usher in the land would give you the benefit of the doubt. Tom Keating, the notorious art forger, was allowed to get away with sketching from the dock at his trial in the Old Bailey, but didn't create a precedent.

This ban is particularly galling when people around you in the public gallery may be tweeting any old defamatory rubbish unobserved. While it is right that court artists have to leave juries and vulnerable participants out of the picture, such deliberate mystique is not helpful.

The ban was broadly to do with official distaste when newspapers published illicit photos of sensitive scenes—such as a poisoner attentive in the dock at the Old Bailey as he is sentenced to death by the black-capped judge.⁸

In 2018 the Court of Appeal was permitted to live-stream certain proceedings on YouTube, but such moves to make more court footage available have been hamstrung by Covid-19. The UK Supreme Court is the only court to put footage of all hearings (live and recorded) on its website and to post judgment summaries on YouTube. Established under the Constitutional Reform Act 2005, this court is able to take transparency seriously.

Making images

One day I saw a court artist working in the UK Supreme Court. As far as I am aware, this was the only time that a news agency had commissioned one to draw there: perhaps an editor with little experience of the dryness of Supreme Court appeals had hoped for some through-the-keyhole copy. It was *Bull v Hall*, a sex discrimination case about a same-sex couple in a civil partnership who were denied a room in a B&B.

The artist had a suitcase containing masses of well-used pastels and sheets of thick, tawny, parchment-type paper, 3' by 2', one of which she draped over her lap. She quickly blocked out a picture in outline and then, in a controlled frenzy to meet the deadline, drew the scene largely—it seemed—from memory. On paper, she moved the five justices closer together, pushed the appellants Mr and Mrs Bull apart, and redistributed anyone blocking the view. That way, she choreographed a compact dramatic tableau. A TV camera's lens could wander across it, picking out faces. It was not meant to be the equivalent of a photograph. (Nor was Laura Knight's depiction of the Nuremberg trials in 1946, a patchwork of portrait studies she had made over weeks in the courtroom and then copied for her oil painting.)

But how true to life is a photograph, anyway? On 4 November 2016 *The Times* ran a photograph of the Lord Chief Justice, the Master of the Rolls

and Lord Justice Sales standing together in solidarity. This was after they had been described as “enemies of the people” by the *Daily Mail* in response to their Divisional Court ruling that Parliament had a right to vote on triggering Article 50, leading to Brexit. Just one snag: if you look closely at the photograph (in the hard copy edition, not the online version),⁹ you observe that they are not standing together at all. Only one of them—the judge with a shadow—is in the room. The other two, hovering above cloned stretches of carpet as shadowless as Peter Pan, have been added by someone using software.

Matériel

Court artists in England generally use pastels to cover a lot of ground quickly. Artist Richard Cole—who, in a flak jacket, was the only accredited artist at the Abu Ghraib prison abuse courts martial in Baghdad—is one of those who prefer the portability of pencil and watercolour, which he points out has the drama of still drying in front of the cameras.

One of the most prominent court artists, the American Howard Brodie (1915–2010), got by with a few crayons. Artist Victor Juhasz describes on his blog how, as a newbie sweating with nerves at the start of the trial of Ronald Reagan’s would-be assassin John Hinckley, he spotted his idol, Brodie:

‘Where are all his art supplies? I came loaded for bear. Where are the million and one colored chalks, and brushes, and pens? He’s got his drawing pad open, 18" × 24", like me. That’s cool. But all he’s got are some Prismacolor pencils—three colors—Tuscan red, black, and a dark blue. My attention is drawn to his lightning fast gestural marks setting his characters in place. With Zen-like jottings and jabs, he establishes the basic structure in black pencil and then brings in the red and blue to fill in and add weight. The energy is startling and the confidence is unmistakable’.¹⁰

I am normally snooty about drawing with software, which to me has a dead, second-hand look, a plodding line and a flattened limitation of colour. I like organic materials with a mind of their own which show friction, the passage of time, the body’s movement. But, away from the courtroom, I have to make an exception for *Nursing Story* by Oh Young-jun in South Korea. He became a nurse after art school and volunteers for hardship postings in the intensive care unit. His electronic rapid reportage sketches of the nurses’ endurance and exhaustion during the Covid-19 onslaught are on Facebook (@nursingstory) and Instagram (@nursing_story). No grand set piece could say as much as a simple drawing of an ICU nurse giving herself a coat-hanger drip so that she can slog on. And the caption to a seemingly ordinary picture of a nurse says that she is not being protected from radiation while deploying a mobile X-ray unit.

In the UK Supreme Court

I have been an occasional sketcher in the public seats (with the court's permission) but there is of course no point in drawing here, since everything is filmed, so why do it at all? To quote Lord Neuberger, former President of the Supreme Court, wildly out of context: "In many cases, quick and dirty justice would do better justice than the full majesty of a traditional common law trial".¹¹ I argue that there is also a place for quick and dirty drawing, my favourite kind.

The three courtrooms are sometimes sparsely populated, generally busy, and on rare occasions packed and febrile, as during the emergency hearings about the illegal prorogation of parliament in 2019. In terms of creature comforts the building is a softer option than some of my other drawing gigs which have included:

- Fetish clubs. Compared with courts, they have more rules, a stricter dress code and a less inclusive door policy.
- Occupy protest camps and squats. In a court, two opposing sides are represented. Occupy contained far more than two.
- Next to a flyover on Portobello Road. Great personnel, poor air quality.

In the court, my paper must be no more than body-width, an exiguous limit for me, especially when there are nine or even 11 judges instead of the usual five. I use nothing that would leave dust on the magnificently bright Peter Blake carpet (pastel, charcoal). Nothing splashy (ink) or noisy (swooshes of hard Conté stick on textured paper). I have trusty Japanese cartridge pens, felt-tips (sorry), pencils, crayons. Some watercolours, a manga pen and a plastic waterbrush all in a cute box (the Kuretake Little Red Gift Set), although it's more grown-up to make your own miniature set. And I leave my preferred kit at home because it requires a tank of ink: bedraggled goose quills, bamboo pens, wooden coffee stirrers, calligraphy brushes, balls of sheep's wool and (my most cherished souvenir of Occupy) the tip of a white man's dreadlock which led to a court case.

I offer a commentary on my solipsistic blog about live-drawing (drawing on location, not to be confused with life-drawing, depicting the naked figure). A random Miss Flite, I try to decode the courtroom theatre and show people at work. I can look for human details such as the anxiety of a QC on his feet, rapidly clenching and unclenching his hand behind his back while presenting a bold front to a row of Justices.

I am not here to caricature. The robust tradition of political lampooning—an important indicator of a democracy's health—would be misplaced in court. Our justice system is too precious for that.

Spectators come and go, staying for minutes or hours. It's a site for spotters, purists and lovers of cool legal abstractions, not for the *tricoteuses* who frequent the Old Bailey for murder. There is no age limit but a noisy toddler

might attract a hard stare from the bench. Some of the casual tourists (and a few lawyers) are clearly unnerved by a primitive fear of what is in the room: the relentless apparatus of a judicial process leading to finality, with roots trailing to an unknown past of human sacrifice. Sometimes there's an inescapable *Wicker Man* vibe, even in civil actions.

The Supreme Court is democratically flat,¹² with the bench on the same level as everyone else. This goes with the lack of pomp and paraphernalia—Justices reserve gowns for ceremony and advocates are hardly ever robed—but it restricts the sightlines, while Justices and staff, even if I can see them through intervening heads, can seem far away across the howling tundra. How do you deal with that? Sometimes I experiment with transparent outlines to show more people.

My main tip: don't get noticed. My most unsettling court experience was in the Cour d'appel in the Palais de justice in Paris: a man with an actual gun—one of a team of gendarmes roaming the courtroom, indifferent to the appeal—loomed over my sketchbook and, worst of all, called me *tu* after I dropped a pencil, the sound of which reverberated around the court for about half an hour.

Despite the low profile, sometimes I have to field questions from others in court. Most common are:

- a “Did you draw me?” (That'll be a QC.) Possibly, but maybe not in the conventional heroic guise.
- b “Who's going to win?” (That'll be a tourist.) Search me—but don't read too much into whether the bench is fractious, purring or non-committal. The tone of judicial interventions can have more to do with the conduct of the case than the state of the law or any killer argument.

Finally, visitors to the court's cafeteria are subject to the benign but probing gaze of souvenir teddy bears representing the Supreme Court and the Judicial Committee of the Privy Council, which sits in the same building. The bears begin to infiltrate my drawings and this ends up as an illustrated book, *The Supreme Court: A Guide for Bears*, in which the earnest ursines explore their Art Nouveau Gothic habitat.¹³

The Naked Rambler in the dock

My drawing worlds collide in 2015: a nude invades the courtroom in the shape of Stephen Gough, the Naked Rambler. Just one snag: this is Winchester Crown Court, so I will have to draw afterwards, from memory.

I nearly have a wasted journey. Just before the off, Steve's brief, Matthew Scott, kindly warns me that I won't be able to see the dock from the public gallery, which is directly above it. Many courts are designed to lay out their contents like a royal flush for the sole benefit of the bench. I blag my way airside.

...a jury of your bears.



Figure 12.2 Some of the negative space in *The Supreme Court: A Guide for Bears*—in this book I point out that there is no jury in the court.



Figure 12.3 *Lynn Shellfish Limited and others v Loose and another*, UK Supreme Court, 9 February 2016.

Steve is a former Royal Marine trained in the Arctic, so tramping around the UK in nothing but boots, socks, a chunky watch and a rucksack doesn't bother him. I feel that his struggle is concerned not with some right to be publicly naked, but with a compulsion to challenge authority, and that he

uses nudity as a fig leaf. This has led him to the highly controlled environment of prison. Does he seek this control? Does he wear HM Prison Winchester like a garment?

When Enid Blyton played tennis in the nude, no one called the cops. Context is all. Sightings of an unclothed Steve have riled the courts to such a degree that he is now saddled with his own tailor-made Anti-Social Behaviour Order. You and I can be legally naked in public unless we commit a chargeable offence, but the bespoke ASBO permits Steve no such luxury. This leads with lumpen logic to a potential infinity of jury trials (I am at his fourth) and custodial sentences.

As Matthew Scott has pointed out, “The problem is with an Anti-Social Behaviour Order that turns an eccentric into a criminal, and a prosecution system that could easily turn a blind eye, but which prefers instead to try to break the will of a harmless and astonishingly courageous man”.

As I try to memorise Steve’s appearance, life modelling comes to mind. In class or in the artist’s studio, the naked model commands the space, clothed by custom and authority. No one is allowed to touch you. As a life model I have felt as armour-plated and anonymous as any judge in wig and robes. Like a judge, you see everything, you keep an eye on the time, you can give orders pertaining to your comfort and safety, no one is going to contradict you (or if they do, they have to be super-tactful in the veiled way of an experienced advocate), and as long as your physical pain is just about endurable you hide it.

The person horribly exposed in class is the artist, whose soul is revealed by every line committed to paper. And in Winchester Crown Court today, Steve’s nudity seems almost irrelevant. Splayed out for public scrutiny is the inflexible legal system which has kept him in solitary confinement for some ten years at a public cost of about £400,000.

Steve’s prison-pale body is hardy, bone and sinew, gently softening with time. It is the blank parchment on which other people can impose their own interpretation—hero, mischief-maker, victim of injustice. His skin has something of parchment’s dry sallowness in the harsh downlights of the dock. He would have been seized by any self-respecting Renaissance painter as the weather-beaten model for another persecuted outsider, John the Baptist. As it is, this former soldier has something of the vulnerable warrior in *Descanso de Marte* (‘Mars resting’) by Velázquez (1640) and also of *Prometheus* by Gustave Moreau (1868), tormented but philosophical as his self-renewing liver is permanently devoured by an eagle—Steve’s predicament indeed.

He is shielded by a wooden screen below, security glass above. He gazes up to heaven like a grizzled terrier or leans forward, straining to hear, his nose against the glass.

(And let’s just put the dock in the dock for a moment. Much has been said about whether it should exist at all. Its separateness says “guilty as hell”. Take the design in Westminster Magistrates’ Court: the dock has a big red panic button. Detained defendants emerge from the lower regions through a door at the back. Those who have not been detained are shown into the dock by the usher who locks its glass door and takes away the key. Microphones give

judges and advocates an authoritative resonance. The person in the dock speaks from a dull acoustic, as if masked.)

This morning, Steve has abruptly decided to represent himself, so Matthew Scott must swiftly cast off wig, gown and status. Now he is the one who is officially naked. To the evident relief of the judge he remains as an *amicus curiae* (“friend of the court”, a non-party who offers information and arguments).

But you can’t defend yourself if you are not allowed in the courtroom at the same time as the jury. Steve won’t promise to remain seated and hide his genitals from the jury’s sight—he insists on the proper protocol of standing when he is addressed by the judge—so he is forbidden to appear before the jury and banished to the cells. Throughout, an official sits with a plastic-wrapped grey marl prison-issue tracksuit on her lap.

Steve is remanded in custody. This is a memory-drawing gig so on the train home, surrounded by squaddies, I start sketching in pencil in an A5 sketchbook from John Purcell Paper (wholesale fairyland in South London). At home I recreate it with a Platinum 3776 Century pen (soft fine nib) and watercolour.

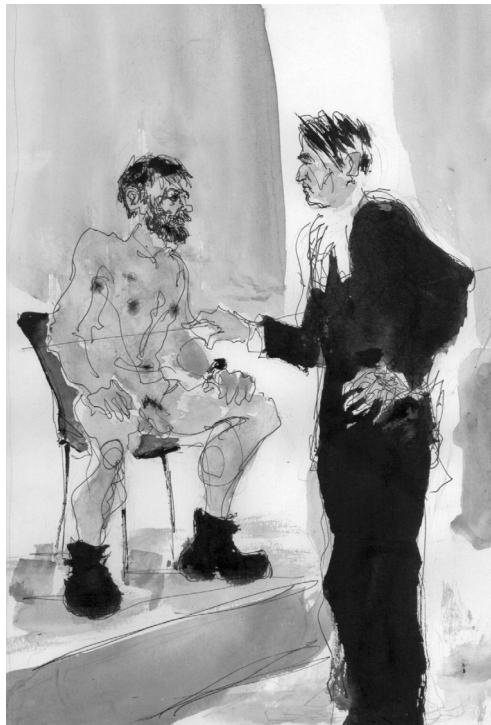


Figure 12.4 The Naked Rambler and his brief, Matthew Scott. The lower part of the dock is not transparent, being made of wood, but I have met and drawn Stephen Gough before, in a private house, so I cheat for the sake of the drawing.

At the sentencing hearing a couple of months later, the same judge sighs, “Do you want to say you’re sorry?”

“I’m not sorry,” says Steve, his breath misting the glass in front of him. Even so, he gets away with what sounds like the minimum sentence. At the time of writing, Steve is a free man.

Nothing but the truth?

Some kinds of drawing—in the technical fields of surgery or archaeology, for example—augment photography. They represent three dimensions in an objective, sometimes diagrammatic fashion. But in court you are not drawing a motionless anatomical specimen or the strata of a dig. Nor can you draw the concept of legal truth.

Drawing is autobiographical. The artist intervenes between the subject and you. Magritte’s 1929 painting *La Trahison des images* (the treachery of images) says *Ceci n’est pas une pipe* (this is not a pipe). Correct. It is a picture of a pipe. Time passes, events unfold. If there is natural light, it changes. A drawing advocates a point of view. A photograph can be just as manipulable as a drawing. Consider how far you can believe your eyes.

Notes

- 1 Writer and artist.
- 2 Website: <https://isobelwilliams.org.uk>. Blog: <http://isobelwilliams.blogspot.com>. Some of her versions of poems by the Latin poet Catullus are in the anthology *New Poetries VIII* and her full collection is in her illustrated book *Catullus: Shibari Carmina* (both Carcanet, 2021).
- 3 Email from Penelope Gibbs to author (10 August 2020).
- 4 Email from anonymous judge to author (6 August 2020).
- 5 Email from anonymous judge to author (6 August 2020).
- 6 Email from Catherine Rowlands to author (26 August 2020).
- 7 Email from Elizabeth Cook to author (19 August 2020).
- 8 Professor Linda Mulcahy explores the ban in ‘Revolted Consumers: A Revisionist Account of the 1925 Ban on Photography in English and Welsh Courts and its Implications for Debate About Who is Able to Produce, Manage and Consume Images of the Trial’ (2018) 4 *International Journal of Law in Context*, <http://eprints.lse.ac.uk/89510>, accessed 23 August 2020.
- 9 *The Times*, 4 November 2016, 10–11, picture credit ‘Photoshot’.
- 10 Victor Juhasz, ‘Howard Brodie 1915–2010’ (*Drawger*, 19 September 2010), https://drawger.com/victorjuhasz/?article_id=11315, accessed 23 August 2020.
- 11 Lord Neuberger of Abbotsbury, ‘Justice in an Age of Austerity’ (JUSTICE, 15 October 2013), <https://justice.org.uk/wp-content/uploads/2015/02/Justice-in-an-age-of-austerity-Lord-Neuberger.pdf>, accessed 23 August 2020.
- 12 See L Mulcahy, *Legal Architecture: Justice, Due Process and the Place of Law* (Routledge 2011) 7.
- 13 For more about the building: *The Supreme Court of the United Kingdom: History, Art, Architecture*, a handsome illustrated book edited by Chris Miele, from the court and bookshops (Merrell 2010).