

Subject: URGENT: Police Interviews and COVID-19

Dear Janine and Karen

I apologise for emailing you direct at a time when I know you will be incredibly busy. I wouldn't do this unless there was an issue that needs your urgent attention.

I have just returned from the Bridewell. I went to represent a woman arrested for 19 shop thefts. All caught on CCTV and named by shop staff. The OIC told me that the evidence was clear for all offences and my client would be charged whatever she did in interview.

My client is a heroin and crack addict with a terrible cough. She looked particularly unwell.

There are zero measures in place at Bridewell to reduce risk of spread of the virus. The few hand sanitizer bottles contain antiseptic cream, with no alcohol, so are useless against the virus. The small interview rooms are not cleaned between interviews and not large enough for adequate separation. The police could not tell me when they were last cleaned. Nobody is respecting a two metre gap. From what I have just seen, business is continuing exactly as normal in the Bridewell. I have heard that other custody suites are doing the same.

When I asked the OIC why she thought the interview was necessary, her reply was that it is normal protocol and that the CPS don't like it if suspects are not interviewed.

My client chose not to be interviewed. In the current circumstances, I cannot imagine a scenario where I will advise any client to be interviewed as it is a clear breach of the instructions from Public Health England and risks the health of everyone involved. In these circumstances, I cannot imagine that any court would ever allow an adverse inference to be drawn.

There is no adjustment in police thinking to take into account of the current hazards of people mixing or the virus being picked up on surfaces. They believe that CPS are insisting on an interview in every case. Surely this cannot be correct? If every Crown Court trial has had to be stopped, surely there must also be some changes in policy regarding interviews.

This is the first time I have left my house since Sunday as I have strictly followed all PHE and Government guidance. As a result of this attempt at a totally pointless interview, I have now risked bringing the virus into my household and have risked infecting my family.

I implore you to provide guidance to the police so that these interviews can be stopped immediately and more people are not put at serious risk.

I have read some sensible suggestions for alternative ways of the police working in the current crisis. I do not see why the police couldn't email to us full disclosure, so that we can then speak to our clients on the phone and then email to the police a statement of the client setting out anything they want to put forward. I understand that this may not be the absolute best for gathering evidence, but the rule book has currently been thrown out of the window and the first concern should be the safety of everyone involved.

Many thanks for considering this.
Please contact me if you wish to discuss.

All the best and take care.

Jon Hullis