

APPEAL's response to the Police, Crime, Sentencing and Courts (PCSC) Bill in the House of Commons.

APPEAL has been notified that subject to Parliamentary approval, the PCSC Bill which was introduced to the House of Commons yesterday, will replace the current emergency provisions in the Coronavirus Act 2020, which extend the use of video and audio hearings and enable more participants to attend criminal hearings remotely.

APPEAL is concerned that the impact of video links on the outcome of hearings has been poorly researched and could lead to more wrongful convictions. APPEAL is concerned about vulnerable individuals who are disproportionately over-represented in the criminal justice system. Video and audio hearings may mean that defendants with mental or physical health issues or those for whom English is not their first language may be deprived of the support they need during their court case, and it will be harder for them to be advised by and give instructions to their legal representatives.

[Transform Justice's](#) report of 2017, '*Video courts: conveyor belt justice or revolution in access?*' raises serious questions about virtual justice.

A survey of around 300 court users – including magistrates, lawyers, probation officers and defendants – found 58% of respondents thought appearing on video made it more difficult for defendants to understand what was going on and to participate.

A large proportion, 70% of respondents, said it was difficult to recognise whether someone who was on video had a disability, while 74% believed that those who had no legal representation were disadvantaged by appearing on video.

Emily Bolton, Director of legal charity APPEAL, said:

““While the pandemic has necessitated a temporary move to video and audio hearings, it is important these measures are not made permanent without providing adequate safeguards for the most vulnerable. More needs to be known about the impact of video hearings on vulnerable defendants, witnesses and fair trial rights. Without such assurances, the risk of miscarriages of justice remains too high.”