

ANATOMY OF A SCANDAL

Episode #105

“The Reckoning”

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Based on the Novel by

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"THE RECKONING"

1 INT. ALI'S HOME - MIDDLE OF THE NIGHT 1

ALI, bathrobe, bounds down the stairs, goes to the front door, opens it to reveal KATE.

KATE

I am so sorry.

ALI

Don't be ridiculous. Come in.

A2 INT. ALI'S HOME, LIVING ROOM - MOMENTS LATER A2

They sit on the sofa. On the low table lie a few newspapers. Coffee.

ALI

To be honest, I'm surprised you haven't cracked before now.

KATE

Who says I've cracked?

ALI

Just wandering the streets in the middle of the night... Looking fantastic, by the way.

That almost gets a smile. But not quite.

ALI (CONT'D)

(then)

I wish you'd gone to the judge.

KATE

It would have served nothing.

ALI

Ah... except the truth. That you know the man you're prosecuting and--

KATE

I don't know him--

ALI

--that you were tutorial partners with his wife--

KATE

That was Holly.

(CONTINUED)

A2 CONTINUED:

A2

ALI

Oh, come on, Kate!

KATE

I didn't come for the lecture.

ALI

I know. You came for my sparkling company. And vodka.

Ali takes her hand. And Kate regards her hand in Ali's. Human touch can be everything it's cracked up to be.

As Ali gets up to pour glasses of vodka...

KATE

It's true.

ALI

What?

KATE

I should have gone to the judge. Or the CPS. Or even Angela. But it's too late now...

Ali puts a vodka before Kate, sits back down.

ALI

Your voice on the phone earlier... you know what it reminded me of?

A beat. A look between them.

ALI (CONT'D)

When I found you in the loo. At Uni. After your assault. You'd scoured yourself to the point of breaking skin--

KATE

I don't want to talk about--

ALI

I know you don't. And I get it, I do. But it's like you're being mean to yourself, carrying the burden alone. And I don't like to see it...

Ali holds Kate's gaze.

ALI (CONT'D)

You never even told me who it was.

(CONTINUED)

A2 CONTINUED: (2)

A2

KATE

Because it doesn't matter.

ALI

(with love)

Kate. It most certainly matters.

A beat.

ALI (CONT'D)

It was Tom Southern, wasn't it?

KATE

What?

ALI

I knew it was a Libertine, you admitted as much.

KATE

It was not Tom Southern.

ALI

It would make perfect sense that--

KATE

It wasn't Tom Southern.

ALI

Then who?

Another beat.

ALI (CONT'D)

Let me share the weight of this.
Please. I'm your best mate. Why
can't you tell me who did this to
you?Kate finally she reaches for a newspaper, turns it over,
James' handsome face a mockery. It takes a moment...

Shock.

ALI (CONT'D)

You must be joking.

Nope. Silence.

ALI (CONT'D)

Oh, my God. I feel so stupid.
Literally staring me in the face.
Fucking hell, Kate.

(MORE)

(CONTINUED)

A2 CONTINUED: (3)

A2

ALI (CONT'D)

(then)

Oh, love... I'm so sorry. I wish
I'd known.

KATE

It wouldn't have changed anything.

ALI

What possessed you to take this
case, to prosecute your own...?

KATE

Rapist?

The word fills the room.

KATE (CONT'D)

(steely)

No one else was qualified. Not like
me.

ALI

But to put yourself through this...

KATE

(some emotion)

Ali. I had no choice.

Ali stares back with worry, pity even. This rises to a
sickness.

ALI

How do you look him in the eye
every day?

KATE

I've mostly avoided his eyes. That
won't be possible tomorrow.

(looking at her watch,
correcting)

Today.

A new thought...

ALI

Isn't this a sackable offense?

Silence. Of course it is.

ALI (CONT'D)

My friend... you fucked up.

Kate can't argue.

(CONTINUED)

A2 CONTINUED: (4)

A2

KATE

Yup.

Ali thinks. Nods. Takes Kate's hand again.

ALI

So today... you need to fuck up
brilliantly.

B2 INT. WHITEHOUSE HOME, BEDROOM - MIDDLE OF THE NIGHT

B2

James is asleep beside her, but Sophie is wide awake.

PRELAP:

BANGING ON A DOOR.

FLASHBACK:

C2 INT. SHREWSBURY COLLEGE, SOPHIE'S DORM ROOM, JUNE 3, 1995 - NIGHT

C2

CLOSE ON:

Clothes on the floor: A LITTLE BLACK DRESS.

Young Sophie, bathed in moonlight and asleep in her bed,
is finally awakened, disoriented. She looks at the clock:
12:23 AM.She gets out of bed and opens the door to find her rather
disheveled boyfriend Young James, dressed in his
Libertine garb. He's the one who's been banging.

YOUNG JAMES

I woke you. I'm sorry.

She makes room for him as he enters.

YOUNG JAMES (CONT'D)

Go back to bed, darling.

Young James sits on the bed, undressing, as she climbs in
beside him. Once he's undressed he spoons her, wrapping
his arm around her.

YOUNG SOPHIE

You're trembling.

She turns around to face him, sees that his eyes are red-
rimmed. Finally, he whispers in her ear...

(CONTINUED)

C2 CONTINUED:

C2

YOUNG JAMES
Something terrible happened.

YOUNG SOPHIE
What?

YOUNG JAMES
The lads were carrying on in Alec's
room and... somebody had brought
heroin.

YOUNG SOPHIE
Heroin? Really?

YOUNG JAMES
I got us away, I got Tom out of
there because--

YOUNG SOPHIE
(cutting him off)
I don't want to know. I'm just glad
you left.

Instinct prevents her from wanting to hear the whole
story.

YOUNG SOPHIE (CONT'D)
You're a good friend.

YOUNG JAMES
I feel like I can trust you with
anything.

She takes his hand.

YOUNG SOPHIE
You can. Anything.

YOUNG JAMES
You'll be my alibi, sweet Soph.

YOUNG SOPHIE
Why would you need an alibi?

YOUNG JAMES
Because I think I fucked up. Big
time--

YOUNG SOPHIE
Shhhh. Surely it wasn't anything
that can't be fixed.

She embraces him.

BACK TO PRESENT

(CONTINUED)

C2 CONTINUED: (2)

C2

Sophie turns to face her sleeping husband, stares at him, trying to fathom him. She pulls on the covers a bit, which causes him to become half awake.

JAMES

You okay?

SOPHIE

I just realized it was the same night.

JAMES

What was the same night?

SOPHIE

At Uni. Dancing with you in my black mini and the night of Alec's accident.

JAMES

Was it?

James rolls over, goes back to sleep. But Sophie is still wide awake.

SOPHIE

Yes, it was.

2 INT. WHITEHOUSE HOME, BEDROOM, WALK-IN CLOSET - EARLY MORNING

2

JAMES, showered and bare-chested, is pulling out a brand-new laundered and ironed white button-down with double cuffs.

He puts the shirt on and begins buttoning, carefully, deliberately.

Once his shirt is buttoned, he inserts a pair of low-key, high-end cuff links.

He reaches for his tie and ties it into a fat Windsor knot.

He looks in the mirror, focuses on his tie, as he picks up where the memory left off at the end of Episode 103...

FLASHBACK:

A3 EXT. OXFORD - NIGHT A3

YOUNG JAMES, dressed in his full Libertine kit, a bit frantic, adrenaline pumping, is running, running, running. He rounds a turn into--

B3 EXT. OXFORD, COLLEGE CLOISTERS COURTYARD - CONTINUOUS B3

Collides with a startled faceless YOUNG WOMAN.

YOUNG JAMES

Sorry. Sorry.

BACK TO PRESENT

James cocks his head. He just can't conjure the face.

3 OMITTED 3

4 OMITTED 4

A5 INT. WHITEHOUSE HOME, KITCHEN - MORNING

A5

TOAST POPS UP.

KRYSTYNA reaches for the two pieces and puts peanut butter and sliced banana on one and mixed berry jam on the other, placing them in front of FINN and EMILY, respectively.

KRYSTYNA

We need to be out the door in ten minutes.

SOPHIE enters the room.

EMILY

I don't want to go to school.

SOPHIE

Why not?

EMILY

I want to watch Daddy call that lady a liar.

Sophie is thrown, tries to cover.

SOPHIE

The Crown Court isn't for children.

FINN

Why not?

EMILY

We got to watch him in the House of Commons.

SOPHIE

This is different.

James enters, fully dressed in his impeccable suit, crosses to get coffee.

JAMES

What's different?

SOPHIE

Em wants to watch Daddy call that lady a liar.

There is a tension in his jaw as he pours.

JAMES

There's no need for that.

(CONTINUED)

A5 CONTINUED:

A5

EMILY

But why would she lie about you,
Daddy?

Sophie and James share a look.

JAMES

Because...

He falters. Sophie comes in for the save.

SOPHIE

...she must be confused.

FINN

Is she a bad person?

Sophie looks away as James regains his confidence.

JAMES

The thing is, we already know how
the story will end.

EMILY

How do we know?

JAMES

Because we have the utmost faith
that the jury will see the truth.
And--

He points his right index finger to the sky.

JAMES (CONT'D)

What am I, good man?

This is a game they have.

FINN

(with a giggle)
A Whitehouse!

JAMES

And what are you, my good man?

FINN

A Whitehouse!

JAMES

And what's the thing about
Whitehouses?

FINN

We always come out on top!

(CONTINUED)

A5 CONTINUED: (2)

A5

JAMES

So there you have it.

ANGLE SOPHIE. This game is ordinarily so amusing. But now it's a bit horrifying, perverse even. This little cat will be raised in his father's cradle.

As James takes his first sip of black coffee, he somehow partially misses his mouth and spills on the front of his brand new shirt.

JAMES (CONT'D)

Fuck.

EMILY

Daddy!

JAMES

Sorry, sorry!

A strange and nervous laugh, and then, by way of explanation as he leaves the room on his way to change:

JAMES (CONT'D)

It was bloody hot.

5 EXT. LONDON - MORNING

5

Kate is walking to work. Eyes forward, she is hardly present. She is in the future. About two hours or so in the future.

FX:

KATE -- SHE STANDS UP AT THE TABLE IN THE COURTROOM, READY TO BEGIN HER CROSS.

BACK TO PRESENT

She walks.

FX:

SHE RISES AGAIN. AND AGAIN. AND AGAIN.

BACK TO PRESENT

She walks. As she turns a corner, she nearly collides with--

FX:

YOUNG JAMES IN HIS LIBERTINE TUX -- 1995.

(CONTINUED)

5 CONTINUED:

5

YOUNG JAMES
Christ! Sorry, sorry, sorry!

BACK TO REALITY

It's ANOTHER PEDESTRIAN.

KATE
My fault.

And she continues on.

6 INT. BLACK CAB - DAY

6

Sophie and James sit in the back seat. Silence.

JAMES
Are you all right?

After a beat...

SOPHIE
All these years I've been so busy
trying not to be like my mother,
instead I've wound up being like
yours. I'm the ghost of Tuppence
past.

JAMES
I have no idea what that means, but
I do know that I was very careful
not to marry my mother.

They continue to drive in silence.

JAMES (CONT'D)
Tell me it's going to be okay.

Slightest pause.

SOPHIE
It's going to be okay.

A7 OMITTED

A7

(CONTINUED)

A7 CONTINUED:

A7

B7 INT. BLACK CAB - CONTINUOUS B7

The cab pulls up. They've arrived at court.

7 OMITTED 7

PRELAP:

PAPARAZZI (O.S.)

Is that him?

8 EXT. OLD BAILEY - DAY 8

James gets out of the cab, reaches inside the back seat and offers his hand to his wife, which she takes.

The PAPARAZZI rush at them as they make their way toward the court.

PAPARAZZI

Sophie! Sophie! This way!

(CONTINUED)

8 CONTINUED:

8

A VETERAN COURT REPORTER from central casting -- red-faced, middle-aged male, trench coat, clutching a notebook -- barrels through.

VETERAN COURT REPORTER
Does the PM still have full
confidence in your husband, Sophie?

Sophie, destabilized at first, musters a withering look, as JOHN VESTEY appears and sweeps them through a door to safety.

PRELAP:

ANGELA (O.S.)
You sure?

9 INT. OLD BAILEY, QC DEFENSE OFFICE - DAY

9

James sits at a table as ANGELA holds two cups of coffee.

JAMES
Had my limit already.

ANGELA
Which is?

JAMES
One cup.

ANGELA
I do admire people with that sort
of restraint.

JAMES
You wouldn't want me shaking.

ANGELA
I would, actually.

JAMES
I beg your pardon?

ANGELA
Your charm is a plus. But your
certitude won't serve us today.

JAMES
I didn't rape her. Of that I am
certain.

She's schooling him now, within bounds...

(CONTINUED)

9 CONTINUED:

9

ANGELA

And yet you are a modern man. A Conservative, but a feminist nonetheless. Which is why, as you told me, the thought that any woman -- for her own set of surely complicated reasons for which you have great sympathy -- the thought that any woman could so misread and misrepresent what happened in that lift... That is what has shaken you to the core. And that is what the jury needs to see.

Angela slides the cup of coffee toward him. While holding her gaze he lifts it with a steady hand and downs it like so many shots of whiskey consumed in his unfettered youth.

ANGELA (CONT'D)

One other thing: Kate Woodcroft. She's very good.
(off James)
Don't underestimate her, don't let her catch you off guard and don't stray from the main issue--consent.

10 INT. OLD BAILEY, OUTSIDE OF THE QC DEFENSE OFFICE - DAY

10

Sophie is sitting on a chair, searching Facebook for "ALISON JESSOP".

She hears the sound of voices turning the corner and looks up to see Kate Woodcroft and her pupil MAGGIE walk by. Kate makes eye contact for a split-second before looking away, betraying nothing.

Sophie's gaze lingers on Kate as she and Maggie continue down the corridor.

PRELAP:

ANGELA (O.S.)

Can you believe it? It just stopped working.

11 INT. OLD BAILEY, ROBIN ROOM - DAY

11

Angela is holding up the wrist on which she's wearing her FITBIT.

(CONTINUED)

11 CONTINUED:

11

ANGELA

Two hundred quid and lasted less
than six months--

(to the Fitbit)

--cheeky bugger.

(then)

Speaking of cheeky buggers, I
understand that old bird isn't
giving up.

KATE

Which old bird?

Angela makes sure they're alone.

ANGELA

The one who was making up stories
about my client from his Uni days.
She keeps pestering the cops to
locate the girl.

Kate is at the mirror. When she looks up... HOLLY'S
REFLECTION IS STARING BACK AT HER. She looks away.

KATE

I thought the girl was dead?

ANGELA

No. Her Mum said she'd gone to
Australia.

KATE

(trying to cover)

Same thing. Do you want me to check
with the officer?

ANGELA

Yes, if you could. My solicitor
says the police keep telling her to
piss off--

(clarifying)

--the old bird, not the girl in
Australia.

Angela nods in the direction of Kate's court clothes.

ANGELA (CONT'D)

You coming or am I arguing both
sides today?

Kate picks up the wig, dons it, blinks before she looks
back in the mirror. HER OWN REFLECTION THIS TIME. She is
Kate Woodcroft. And today is the day.

(CONTINUED)

11 CONTINUED: (2) 11

PRELAP:

CLERK (O.S.)
Be upstanding in court.

12 INT. OLD BAILEY, COURT 2 - DAY 12

ALL RISE IN THE COURTROOM AS JUDGE LUCKHURST makes his way in.

After the judge has taken his seat, everyone retakes theirs.

IN THE GALLERY, Sophie is sitting at a straight-backed angle, gazing down.

SOPHIE'S POV:

Of her husband in the witness box. He looks... unafraid.

And then the POV shifts to Kate, double-checking something in an arch lever file, the edge of which is thick with colored Post-its, the pages bright with the fluorescent underlining of certain sentences.

Sophie's gaze lingers on her.

There isn't an open seat in the entire gallery. Not today.

ANGLE KATE, eyes of steel. Hands folded. She breathes quietly but intently. Imagining her lungs expanding and pushing down to her diaphragm, drawing in as much oxygen as possible. Kate Woodcroft is nervous. But she is also ready. She has been waiting for twenty years. Kate Woodcroft is ready.

RESUME

JUDGE LUCKHURST
(to the clerk)
Can you swear the witness.

CLERK
(to James)
Can you read the words on the card.

In the witness box, James picks up the printed card.

(CONTINUED)

12 CONTINUED:

12

JAMES

(reads)

I swear by Almighty God that the
evidence I shall give shall be the
truth, the whole truth and nothing
but the truth.

JUDGE LUCKHURST

Miss Regan, you may begin.

Angela stands up.

ANGELA

Thank you and good morning, My
Lord.

Angela turns to the witness box.

ANGELA (CONT'D)

Can you give your full name to the
court, please?

(CONTINUED)

12 CONTINUED: (2)

12

JAMES

Yes, my name is James Charles
Whitehouse.

James looks at Angela, but then moves his head to include
the JURORS and the public gallery, as well.

ANGELA

Are you a family man, Mr.
Whitehouse?

(CONTINUED)

12 CONTINUED: (3)

12

JAMES

I am.

ANGELA

In that case, how do reconcile your affair with Miss Lytton?

James reaches for the glass of water in front of him, a man tormented by his failings.

JAMES

My affair with Miss Lytton was wrong, the worst thing I've ever done.

ANGELA

Then why did you allow it to happen?

This question appears, momentarily, to stump him. But the answer is so simple...

JAMES

We were attracted to one another. Deeply.

Sophie lips tighten as she wills the rest of her body not to react.

JAMES (CONT'D)

I think we both did our best to resist it, but there was a charge there from the beginning.

ANGELA

Had you ever had an affair with a colleague before, Mr. Whitehouse? A subordinate?

JAMES

Never. I've never had an affair, full stop. I love my wife. I love my family.

(CONTINUED)

12 CONTINUED: (4)

12

ANGELA

Is there a strict hierarchy in your office?

JAMES

It's not about hierarchy. We're all working together and believe me, if the best idea comes from the most junior staff member, I will adopt it. But in order for a work environment to thrive everyone needs to feel safe; that boundaries will be respected...

He shakes his head, mystified by his own stupidity.

JAMES (CONT'D)

If another Member of Parliament had told me he was having an intimate relationship with an employee I would have given him chapter and verse about the ways in which one cannot do that.

ANGELA

And yet...?

JAMES

I made a mistake.

ANGELA

The affair lasted five months. If you knew it was wrong, why did you allow yourself to continue to be "mistaken"?

JAMES

I had no intention of having an affair with Miss Lytton. It was just that after we started... it was hard for us to stop.

ANGELA

And why is that?

JAMES

Because... we cared for one another. We had a lot in common, actually.

ANGELA

Such as?

(CONTINUED)

12 CONTINUED: (5)

12

JAMES

Politics. We could argue the merits of a position or a proposal for days -- all the angles and how each would play. Olivia loves policy. She forgets nothing. I relied on her incisive mind.

Sophie's face is marble, unreadable. So is Kate's.

ANGELA

So after the first encounter the relationship continued. Did you give her gifts?

JAMES

I sent her flowers, on occasion. And, yes, I bought her a special gift, for her birthday.

ANGELA

What was the gift?

JAMES

A necklace. Platinum. With a charm in the shape of a key.

ANGELA

A key? How did you intend for her to interpret that?

JAMES

Just as... a token, a sign that she had become integral to my... Just that I valued her.

ANGELA

And for the sake of the timeline, when was Miss Lytton's birthday?

JAMES

Late July.

ANGELA

Do you remember the exact date?

Sophie has to restrain herself from leaning forward.

JAMES

The 23rd of July.

PRELAP:

(CONTINUED)

12 CONTINUED: (6)

12

SOPHIE (O.S.)
Hang on, I'm just about at the top
of the hill, so maybe...

FLASHBACK:

13 EXT. SUSSEX - EARLY EVENING (JULY)

13

The sea in the distance, the children chasing each other, squealing in the background. In the perfect light of MAGIC HOUR, a sun-kissed and relaxed Sophie tries to find reception on her mobile.

SOPHIE
(into phone)
Is this better?

INTERCUT WITH JAMES:

JAMES
Yes. I think so. Is that the
creatures I hear in the background?

SOPHIE
They've entertained themselves all
afternoon, thank God. They just
announced they're putting on a play
for Mummy and me tonight.

JAMES
A play? I want to attend!

She feels guilty he's been stuck in the city working for two weeks.

SOPHIE
I'm sorry, darling.

JAMES
Will you take a video for me?

SOPHIE
Of course.

She winces just a little, but knows she needs to offer...

SOPHIE (CONT'D)
Would you like us to come home
early?

JAMES
Yes, please!

He sounds so convincing.

(CONTINUED)

13 CONTINUED:

13

JAMES (CONT'D)

But, no. I wouldn't do that to you.

SOPHIE

Could you sneak out here to join us?

JAMES

I wish. But I have a pile of things to wade through.

SOPHIE

Don't let the work eat you alive, James.

JAMES

I won't. I miss you.

SOPHIE

We miss you, too.

PRELAP:

ANGELA (O.S.)

You valued her.

BACK TO PRESENT

14 INT. OLD BAILEY, COURT 2 - DAY

14

In the gallery, Sophie is training her eyes on Angela so she doesn't have to look at James.

ANGELA

You gave her an expensive gift that said as much. Would it be fair to say that by the this point, the relationship was "serious"?

JAMES

Well... yes.

ANGELA

Miss Lytton has told us she was in love with you. Was that feeling mutual?

Sophie feels her oxygen level compromised.

JAMES

I think it's a possibility...

The courtroom goes still, waiting for the B-side as James considers...

(CONTINUED)

14 CONTINUED:

14

JAMES (CONT'D)

Yes... I was.

That lands.

JAMES (CONT'D)

We were equally... invested. Which is why...

He looks down, shakes his head.

As Kate picks up her pen, Sophie, from the gallery, focuses on her feverish left-handed scribbling, recognizing something in its character: the kind of writing that's fighting to keep up with a volume of thoughts.

ANGELA

What was your reaction when you were told that Olivia Lytton had accused you of rape?

James chooses his words carefully.

JAMES

I was... gobsmacked. I was... hardly able to understand what I was being told. That is the degree to which those words did not compute.

ANGELA

I'd like to take you back to what happened in the committee room corridor, on the morning of the twelfth of October.

FLASHBACK POP:

OLIVIA

James...

OLIVIA rushes to catch up with him in the corridor.

RESUME

ANGELA

Just to be clear, who called the lift?

JAMES

It was Olivia.

(CONTINUED)

14 CONTINUED: (2)

14

ANGELA

She said in her evidence that it was you.

JAMES

It was Olivia.

ANGELA

Did you know why?

JAMES

No, but I followed her, after she called to me and said--

FLASHBACK POP:

Olivia is standing by the lift as James has moved past it down the corridor.

OLIVIA

Where are you going?

ANGELA

What did you take that to mean?

JAMES

She knew I was concerned about the *Times* article and I assumed that she was leading me somewhere where we could discuss how to handle it.

ANGELA

How could you tell all that?

JAMES

We had a shorthand, as colleagues do.

ANGELA

What about the fact she had also been your lover?

JAMES

I wasn't thinking along those lines in that moment. I honestly wanted to hear her opinion on the article.

ANGELA

What happened when the lift arrived?

FLASHBACK POP:

Olivia looks over her shoulder at him before she enters the lift.

(CONTINUED)

14 CONTINUED: (3)

14

RESUME

JAMES

I followed her in.

ANGELA

What were you hoping to discuss exactly?

JAMES

The article's accusation of arrogance. It rocked me.

(MORE)

(CONTINUED)

14 CONTINUED: (4)

14

JAMES (CONT'D)

I thought... of all people she would put me straight.

ANGELA

Once in the lift, did you talk?

JAMES

No.

ANGELA

What happened?

JAMES

She looked at me in a certain way that we had.

ANGELA

Did you approach her?

JAMES

No. She reached up to kiss me.

FLASHBACK POP:

In the lift, Olivia grabs James's face with both hands.

RESUME

ANGELA

And?

JAMES

I responded.

ANGELA

How can you be so sure she initiated the kiss?

JAMES

Because I remember her reaching up, being struck by it. After that we were in sync, as it was with us.

ANGLE SOPHIE. She nearly winces at that.

RESUME

ANGELA

What do you mean by that?

JAMES

My arms moved around her in an embrace. As we were kissing she moved one of my hands down to her bottom.

(CONTINUED)

14 CONTINUED: (5)

14

FLASHBACK POP:

One of Olivia's hands over James' on her bottom, the other holding the back of his head.

RESUME

ANGELA

Miss Lytton claims you wrenched her blouse open.

JAMES

She's lying, I'm sorry to say. She helped me unbutton it. I'm not a man who wrenches blouses open. I am not a brute.

ANGELA

And what about the laddered tights?

JAMES

That must have happened when she tugged them down and I tried to help her. Things were... heated at that point.

ANGELA

Heated?

JAMES

We were hungry for one another.

The word "hungry" seems to hang in the air.

FLASHBACK POP:

HANDS SEEMINGLY COMPETING to undo Olivia's blouse and then her hand over his as they pull down her tights on one side--

RESUME

ANGELA

And the underwear? With the ripped elastic? Can you say when it was damaged?

JAMES

No. It may have been snagged as she pulled it down. I don't remember the sound of a rip, but...

ANGELA

What, Mr. Whitehouse?

(CONTINUED)

14 CONTINUED: (6)

14

JAMES

To be honest, Miss Lytton's
underwear tended to be...
insubstantial.

Sophie's face is a wash of humiliation and
incomprehension.

ANGELA

How do you account for the bruise
on Miss Lytton's breast?

He exhales.

JAMES

The result of an over-exuberant
love bite.

ANGELA

Had that happened before?

JAMES

Love bites? Yes. It was something
she wanted when we made love.
Something I did in the throes...

Angela starts to speak...

ANGELA

And so--

But he cuts her off, explaining further.

JAMES

A bruise was not the goal, I hope
it goes without saying.

Angela takes a LONG BEAT.

ANGELA

Consent.

She lets that land. James isn't sure what he's supposed
to say. The non-sequitur hangs in the air for a moment,
as Angela looks around the courtroom before continuing.

ANGELA (CONT'D)

Mr. Whitehouse, the jury are here
to consider the issue of consent.
The question of yes and no, as my
learned friend would have it.

(then)

(MORE)

(CONTINUED)

14 CONTINUED: (7)

14

ANGELA (CONT'D)

Miss Lytton's evidence is that you said, "Don't be such a prick-tease." That would suggest that you knew she didn't want sex. Did you say that?

JAMES

No.

ANGELA

Did you say, "Don't tease me"?

JAMES

No.

ANGELA

Or some other use of the word "tease"?

JAMES

We didn't talk.

ANGELA

Miss Lytton's evidence is that she said "Not here." Did you hear her say that?

JAMES

I'm telling you, we didn't exchange words. Our only conversation was physical. We were well acquainted with each other's bodies and signals by this point.

FLASHBACK POP:

It almost looks like Olivia and James are a single entity, so entwined are they.

RESUME

ANGELA

Is it possible that she could have said it and you didn't hear her?

JAMES

No. We were in very close proximity. And she was giving me every indication that this was something she very much wanted.

He looks up with a pained expression.

(CONTINUED)

14 CONTINUED: (8)

14

JAMES (CONT'D)

And I'm sorry to say I didn't need any convincing.

ANGELA

Are you sure Miss Lytton was consenting to intercourse, that she was saying, essentially, "Yes"?

James lets out a long SIGH.

JAMES

Not only was she consenting, she was insisting. She was saying, "Hell, yes".

There is a reaction in the courtroom. James hears it and looks all around, his eyes landing on the jury, moving from one to the next. His face is open, beseeching, the face of someone who has not only been misunderstood, but wronged.

ANGELA

Are you certain of this, Mr. Whitehouse?

JAMES

I have never been more certain of anything.

ANGELA

Thank you. That's all I have to ask, My Lord.

The room is silent. Still. Frozen.

ANGLE SOPHIE, who looks like she feels ill.

ANGLE JAMES, who looks like he's exhausted from his painful honesty.

ANGLE KATE, who makes some notes.

ANGLE SOPHIE, A MEMORY IS STIRRED. Something about that left-handed scribbling.

RESUME

Kate puts her pen down. The moment is here. The moment is now. She takes a sip of water, we detect the slight trembling of her hand. As she places the glass back on the table, we hear the slight vibration of SHAKING GLASS AGAINST WOOD.

She takes a calming breath as thoughts/images cascade.

(CONTINUED)

14 CONTINUED: (9)

14

And Kate then rises and faces James. Her assailant. Her rapist.

KATE

Mr. Whitehouse, I want to go straight to the day this incident occurred. You were due to address the Home Affairs select committee meeting, isn't that right?

JAMES

Yes.

KATE

On a key issue?

JAMES

Yes.

KATE

The meeting was just about to start, correct?

JAMES

Correct.

KATE

In how long, Mr. Whitehouse?

JAMES

I don't know. Not long.

KATE

A matter of minutes?

JAMES

Yes.

KATE

So not very long. What were you planning to do in that time?

JAMES

Just get my bearings back, I suppose.

KATE

Were you planning to have sex in those few minutes, Mr. Whitehouse?

JAMES

No, of course not.

(CONTINUED)

14 CONTINUED: (10)

14

KATE

Was that part of getting your bearings back?

JAMES

No.

KATE

So when you stormed off down the hallway in the opposite direction of the meeting you were due to attend, where were you going?

JAMES

Nowhere in particular. I was upset.

KATE

Because you'd been called arrogant by the Times?

JAMES

I didn't think it was fair.

KATE

So you weren't looking for somewhere to have private sex?

JAMES

No, I was not.

KATE

And yet, Mr. Whitehouse, within a minute or so, that's exactly what you were doing--having sex in a lift with your ex-mistress.

Silence, then...

JAMES

That was not the plan.

Kate keeps her eyes on him.

KATE

I just have a few more points to clarify. Miss Lytton says you wrenched her blouse open.

JAMES

I did not.

KATE

You're a strong man, Mr. Whitehouse. A former Oxford rowing blue, I understand. An athlete.

(MORE)

(CONTINUED)

14 CONTINUED: (11)

14

KATE (CONT'D)

And you can state to a certainty
that you've never wrenched a
woman's blouse in a moment of
passion?

JAMES

I can.

(CONTINUED)

14 CONTINUED: (12)

14

KATE

Miss Lytton says you ripped her underwear in the lift?

JAMES

I didn't rip her underwear.

KATE

They ripped by themselves, then?

JAMES

No--

KATE

That's how -- what was your word -- "insubstantial", the underwear was?

ANGLE SOPHIE. She can't shake it. Something about the prosecutor's voice. The timbre, a certain quality of intensity perhaps.

KATE (CONT'D)

You have expertise when it comes to the substantiality of a woman's underwear?

ANGELA

My Lord.

JUDGE LUCKHURST

Miss Woodcroft.

Kate nods to the judge.

KATE

This wasn't a normal situation, was it?

James feels her stare boring a hole in him. Has a sense she's getting at something else...

JAMES

What do you mean?

KATE

Unless of course having upright sex with a woman while you were traveling from A to B was normal for you?

JAMES

No, it was not normal.

(CONTINUED)

14 CONTINUED: (13)

14

KATE

Never happened before?

JAMES

Never.

A beat, a stare from Kate, then a slight but self-satisfied smile. It's enough to make James uncomfortable. But he dismisses his discomfort; prosecutors are well-versed at gamesmanship.

KATE

You and Miss Lytton had had sex in the Commons before on two occasions.

JAMES

Yes.

KATE

And so you might have reasonably expected that she would be willing to do this again? To have sex in another Commons setting?

JAMES

(admitting)

Perhaps. But not at that particular moment.

*NOTE: Throughout, Kate does not gesticulate. She does not look at the jury. She stays firmly planted in place, her eyes unflinchingly trained on James. There's a certain level of oppressiveness to it. He feels her stare. He's determined not to flee from it as well, so he stares right back. It's as if they are the only two people in the room.

15 OMITTED

15

16 OMITTED

16

17 OMITTED

17

18 OMITTED 18

FLASHBACK POP:

*NOTE: In this section all of the flashback pops are to the same location and event.

19 EXT. OXFORD, COLLEGE CLOISTERS - NIGHT (JUNE 3, 1995) 19

YOUNG JAMES

Do I know you?

RESUME

The faintest flicker of recognition, but the memory is still impossible to place.

KATE

You were enraged, when you entered the lift, weren't you?

JAMES

No.

KATE

You were angry about the article?

JAMES

A bit frustrated, not enraged.

KATE

To be clear, it was fast, what happened in the lift, wasn't it? Over in less than a minute or two?

JAMES

Yes.

KATE

So I'm going to ask you again, Mr. Whitehouse, when you entered the lift -- were you hoping that sex might take place?

JAMES

No, not initially.

KATE

So what happened, what made you suddenly want sex?

(CONTINUED)

19 CONTINUED:

19

JAMES

As I said, she looked at me and...
it just became pretty clear, pretty
quickly that it was going to
happen, but I didn't enter the lift
thinking that it would happen.

KATE

So you're in the lift. You say she
looks at you in a certain way and
then you immediately collide and
kiss.

FLASHBACK POP:

THE SOUND OF FOOTSTEPS and HEAVY BREATHING as Young James
comes HURTLING around the corner of the cloisters, almost
crashing into Holly.

RESUME

JAMES

Not immediately.

KATE

And then your hand is on her
bottom?

FLASHBACK POP:

One of Young James' hands is creeping up the bottom of
Holly's tank top, stroking her nipple, the other is
reaching up underneath her skirt.

HOLLY

I should go.

He stops, momentarily -- this has never happened to him
before. His hands remain in place.

YOUNG JAMES

Really?

HOLLY

Really.

RESUME

James' head turns slightly before he pushes away the
thought.

JAMES

She guided my hand there, yes.

(CONTINUED)

19 CONTINUED: (2)

19

KATE

And while this was happening, you were in close proximity?

JAMES

Yes.

FLASHBACK POP:

YOUNG JAMES

I don't think that's what you want at all.

And he leans in again toward Holly with a confident smile.

RESUME

In the courtroom, James is leaning forward, just slightly.

KATE

It's a very small lift. Little more than a meter wide. How close would you say you were, exactly?

JAMES

Well, we were kissing and... being intimate...

KATE

So, very close? Ten or twenty centimeters apart -- or perhaps less?

Kate is demonstrating the close distance, holding her hand near her face.

JAMES

Yes, I suppose.

KATE

So if she had said, "Not here," you'd have heard her?

JAMES

Yes. But she never said anything.

(CONTINUED)

19 CONTINUED: (3)

19

KATE
No words were spoken?

(CONTINUED)

19 CONTINUED: (4)

19

JAMES

None.

FLASHBACK POP:

HOLLY

No, really.

FLASHBACK POP:

HOLLY (CONT'D)

Wait. No--

RESUME

KATE

And you say you are not a brutish man. You would have stopped if you'd heard her say, "Not here."

JAMES

Of course I would have. But she never said that.

KATE

She told us that she did tell you to stop.

JAMES

She's mistaken.

KATE

She said, "Not here."

JAMES

She didn't.

(CONTINUED)

19 CONTINUED: (5)

19

KATE

You entered her even though you
knew she was telling you no.

JAMES

(guttural)

No.

KATE

And yet you told her, "Don't be
such a prick-tease".

FLASHBACK POP:

Young James suddenly pulls Holly in so tight around her
ribs the AIR WHEEZES OUT OF HER like an accordion.

He WHISPERS in her ear...

YOUNG JAMES

Don't be such a prick-tease.

RESUME

In the courtroom, James blinks, not answering.

FLASHBACK POP:

YOUNG JAMES (CONT'D)

If I don't know you, I should.

HOLLY

It's Polly.

YOUNG JAMES

Pretty Polly.

RESUME

He can no longer deny the pieces of memory that have
fallen into place. James looks up at Kate now and they
gaze at each other in a new way. He has remembered who
she is, remembered what happened between them. And in an
instant she knows that he knows. The three-dimensional
chess begins...

KATE

Mr. Whitehouse? Do you need me to
repeat the question?

JAMES

I have already told you that I
didn't say that. Perhaps it's your
hearing which is suspect, Miss --

(MORE)

(CONTINUED)

19 CONTINUED: (6)

19

JAMES (CONT'D)
(the slightest beat before
saying her name)
Woodcroft.

Angela winces slightly at that; Kate's eyes smile some.
Arrogance. That's exactly what she wants on display.

KATE
What does that word mean, Mr.
Whitehouse?

JAMES
What word?

KATE
Prick-tease?

JAMES
It's academic, I didn't say it.

KATE
But you do understand what it
means?

JAMES
Of course.

KATE
Tell us, please.

James has no choice but to answer.

JAMES
It's a woman who gets a man
sexually aroused but doesn't plan
on following through. But again, I
didn't say it. It's a foul word.

KATE
Why is it a foul word?

JAMES
Because it's... demeaning.
Presumptuous.

KATE
Anything else?

(CONTINUED)

19 CONTINUED: (7)

19

JAMES

Misogynistic.

KATE

And if a man did say it, do you agree he would be admonishing the woman for not wanting sex?

JAMES

If a man said it. This man did not.

KATE

So just to be absolutely clear, is it your evidence that you did not say "Don't be such a prick-tease" because that is something you would never say?

JAMES

Yes.

KATE

You have never said it before? Not to anyone?

JAMES

I have not.

KATE

So when Miss Lytton tells us you said "Don't be such a prick-tease", she must be lying?

JAMES

Sadly.

KATE

And she's lying when she says you raped her.

JAMES

She is.

James can read Kate, she's getting the answer she wants. And it's unnerving.

KATE

Has anyone ever said "no" to you, Mr. Whitehouse?

JAMES

That's an absurd question.

(CONTINUED)

19 CONTINUED: (8)

19

KATE

Is it inconceivable that Miss
Lytton would say "no" to you?

JAMES

Of course not. But in this instance
we were both saying yes.

KATE

You're sure of that?

JAMES

Yes.

(CONTINUED)

19 CONTINUED: (9)

19

Another slight smile from Kate. Her confidence continues to be unnerving to James.

KATE

Do you know any reason why Miss Lytton might make a false allegation of rape against you?

JAMES

No. It makes me worried about her, to be honest.

KATE

But she doesn't gain any advantage by doing this, does she?

JAMES

Advantage?

KATE

In terms of her career?

JAMES

Well, it's not going to help her career, is it?

KATE

So it appears that after you end the relationship she stays working for you, but when you show her you still want her, which is what she wants, she accuses you of rape, do I have that right?

JAMES

Look, I can see how that sounds...

KATE

It sounds very unlikely, doesn't it?

JAMES

Destroying my career was perhaps the goal.

KATE

Why? Surely there are less catastrophic ways for her to express her hurt? She could have told your wife.

James smiles, looks down before he re-engages.

(CONTINUED)

19 CONTINUED: (10)

19

JAMES

All I meant to say, Miss Woodcroft,
is careers hang in the balance in
cases like these.

This is a veiled message to Kate, a threat, one that
isn't lost on her. She does not look away, but continues.

(CONTINUED)

19 CONTINUED: (11)

19

KATE

There is no doubt. The stakes
couldn't be higher.

They are implicitly acknowledging that they each hold a
grenade with a finger in the pin.

(CONTINUED)

19 CONTINUED: (12)

19

He will not be bested.

JAMES

(to Kate)

I see what you're doing. Painting me as arrogant, as a man without doubts or qualms. You're calling me entitled, essentially. That I'm some privileged beast who was brought up to believe he could take what he wants. The thing is... I am not that man.

KATE

(simply)

Is that right, Mr. Whitehouse?

He bites his tongue.

JAMES

Was I born into fortunate circumstances? Yes. I attended good schools. But I have spent my entire career in service. To my community, my constituents, and my country.

KATE

You're not suggesting that a lifetime of service entitles you to rape?

My Lord!

ANGELA

JUDGE LUCKHURST
Miss Woodcroft!

JAMES

How dare you?

He's looking right at her now.

(CONTINUED)

19 CONTINUED: (13)

19

KATE

I appear to have hit a nerve.

JUDGE LUCKHURST

Miss Woodcroft, enough.

Kate bows to the Judge. James is now glaring at Kate. But he collects himself.

JAMES

For the record, I have replayed the events with Miss Lytton in the lift over and over and over in my head, asking myself, could I have possibly got it wrong? I didn't. Also for the record, I've replayed other moments of my past, when the sex was as unbridled as it was spontaneous.

(he lets that register)

I was very sexually robust in my youth, and yes, I have reflected... but I can look you in the eye, Miss Woodcroft, and say that I know in my heart, in my soul, in every fiber of my being that I have never crossed the line.

KATE

I'm not asking about your past, Mr. Whitehouse, or your "sexually robust youth"--only whether in this instance you could have reasonably believed Miss Lytton gave you her consent.

This time he won't take the bait. He smiles even.

JAMES

But the past informs the present, doesn't it?

(then)

As I re-examine my past encounters, as I replay what happened in that lift, I remain convinced, and adamantly so -- I have never overridden a woman's will or wishes. I have never had sex that wasn't one-hundred-percent consensual.

(MORE)

(CONTINUED)

19 CONTINUED: (14)

19

JAMES (CONT'D)

For me, when we talk about consent we're talking about ethics. I am a person who finds unethical behavior repugnant. I wonder... do you?

A stunning two-fer. Both a staunch defense and a wobbly mind-fuck to put her on tilt -- he's threatening to expose her.

ANGLE SOPHIE staring fixedly at Kate...

RESUME

Kate doesn't retreat.

KATE

I am not here to answer your questions, Mr. Whitehouse, I am here to put the Crown's case. And as I have said from the beginning, my case is a very simple one.

James says nothing, but doesn't look away.

KATE (CONT'D)

Olivia Lytton made clear to you that she did not want to have sex, isn't that right?

JAMES

No. She said nothing.

But Kate barrels on...

KATE

That's why you called her a prick-tease?

JAMES

I never said that.

KATE

Well, you can't very well admit it, can you Mr. Whitehouse? Because that word in that sentence demonstrates you knew full well she didn't want sex with you, isn't that right?

(MORE)

(CONTINUED)

19 CONTINUED: (15)

19

KATE (CONT'D)

She wouldn't give you what you
wanted and that's why you had to
force yourself on her?

JAMES

I didn't force myself on her.

(CONTINUED)

19 CONTINUED: (16)

19

KATE

That's why she has accused you of rape?

JAMES

I am not a rapist. I did not rape her. The word rape and my name have absolutely nothing to do with each other.

They hold each other's gaze for a beat.

KATE

I have no further questions for this witness.

As Kate looks down and takes her seat we see THE EYES CHANGE. Gone is the confidence. She is fucking freaked out. He knows who she is. She is freaked out.

JUDGE LUCKHURST

Miss Regan?

ANGELA

Nothing, My Lord.

And then, SOPHIE'S POV:

Her eyes land once again on Kate's colored Post-its, fluorescent underlinings.

Sophie leans back, hardly able to breathe, a terrifying possibility beginning to gel in her mind.

JUDGE LUCKHURST

(to James)

Can you return to the dock please, Mr. Whitehouse.

James exits the witness chair, heads back to the dock. But stops to hold one last look at Kate. "I know who the fuck you are." Before he continues on his way...

20 OMITTED

20

PRELAP:

EMILY (O.S.)

Two "n's"? Are you sure, Krystyna?

21 INT. WHITEHOUSE HOME, LIVING ROOM - DAY 21

KRYSTYNA

Yes, I'm sure. Two "n's," two
"p's".

Emily is blowing on two giant cut-out letter "N's"
covered in glitter glue, one held in each hand.

Finn is on the floor unravelling a long piece of fat
ribbon across the living room, rolling along with it.
Krystyna is presiding over a table of construction paper,
little kid scissors, glue, and glitter.

FINN

When will they be home?

KRYSTYNA

Soon! We need to start assembling!

22 EXT. OLD BAILEY - DAY 22

THE SAME BIG PRESS PRESENCE. CAMERAS, MICROPHONES, AND
CELL PHONES IN THEIR FACES AS SOPHIE AND JAMES FORGE
TOWARD THE BLACK CAB. John Vestey holds the back door
open.

23 INT. BLACK CAB - CONTINUOUS 23

James and Sophie hustle to board AS THE PHOTOGRAPHERS
ASSAULT THROUGH THE WINDOWS.

JAMES

Drive. Hurry, please.

And the cab pulls out. James and Sophie ride in agonizing
silence. James makes sure the intercom with the front
seat is off. Finally--

JAMES (CONT'D)

Forgive me.

SOPHIE

For what?

JAMES

For saying I was in love with her.
I had to make the relationship
sound real. It was purely
strategic.

(CONTINUED)

23 CONTINUED:

23

SOPHIE

Advice from your barrister or Chris
Clarke?

James shakes his head.

JAMES

Pure instinct on my part. But I
wanted you to know it's not true.

The drive continues in wretched silence, each looking out
the opposite window.

24 OMITTED

24

25 INT. OLD BAILEY, ROBIN ROOM - CONTINUOUS

25

Kate is at the end of the process of shedding her robe
and collar. She stores the items as Maggie waits nearby.

MAGGIE

That was cracking, Kate. I doubt
he's ever had a woman talk to him
that way...

Kate hands Maggie her suit carrier and wig tin.

MAGGIE (CONT'D)

Just leave these in Chambers, then?

KATE

Yes, please.

Maggie exits and Kate, alone, finally allows herself to
exhale. She just went ten rounds and it's taken a toll.

26 OMITTED

26

A27 EXT. OLD BAILEY, ROOFTOP - AFTERNOON

A27

Kate gazing at out London, struggling to settle.

PRELAP:

The sound of NOISEMAKERS, TOY INSTRUMENTS, THE FESTIVE
SQUEALS OF CHILDREN.

27 EXT. WHITEHOUSE HOME - AFTERNOON 27

James and Sophie get out of the cab, head up the walk to their front door...

28 INT. WHITEHOUSE HOME, LIVING ROOM - CONTINUOUS 28

...and enter to find celebratory children and a giant homemade banner strung across the living room that proclaims: "HAPPY ANNIVERSARY".

A homemade cake sits on the table.

The children run to embrace their parents. Krystyna stands smiling in the background with clasped hands, pleased they pulled it off.

FINN

Happy anniversary!

EMILY

Are you surprised?!

JAMES

Yes, yes--

SOPHIE

How lovely, you guys!

JAMES

You're amazing!

Clearly, both parents had forgotten all about the date, but together must feign pleasure and solidarity.

FINN

Do you want some cake?

JAMES

Of course. I'd never say no to cake!

But Sophie's facade is crumbling. This festive reception is pushing her over the top.

SOPHIE

I just need... I'm sorry, I just

...

(off them)

Maybe a bit too much excitement for one day.

Sophie is walking toward the front door now.

(CONTINUED)

28 CONTINUED:

28

SOPHIE (CONT'D)

I'll be back--

JAMES

Sophie--

SOPHIE

I'll be back in a little bit.

And she's out the door.

29 INT. KATE'S CHAMBERS - NIGHT

29

Kate sits... again the cascade of images/emotions/thoughts/past trauma swirling within. Current trauma, too, now. She doesn't dare give in to it, for fear that she will disintegrate, crumble. She has a summation to review. She has to keep herself together. All the while feeling every little fracture. It is not at all clear that her center will hold.

A CELL PHONE VIBRATES/CHIMES. Kate regards it, sees "ALI" on the CALLER I.D. She answers--

KATE

Hey.

ALI

Where are you?

KATE

Chambers.

ALI

Still?

KATE

Need to refine my closing.

ALI

Did you fuck up brilliantly today?

A small smile.

KATE

I think so. But so did he.

A beat.

ALI

You okay?

(CONTINUED)

29 CONTINUED:

29

KATE

Unclear. I got through it, at least.

ALI

You want company? Chocolate?

KATE

I'd like both. But I need to work.

ALI

I'm here.

KATE

And I love you for that.

ALI

This is going to end.

KATE

One way or the other.

ALI

I vote for the former.

KATE

Bye, lovely.

And she CLICKS OFF. A beat. Kate sucks in a big gulp of oxygen. Goes back to her notes.

And then... A KNOCK ON THE DOOR. Just as well, solitude is not her friend right now. She rises, opens the door to reveal:

SOPHIE.

Kate is frozen. As is Sophie. The two just stare at each other. No words. Not a fucking word. Finally--

KATE (CONT'D)

Mrs. Whitehouse.

SOPHIE

Miss Woodcroft.

They just stand there, staring. Who's going to blink? Staring. Staring. Staring.

THEY ARE REPLACED IN THE SAME POSITION BY YOUNG SOPHIE AND YOUNG HOLLY WEARING THE SAME CLOTHES.

SMASH TO BLACK.

TO BE CONTINUED