

PRESS CONFERENCE

THE LORD CHIEF JUSTICE OF ENGLAND AND WALES

(The Right Honourable The Lord Burnett of Maldon)

on

Friday, 14<sup>th</sup> December 2018

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**CHAIR:** Good morning. Thanks for coming. I am sorry it is a bit cold. Anyone who has not been to one of these before, the rules as you know, judges cannot talk about any particular cases either they have done or cases other people have done so not possible and the same applies to politics, particularly party politics, but you probably all know the parameters so if you do ask about those you will not be able to get an answer or anything that is interesting. Brexit obviously fits into all of those categories. By all means have a go but obviously there is a limit to what it is possible for the Lord Chief Justice to say. The other ground rule if you could, before you ask a question, we will putting a transcript out early this afternoon so if you could give your name and who you work for before you ask the question, then that will be on the tape and it will come back on the transcript. It will also help the Lord Chief if it is not a face that he knows. So we will start. The Lord Chief Justice is just going to do some very short introductory remarks. There will be written copies of those later to save you scribbling the words. We will hand it out after the conference. Lord Burnett.

**THE LORD CHIEF JUSTICE:** Well, now this time last year, I spoke about the hard work and dedication of judges and magistrates across the country, often in very difficult circumstances. This year I have spent time visiting and seeing first hand their dedication to public service and remain enormously grateful for all that they do. To assist with the increased pressures faced by judges, we have put in place more support for judges' welfare and we are rolling out opportunities for judges to discuss their careers with those in leadership positions. It has been a priority to improve the way judges are involved in modernisation so that we shape the future. Drawing on their knowledge gives us the best prospect of ensuring that modernisation results in improved access to justice as well as increased efficiency for all court users. There is a need to recruit an unprecedented number of judges at all levels and across all jurisdictions in the next couple of years.

We continue to maintain high standards. Important strides have been made in increasing the diversity of the judiciary and we will continue to encourage applications from the widest possible pool. Ultimately, however, we need to ensure the role of judge remains attractive to the very best lawyers. The Senior Salaries Review Body has described the situation clearly. I quote, "The problem is that the potential judges from the senior ranks of the legal profession are not applying in sufficient numbers." This situation requires urgent and effective intervention. I welcome the government's recognition that the problem threatens the proper functioning of justice and the UK's wider prosperity and its commitment to continue what changes might be made to the judicial remuneration package.

I have spoken about the benefits of promoting a better understanding of the work of the judiciary and the rule of law. We have developed a dedicated schools outreach programme, getting more judges and magistrates into schools and getting more young people to our courts so that they can see what actually happens. We are publishing increasing numbers of sentencing remarks and summaries of judgments and a guide has been produced to help journalists gain access to court documents to assist in reporting what we do. Broadcasting footage of the Court of Appeal can be made available and live streaming has been introduced into the Civil Division. We continue to struggle with the court estate, many parts of which are in poor condition. I hope that the next spending review will provide the opportunity for additional funds to be made available to address many years of neglect. In the meantime, the public can be sure that the judiciary as a whole will continue to deliver justice to all who come before our courts.

Thank you.

**CHAIR:** Right, questions. Martin?

**MARTIN BENTHAM (LONDON EVENING STANDARD):** I am Martin Bentham of the Evening Standard. You talked about knives just then, you've talked in the past about the psychological impact on judges of the increasing number of violent sexual complex cases and so on. Is there anything you can say at all about the recent increase in serious youth violence, the impact of those cases on the judiciary, any insight that you can give as judges on the policy issues they may underlie, the social factors that may underlie that, in particular what's been described by your colleague Lord McFarlane as a crisis in the care system, in children's cases.

**THE LORD CHIEF JUSTICE:** I do not myself see a connection between the problems in the care system and the vast increase in numbers of care cases coming through our courts and the immediate problem that you speak about, which is reflected perhaps most vividly in the increase in knife crime in recent years. There has been a great deal in the press about that lately. What I can say on that is that as the statistics show, there are an increasing number of knife cases coming through our courts. A distressingly large proportion of those cases involve young people or children. The sentencing reactions of the courts are very well set out in the statistics that have recently been made available. An increasing number of those convicted of knife crimes are receiving custodial sentences. Those custodial sentences have increased in length but I think what one has to recognise is that there is a problem far removed from the courts which society as a whole has got to grapple with. We, as a society, have got to come to terms with the fact that an increasing number of people, particularly young people, are carrying knives as a matter of habit. The sentencing at the end of the process of the relatively small number that comes before the courts is only a very small part of any solution.

**MARTIN BENTHAM:** The underlying factors which the courts see in these cases, are there any consistent factors which might inform the public debate about how to stop more people coming before the courts in those kind of cases?

**THE LORD CHIEF JUSTICE:** There are two particular things that seem to be consistent factors. First, carrying knives as a matter of habit often for, as is described, protection leads people then to use them in circumstances which they would not otherwise do. So that is a cultural problem and there is undoubtedly increasing violence centring around drug trafficking which is another underlying problem which society has got to grapple with.

**FRANCES GIBB (THE TIMES):** You quoted the SSRB about the need for urgent intervention and the threat to the proper functioning of the administration of justice. Can you talk a bit about that, really what urgent actions are required, when is it going to happen and how big is the threat?

**THE LORD CHIEF JUSTICE:** You will know that in an increasingly large number of competitions for new judges, the Judicial Appointments Commission has been unable to recommend the numbers of judges we need to fill the vacancies and that has been most apparent in the High Court but it has also been a growing pattern with the Circuit Bench as well. Those difficulties are being managed by the judiciary at the moment. We are running the High Court at much less than full complement and that means that the judges who are in post are having to work much harder, they are having to do more cases and we are also having to deploy deputy judges to deal with some cases which ideally it would be better to have a full time judge. So those are the sort of problems we are having to deal with.

The SSRB made it quite clear that the underlying principal problem results from technical changes and they are very technical changes, to the Judicial Pension Schemes which affected only judges in a way that they did not affect any other group of public sector servants. The government, in its initial response to the SSRB report, made it quite clear

that it recognises the difficulty, it recognises the underlying problems and it intends to work to deal with them. That work is going on at the moment. How long it is going to take is of course a matter that I cannot predict, but I very much hope that the government will respond to the SSRB report within the next few months.

**FRANCES GIBB:** Meanwhile, is there quite a problem? How bad is the situation?

**THE LORD CHIEF JUSTICE:** You will remember that I spoke in the summer about the particular problems that attach to the High Court and just to put some flesh on the bones, if I may, the last High Court competition we sought 25 new judges. We needed 25 new judges because the three previous competitions had not delivered the totals that we had hoped for. Of that 25, the Judicial Appointments Commission was able to recommend ten for appointment. The ten who were recommended are all of exceptionally high quality but I might add extremely diverse. Half of the recommendations were women. There were recommendations of serving solicitors, serving judges on promotion, so from that perspective it was good, but it meant we got 15 fewer than we hoped for. The next High Court competition is running at the moment. What it is going to produce, we shall just have to wait and see.

**CLIVE COLEMAN (BBC):** We have got a justice system where you are very clear that the court estate is facing real problems, ceilings falling in, lifts not working. We have got a judiciary that are demoralised...morale is low. We have got something of a crisis with Legal Aid and we have issues with disclosure. Are you concerned that the fabric of the justice system is really coming apart?

**LORD CHIEF JUSTICE:** I would not adopt that language, but there are obviously stresses and tensions across the board in the justice system. It has been most apparent in the criminal justice sector. The disclosure problems you identify are disclosure problems in the criminal justice sector and both the police and the CPS are looking at that. There are well known problems involving Legal Aid in the criminal justice sector as well. The courts have continued to function properly and appropriately, but I would wish to record the fact that in the criminal justice sector both our magistrates and our Crown Court judges have been having to operate in environments which, to use a cliché, are "sub-optimal". It really is not reasonable to expect court staff, judges or court users to attend court buildings which are in a terrible state: water coming through the ceilings, for example; jurors having to wear hats and coats in the winter; lifts that do not work; air conditioning that does not work so that courts have to be stopped in the heat of the summer. Now, these problems of maintenance are well recognised by the Ministry of Justice. I have spoken about them now on a number of occasions publicly. It is well known that there is a huge backlog in maintenance in the court estate, a huge backlog which, as I indicated when I gave evidence to the Justice Select Committee, will cost hundreds of millions of pounds to sort out, but it has to be sorted out because it is not reasonable to expect anybody operating in the system to operate in those sorts of conditions.

So far as the balance is concerned, there is, as you know, a particular spike in work in the family courts to do with care cases in particular and the raw volume of cases coming through the family courts dealing with care, public law as it is called, has more the doubled in the last ten years, in an environment where the judicial resources have remained essentially static and so that speaks for itself. The judges who deal with those cases were working phenomenally hard before the numbers started going up and they are having to work harder and harder and harder. These are features of what we do which I hope people will understand demonstrate the enormous public service that our judges give to society.

**CLIVE COLEMAN:** Can I just as a quick follow up on that? The problem is of course that, let's just take one of the issues, if you take judicial remuneration pensions and so forth, for the public it's very difficult to understand that, you know, a High Court judge earning around £180,000 a year and what is still a very good pension, that simply isn't sufficient by way of remuneration. How do you square that circle? How do you convince the public that there needs to be more money, to pay judges to keep the recruitment healthy and to keep morale high?

**THE LORD CHIEF JUSTICE:** Well, the problem is at the moment we can't recruit the judges that we need. Now, in any other environment, if for example your roof is leaking at home, it's no good saying, "Well, I'm not prepared to pay a roofer," because then your house falls down. Now, the analogy isn't direct but our real problem is simply with a "recruitment crisis" which is the language that has been used by very many people now for some time and we need the judges and the overall position is actually a very interesting one, so far as the cost of the court service is concerned, including all judicial remuneration and every single aspect that attaches to it. The total cost for Her Majesty's Courts and Tribunal Service, including all judicial remuneration, in gross terms is about £1.7 billion a year. It nets down for various reasons to £1.6 and then much of it is paid for by fees of about £700 million a year. So the cost is actually rather less than a billion pounds a year, and that doesn't take into account the other income that comes from what we do, but which we see nothing of I hasten to add, which is the income from fines and so on. So the rule of law underpins everything that goes on in society, an efficient and functioning court service is absolutely crucial to stability and to prosperity and it's interesting that if one looks around the world at the moment, there is an increasing recognition that a functioning, efficient court service which maintains the rule of law is absolutely vital for inward investment. I mean, this is what I hear all the time from the judges who visit London who I see on a regular basis, and so that has to borne in mind.

There's also another particular feature of it which I am sure almost everybody concerned in the business world understands. I mean, we have a judiciary which has an extraordinarily high international reputation. The consequence of that is that a vast amount of litigation comes to London which has nothing whatsoever to do with the United Kingdom. People put English jurisdiction clauses in their contracts. People choose to litigate in London when they could choose to litigate elsewhere. That generates billions of pounds a year for the legal profession, for the professions which are allied to the legal profession, support services and so on, and maintaining the international reputation of the High Court is vital, as I see it, to the continuing prosperity of legal UK. So this is not something which is a self-indulgence, it's something which is vital for the prosperity of the nation.

**CHAIR:** Owen?

**OWEN BOWCOTT (The Guardian):** At the risk of raising the B word, not suggesting Brexit's merits either way, have you had to make provision for a no deal in any way?

**THE LORD CHIEF JUSTICE:** Well, the short answer is yes, we are thinking about it. An enormous amount of work has gone on to try to look forward to the consequences of all sorts of different political outcomes, as with any organisation, and I am sure if you ask this question of anybody running an organisation in the UK at the moment you would get the same answer. We have been looking at a whole range of what ifs. We expect there to be a short term increase in work related to Brexit, whatever happens, particularly in the administrative court and in some of the business and property courts, and so we have been putting in place arrangements which we hope will be able to meet whatever demand comes our way. What I can assure people of is that whatever happens, and if there is an increase of work in any of our jurisdictions, we will manage it.

**OWEN BOWCOTT:** And recruit any extra judges forward on a temporary basis?

**THE LORD CHIEF JUSTICE:** We have put in place plans to recruit additional administrative staff to deal with tick ups if I can put it that way, in some of the work. So far as the judicial resources are concerned, recruiting extra judges is not something one can do at the drop of a hat and we come back to the issues that we were discussing a little while ago, but one of the great virtues of the way the English and Welsh judiciary works is that we have a significant number of salaried judges but in all jurisdictions we have a larger number of fee paid part-time judges and I don't doubt that if there is an increase in work in any of our jurisdictions we will be looking to call on our fee paid judges a little bit more than we have hitherto.

**CHAIR:** Charles.

**CHARLES HYMAS (Daily Telegraph):** Charles Hymas from the Daily Telegraph.

**THE LORD CHIEF JUSTICE:** Yes.

**CHARLES HYMAS:** One of the big social and cultural changes in the past ten years has been social media ... and I wondered whether you had any views on, particularly obviously judges being victims maybe of trolling and criticism of the way in which it operates. It was whether you have any views about whether there needs to be some form of duty of care on social media in the same way that you have regulation of offline harms and also consumer concerns and whether that should be adopted on an online basis?

**THE LORD CHIEF JUSTICE:** Well, there is no doubt that social media or the use of social media has changed the way a lot of people behave. What is so striking about the abuse of social media, if I can put it that way, is that many people seem to think that it does not matter what you say or write on social media and there seems to be a tendency particularly amongst those who like to shout a lot, to resort to social media without any thought. Judges have been subject to abuse on social media, but I wouldn't for a moment wish to suggest that we have been uniquely abused. Some of the abuse that is hurled at politicians, for example, is, to my mind, utterly unbelievable, but your question about regulation is a very profound one and I think it's not a matter for me to give any indication of policy views and I am not going to stray into giving what are no more than my personal views about what might be done, but one observation I would make is that it seems to me that regulation of social media is something which is almost too big for a single country to deal with because so much of the social media networks are international by nature and my instinct is that there needs to be a global response to some of the problems that have resulted from, as I would call it, the abuse of social media rather than simply a domestic one.

**CHARLES HYMAS:** Rather than simply...?

**THE LORD CHIEF JUSTICE:** A domestic one.

**CHARLES HYMAS:** But does that mean that although you do not want to stray into the policy areas, there's a fundamental principle that you don't necessarily need to stray into a policy area that whether you think there needs to be some form of framework, legal framework, that might be needed to tackle social media?

**THE LORD CHIEF JUSTICE:** It seems to me, yes, I understand your point, but what has really happened is that social media, over the last ten years in particular, has evolved and developed extremely quickly in a way which has not been reacted to by the politicians and

regulators and it is an enormously difficult question and not one that I can answer in a sentence or two about where that regulation might end up. One is looking at balancing so many fundamental issues and where different people end up striking the balance will vary enormously, I would imagine.

**CHAIR?:** Hayden?

**HAYDEN SMITH (Press Association):** Hayden Smith, Press Association. In the context of the higher prison population, have the government made any progress in increasing or improving the confidence of the judiciary in non-custodial sentences?

**THE LORD CHIEF JUSTICE:** Well, two points; in fact, the prison population has come down in the last 12 months by a few thousand, so we start from the right premise. The answer to your second point, the context, is that as is well known, there were very profound problems in the delivery of the monitoring and implementation of community sentences for some time and it is well known that as a result, judges did lose confidence in it. It was simply that it became clear that many people were not complying with the orders, were breaching the orders, and little, if anything, was happening. Now, the government, the Ministry of Justice, has been working hard with those who deliver community sentences – apologies for the jargon – and that problem is being resolved and so the confidence of sentencers both in magistrates' courts and crown courts is increasing.

**CHAIR:** Martin?

**MARTIN BENTHAM:** Yes, Martin Bentham from the Standard. There was a report earlier this year by a think tank suggesting that the Treason Act, there needs to be a new Treason Act and that the current legislation was inadequate to deal with problems of particularly overseas, people who commit offences overseas, and terrorist offences. Do you have any view on the workability or otherwise of the Treason Act and whether it would be useful to see if we can look again at the treason legislation.

**THE LORD CHIEF JUSTICE:** Well, can I make a confession? I cannot remember when I last looked at the Treason Act. I am not sure that I have ever had to in the course of my professional life. Dealing with the practical developments of the sort of problems that underpin your question are very much a matter for government and parliament, and it's not something that I, on the hoof, would feel comfortable talking about at all, but also I can't really talk about it because it's very policy laden.

**CHAIR:** Owen then Frances. Owen first...?

**OWEN BOWCOTT:** Owen Bowcott from the Guardian. The government's announced a report on the effect of LASPO, which will come back after Christmas now. I didn't know whether the judiciary made a submission to that and are you worried in particular at what many lawyers say is an increase in the number of other represented defendants in criminal courts, particularly the lower criminal courts.

**THE LORD CHIEF JUSTICE:** Yes, the judges are taking part in the LASPO review. Our role is – and sorry to be so boring about it – not to engage with the policy underlying the changes that were made in 2012, but to help inform the government about the practical impacts of it. Litigants in person have proliferated across many of the jurisdictions as a result of the withdrawal of Legal Aid from all sorts of areas of activity. The biggest proliferation has not in fact been in the criminal courts, it has been in the family courts. Litigants in person often find themselves at sea in legal proceedings, as you would expect. One of the difficulties that litigants in person often face is that they don't really know whether they have got a

good point or a bad point, and one of the things that lawyers can do is advise people if they've got a bad case, or a weak case and then it isn't pursued, and quite what the impact has been is very difficult to bottom out. Some litigants in person, and this is from my personal experience because we had them in the High Court when I was there, we had them in the Court of Appeal from time to time, some litigants in person are, frankly, so overawed by the whole process, or nervous, that they say very little and the hearings thus might actually be shorter than they would have been with lawyers. There are others who are voluble and a fair few who take points which of great interest to them but not objectively very relevant to the litigation, so it's something which has changed over the last four or five years. In criminal cases, as I say, that's not where the main change has been and very few in the Crown Court, inevitably some in the Magistrate's Court.

**FRANCES GIBB:** Can you talk a bit about the welfare provisions you have set in place? How necessary have they proved to be and how many judges have availed themselves of the services?

**THE LORD CHIEF JUSTICE:** Well, as you'll remember, Frances, this time last year one of the things that I mentioned as a step I wished to take was to mention the welfare support we provide to judges in the context of, in particular, in our Crown Courts, a very large proportion of the cases have been sexual cases and in our Family Courts a very large proportion of the cases being cases which involve children who are in difficulty, and there was a broad recognition that a constant diet, or even a preponderance of a diet of that sort of work could have an adverse impact. So the first thing that we did is to develop both a series of e-learning tools and also podcasts that are available to all judges at all times. I am not able to tell you... I am afraid I just do not have the statistic in mind of the total number of judges who have used those facilities, but I am told it is a very large number. So those, we think, have been quite successful in assisting people dealing with stress and building resilience, that's what it's principally designed to help with.

But now the next thing that we've done is to introduce a judicial professional support programme. Now, what that involves is enabling judges who wish to spend time with a professionally qualified supporter, to talk about issues of stress and resilience. That is just being introduced and I think there is a plan that I should myself do it quite soon, so that I can see what it's like. So that's the second thing we've done. The third thing in particular that we've done is to develop a programme of what we call judicial career conversations. Now, in any ordinary walk of life, most people are given opportunities to talk to line managers and so on, to discuss how things are going in their career, to discuss their futures, to discuss whether they would like to change things or adjust things. Until recently, nothing of that sort happened for the judiciary and the reasons were simply that judicial independence, for years and years and years, was applied in a way which precluded that.

Well, one of the things that we've introduced in the last year is to provide opportunities for judges to have these conversations with their leadership judges, so it's been happening now for a few years in the High Court, where the High Court judges sit down with the head of division and talk through how things are going. It happens for the Court of Appeal, who sit down with the Master of the Rolls, but we've extended that now out across the country, and I think that that is quite an important development. It hasn't reached all parts yet because it's quite a complex process, but it's rolling out. So those are three particular examples that I can give you.

**CHAIR:** A couple more, Clive first, then Martin?

**CLIVE COLEMAN:** You spoke some time ago about the threat to the rule of law that arises in the form of comment on social media in the face of court orders and indeed loyal

parliamentarians in that and after that we had... and I don't expect you to comment on a particular case, but there was the known use of Philip Green by Lord Hain, effectively in breach of an order of the High Court. How concerned are you about the undermining of the rule of law in that way with that sort of recipe? There is... almost there is increasing pressure for newspapers and the media generally to want to do that kind of thing.

**THE LORD CHIEF JUSTICE:** Well, I spoke about this in a speech I gave in September and used various examples of how the rule of law can be undermined, if there develops a currency that court orders can simply be ignored. It doesn't happen very often, I mean on social media it happens from time to time and there are mechanisms if it's possible to identify who the person concerned is, there are mechanisms for enforcement and so on. But it's more a culture that worries me, in the United Kingdom generally, in England and Wales in particular, it's a very small problem, but around the world it isn't a small problem in all places, and the rule of law depends upon mutual understanding between all the different players to ensure that it is upheld, so the separation of powers is at the heart of it; the three pillars of the state, the executive, parliament and the judiciary operate within their own spheres and should respect each other's sphere of operation. That is at the heart of maintaining the rule of law, and so too should media organisations, so too should individuals, so too should corporations, because in the end, if people begin to undermine the rule of law, it does not good for anybody. Now, I don't see a huge problem at the moment, my observations in September were obviously made without any knowledge of what might come along a little bit later, but it is something that I think people in the other arms of the state need to think about very carefully.

**CLIVE COLEMAN:** Just very briefly, if it does become a problem what action would you take?

**THE LORD CHIEF JUSTICE:** I have to operate within the constraints of the separation of powers that I spoke of and I have absolutely no reason to believe that there is a wider problem developing. I mean what I would say is simply this: that after the incident to which you referred, and you're right, I can't talk about it because the case remains live, the Lord Speaker made a statement in the House of Lords the following Monday morning, I think, where he set out with absolute clarity where the boundaries lie and I was heartened to see that and agree entirely with what he said.

**CHAIR:** Got time for one more, Martin, I think if you...

**CHARLES HYMAS:** Obviously the Telegraph has to declare an interest I'm not going to go there, but what I'm interested in what you're saying about the rule of law and social media and the way in which organisations like us the press to try and hold that tide back but I do some back to my favourite subject which is obviously regulation of social media, is that that seems to indicate that you do have concerns about what social media can do potentially for the rule of law, I wondered if you might elaborate on that?

**THE LORD CHIEF JUSTICE:** Well, there is at least scope, if people think it appropriate in their own terms to behave in this way, for social media to be used as a cover to do all sorts of mischievous things. Undermining the rule of law is only part of it, and as you say, it's a subject that you are very interested in and you'll have a good deal of insight into the potential for mischief and harm that exists across all sorts of different areas. But it is increasingly easy for people behind... particularly anonymity and social media to do all sorts of things that are harmful and mischievous and that can include undermining the rule of law. But it's part of a much, much bigger picture.

**CHAIR:** Have you got a couple of minutes if Martin asks...?

**MARTIN BENTHAM:** Coming back to the point you made in response to my first question about road drug trafficking. So the Metropolitan Police Commissioner has talked about how the people consume the drugs, the source of the problem, obviously, clearly you deal with some of those people in the court in person. Is the balance in the way those people are dealt with correct as it stands or does there need to be more focus on the source of the problem, i.e. the people who are actually using the drugs in the first place?

**THE LORD CHIEF JUSTICE:** Well, as you'll appreciate, I speak to the Commissioner from time to time and so these are topics that we have discussed. I mean she's obviously absolutely right in her observations, which were directed at affluent drug users, principally, that they should bear very much in mind the huge social damage that they're doing further down the chain, and she had in mind, as you know, all the county lines problems that we have at the moment, where particularly young, vulnerable kids are being used to run drugs all over the country. Now, so far as sentencing is concerned, there's an interesting difference of view here, isn't there, that on the one hand one hears all the time from some people, "Well, you should be focusing only on the drug suppliers and not on the drug users," that's usually the chorus that is heard, and now there is a growing recognition that the users perhaps should be looked at in a less benign way. Now, the sentencing, as you appreciate, is governed by first of all statute and second guidelines from the Sentencing Council, and there is a very comprehensive guideline from the Sentencing Council on drugs which all judges are obliged to have regard to, and again, as you know very well, that any judge who sentences outside the guideline, in short, has to explain why, and the Sentencing Council is made up of a wide range of interested parties, if I can put it that way. It's got judges on it, but it has representatives of all sorts of other groups, and so its guidelines are designed to reflect the centre of gravity of thinking of the moment. Now, that drug guideline is not actually a very old one. I can't remember which year it was issued but it's within the last few years and I am not aware of any plans to revisit it in a wholesale way to reflect the point that you've been making.

**MARTIN BENTHAM:** But you said that some people view it as... sentencing as too benign, of those people.

**THE LORD CHIEF JUSTICE:** Well, that was the implication, wasn't it, of the observations of the Commissioner?

**MARTIN BENTHAM:** Yes, is that something you share?

**THE LORD CHIEF JUSTICE:** That's not something...

**MARTIN BENTHAM:** When you look at the guidelines obviously there's a spectrum of sentencing that can be applied with in them.

**THE LORD CHIEF JUSTICE:** No, I think it's important to look at all cases individually, but if ever it was thought, for example, that affluent people caught with class A drugs should be viewed as really not very serious offenders I certainly don't agree with that.

**CHAIR:** Right, thank you very much everybody.

[Ends]