

## **SENTENCING COMMISSION WORKING GROUP**

### **RESPONSE TO CONSULTATION PAPER**

#### **POST SCRIPT**

1. This is a note to the members of the Working Group.
2. The Council of HM Circuit Judges is aware that many if not all Crown Court centres have put in responses to the consultation paper. Indeed it seems that the paper has generated more response from the Circuit Bench than any other such consultation within the living memory of the Council.
3. We would like to stress that whilst the Council has encouraged its members to respond, the responses have not been co-ordinated and the committee of the Council has not been directing our colleagues to come to any particular conclusions. We believe that this should be evident from the content of the responses. However if it be that the many responses are against the creation of a Sentencing Commission or similar presumptive sentencing framework then we would ask that the Working Group should in its own advice to the government include direct reference to the widespread views and deeply held opinions of the Circuit Bench.
4. It is noted from 1.6 of the paper

*“Our task is solely to advise on the advantages, disadvantages and feasibility, of mechanisms for achieving this purpose on the assumption Parliament decides if, and how it should be accomplished”*

5. In the circumstances the strong views and opposition to the creation of a Sentencing Commission and any other presumptive sentencing framework voiced by those who will largely be responsible for implementing such a system in the Crown Court must surely impact on any assessment of advantage, disadvantage and feasibility of such a system.

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His Honour Judge D Wood. President.

Keith Cutler  
His Honour Judge K C Cutler  
Hon Secretary

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His Honour Judge Swift  
Chairman Criminal sub Committee.

Council of HM Circuit Judges

31<sup>st</sup> May 2008.