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Dear Mr Witherow

As reported on 2 May, I recently wrote to sentencers about the need to ensure that custodial sentences and community sentences are imposed in the correct circumstances according to sentencing guidelines and legislation.

The Sentencing Council is not seeking to address any issue in relation to the size of the prison population as your reports suggest. It is not our intention to limit courts' discretion to suspend sentences in the correct circumstances, nor should offenders commit crimes of sufficient gravity, such that only a custodial sentence will suffice, escape custody.

There is evidence that suspended sentence orders, which are custodial sentences, are sometimes being imposed incorrectly as a more severe form of community order.

It was to rectify this situation that we introduced the Imposition guideline, after full public consultation.

My letter does not represent any change in policy. The Council is seeking only to reinforce good sentencing practice.

Yours sincerely,

A handwritten signature in black ink that reads "Lord Justice Treacy". The signature is written in a cursive style and is positioned above a long, thin horizontal line that extends to the right.

LORD JUSTICE TREACY

CHAIRMAN OF THE SENTENCING COUNCIL