

**WARNING: reporting restrictions may apply to the contents transcribed in this document, particularly if the case concerned a sexual offence or involved a child. Reporting restrictions prohibit the publication of the applicable information to the public or any section of the public, in writing, in a broadcast or by means of the internet, including social media. Anyone who receives a copy of this transcript is responsible in law for making sure that applicable restrictions are not breached. A person who breaches a reporting restriction is liable to a fine and/or imprisonment. For guidance on whether reporting restrictions apply, and to what information, ask at the court office or take legal advice.**

**This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.**

IN THE COURT OF APPEAL  
CRIMINAL DIVISION

[2024] EWCA Crim 147



Case No: 2023/03658/A3

Royal Courts of Justice  
The Strand  
London  
WC2A 2LL

Wednesday 7<sup>th</sup> February 2024

**B e f o r e:**

**LADY JUSTICE MACUR DBE**

**MRS JUSTICE STACEY DBE**

**HIS HONOUR JUDGE PICTON**

**(Sitting as a Judge of the Court of Appeal Criminal Division)**

---

---

**R E X**

**- v -**

**HUGH LANSDELL**

---

---

Computer Aided Transcription of Epiq Europe Ltd,  
Lower Ground Floor, 46 Chancery Lane, London WC2A 1JE  
Tel No: 020 7404 1400; Email: rcj@epiqglobal.co.uk (Official Shorthand Writers to the Court)

---

---

**Mr W Carter** appeared on behalf of the Applicant

---

---

**J U D G M E N T**  
**(Approved)**

---

---

Wednesday 7<sup>th</sup> February 2024

**LADY JUSTICE MACUR:** I shall ask Mrs Justice Stacey to give the judgment of the court.

**MRS JUSTICE STACEY:**

1. On 18<sup>th</sup> May 2023, in the Crown Court at Norwich before Mr Recorder Hardy KC, the applicant changed his plea to guilty to the offence of fraud by abuse of position, contrary to section 1 of the Fraud Act 2006.

2. On 22<sup>nd</sup> September 2023, before the same court, he was sentenced to a determine term of four years' imprisonment. He was then aged 74.

3. He now renews his application for leave to appeal against sentence and for a representation order, after refusal by the single judge.

4. The applicant had been the senior partner of a firm of solicitors, Hansells Solicitors, a prestigious provincial firm that had been his father's before him, where he had worked for 30 years. It was based in Norwich with satellite offices around East Anglia. Over a period of two years from August 2015 to July 2017 the applicant stole just under £2 million of client money in 72 separate transactions from client accounts, from investment portfolios held by trusts which had been under the applicant's control, and from the personal bank accounts of clients for whom he had a lasting power of attorney and those clients had deposited all their trust in him to manage their affairs in their best interests.

5. The applicant offended in this way because he had himself fallen for an advance fee fraud scam. He believed that he had won a Spanish lottery and needed to make the payments to

release his winnings of approximately £8 million. The applicant initially made payments from his own and his wife's joint account, but once those funds had been exhausted he began to use funds from his and his firm's clients' accounts without his clients' consent.

6. When discrepancies in the accounts were discovered, the applicant lied repeatedly to his staff, to his partners and to his clients. He informed them that the funds were under his control and had been invested on the advice of his sister-in-law (who in fact knew nothing about it). When the full extent of the fraud was discovered by the firm, the applicant eventually admitted to what he had done. The discovery of his offending caused serious financial and reputational damage to Hansells Solicitors.

7. The applicant pleaded guilty four days before the intended trial date. The Recorder put the matter back for sentence and ordered a pre-sentence report. In doing so, he made no promises and said that all options were open. He identified the available mitigation at that hearing and expressed some empathy.

8. In reality, the offending could only ever have led to an immediate and lengthy custodial sentence. But if the applicant took false hope or comfort from the thought of all options being open, he was wrong to do so. The fault did not lie with the Recorder but the applicant took from his words what he wanted to hear.

9. The applicant had considerable mitigation. He had no previous convictions and was a pillar of the church and the local community. He had intended to use his lottery winnings mainly for good causes and not for a lavish lifestyle. By falling for the scam, he had lost everything: his reputation, his marriage, his home, his job, his wealth, and he had had this matter hanging over him for six years prior to sentence. He has been struck off the Roll of Solicitors. He has both physical and mental health issues and is ill-equipped to cope in a

custodial environment.

10. It is common ground that the offence fell within category 1A of the Sentencing Council guidelines, which provide a starting point of seven years' imprisonment, based on the sum of £1 million harm, and it has a category range of five to eight years. The applicant was sentenced to four years' imprisonment.

11. The grounds of appeal fall into two categories: first, the failure to give sufficient consideration to factors reducing seriousness and personal mitigation; and secondly, remarks at the plea hearing which are said to be inconsistent with the sentencing hearing.

12. For the former, it was said that the sentence failed to reflect that the applicant himself has been a victim of fraud, his lack of greed, the effect of the proceedings and custody on the applicant, his previous good character, and the extraordinary circumstances of the case.

13. As to the latter, the Recorder made no promises as to sentence, but acknowledged that this was a desperately sad case and that the applicant had lost his reputation, which was most important to him. He himself had been the victim of crime and had compelling mitigation.

14. In sentencing, the Recorder took careful note of all the excellent mitigation the applicant had. He rightly noted that none of the statutory aggravating features applied. He was merciful in not making an upward adjustment to reflect the scale of the offending and the harm caused, which was almost double the £1 million figure loss presumed by the starting point. He then gave the maximum downward adjustment that he possibly could of two years, to arrive at a sentence of five years (the very bottom of the range) prior to the deduction for credit. He took full account of all the personal mitigation and factors related to the offence that assisted the applicant. He was also magnanimous in giving a 20 per cent discount for a

guilty plea four days before trial, when other judges may have considered that a percentage closer to ten per cent was appropriate.

15. If anything, this was a lenient sentence. The appeal is not reasonably arguable. The renewed applications for leave to appeal and for legal representation are refused.

---

**Epiq Europe Ltd** hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

Lower Ground, 18-22 Furnival Street, London EC4A 1JS

Tel No: 020 7404 1400

Email: [rcj@epiqglobal.co.uk](mailto:rcj@epiqglobal.co.uk)

---