

# Briefing Note

No. 4  
3.2.82.

## FIRM ACTION ON CRIME

On 20th January 1982 the House of Commons gave a Second Reading to a major new Criminal Justice Bill. This is the latest stage of the Government's vigorous strategy to combat crime. Introducing the Bill, the Home Secretary, Mr. William Whitelaw, said:

"Most of the provisions relate in one way or another to the sentencing of offenders. Its primary purpose is to provide the courts with more flexible and effective powers for dealing with the ... offenders who come before them." (Hansard, 20th January 1982, col. 294)

New System of youth custody. The Bill provides for the replacement of the existing Borstal sentence and ends the existing sentence of imprisonment for under-21 year olds. Instead, 15-21 year old offenders for whom a sentence of more than 4 months is appropriate will be committed to youth custody, where proper training facilities for this age group will be made available. Present restrictions on sentencing 17-21 year olds to between 6 months and 3 years in custody will, as promised in the Conservative Manifesto 1979, be removed.

More community service orders. The Bill will allow community service orders, which have already proved effective, to be imposed on 16-year olds as well as older offenders.

Detention centres. Already the 'short, sharp shock' regime promised before the last General Election is operating in four detention centres. But the present minimum sentence of three months is longer than is necessary for it to have its effect. The minimum length will therefore be reduced to three weeks (before remission), giving the courts the opportunity to give more young offenders a taste of this punishment. The maximum sentence will be reduced to four months.

Residential care orders were promised in the 1979 Manifesto. The Bill enables courts to restrict for up to six months the power of local authorities to allow offenders in care to be under the charge of parents or guardians at home. This will apply in cases where an offender who is already committed to local authority care has committed a further imprisonable offence. Such offenders will have to be removed from home into designated accommodation for residential care.

Tougher sanctions against parents and guardians of young offenders are to be introduced. Where a young offender is found guilty, courts will be required to order that any fine or compensation order imposed should be paid by the parent or guardian unless "it would be unreasonable to make an order for payment, having regard to the circumstances of the case." The maximum recognizance which a parent may be ordered to enter into to take proper care and control of a young person is raised from £200 to £500.

Fines are set out in the Bill on a new standard scale from £25-£1,000. Mechanisms of fine enforcement are improved.

Compensation for the victims of crime is improved. Under the Bill it will be possible for courts to make a compensation order instead of another penalty such as a fine, and where both compensation and a fine are levied payment of compensation is to have priority.

Partial suspension of sentences. At present only the whole of a sentence can be suspended: otherwise a full prison term has to be imposed. The Bill enables courts for the first time to suspend part of a sentence, so that a

short taste of prison can be given in those cases where the court considers that sufficient to deter, while the gravity of the offence as a whole can be recognised by the nominal term of the sentence.

#### A RECORD OF EFFECTIVE ACTION

Sentencing. As Mr. Whitelaw has said, "the level of violent crime in our society ... is something that we cannot and must not tolerate." (Hansard, 20th January 1982, col. 298). The Government has supported the lead given to the courts by the Lord Chief Justice, who has said that, although in many cases shorter sentences provide as effective a deterrent as longer ones, in the case of grave or violent offences, such as rape, an immediate and substantial prison term is desirable.

Police. The Edmund-Davies pay award held back by Labour was immediately implemented. Police pay since has been maintained and there have been substantial improvements in police morale and the quality of recruits. More police officers have returned to the beat.

Police strength was up by more than 7,500 officers in England and Wales to 119,575, an all-time record, at the end of 1981. In London the Metropolitan Police, with 25,075 officers, were also stronger than ever. Conservative backing for the police contrasts strongly with the priorities of Socialist Metropolitan Councils who have recently been threatening to cut back police strength in Britain's major cities.

Prisons. Industrial action by prison officers was firmly resisted. Many of the May Committee's recommendations on prisons have been implemented, including the establishment of an independent inspectorate. Overcrowding remains a problem but a major new prison building programme - involving eight new prisons - has been ordered.

Public Order. A major review of policy on Public Order has been set in hand, and will take into account Lord Scarman's recommendations. In the face of last summer's rioting proper protective and riot control equipment was issued to the police.

Attendance centres. Thirty-five new attendance centres, where young criminals can be sent in their spare time, have been opened since the Government took office. Seven of these centres are for the older youths who are frequently ring-leaders in trouble-making.

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#### Correction

Briefing Note No. 3, The Employment Situation, 28.1.82, page 1. Under the heading 'Causes of Unemployment', sub-heading 'Lower Productivity, Higher Pay', the figure for the rise in money incomes between 1970 and 1980 should be 345 per cent (not 34.5 per cent).

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