



10 DOWNING STREET

THE PRIME MINISTER

31 March 1983

Dear Sir,

On 16 March you presented at 10 Downing Street a petition calling for a referendum on capital punishment.

This Government has always appreciated the strength of public feeling on the issue of the death penalty and there have been two major debates on the subject since we took office in May 1979. It is a long held convention that because the issue is one of such extreme moral significance Members of Parliament should vote in such debates as individuals and not on Party lines. In July 1979 a motion to restore the death penalty was defeated by 362 votes to 243. More recently, in May last year, an amendment to the Criminal Justice Bill which sought to restore the death penalty for those convicted of murder was defeated by 357 votes to 195. More specific amendments relating to offences of terrorism involving loss of life, murder by firearms or explosives, the murder of police and prison officers and murder in the course of robbery and burglary with offensive weapons were also defeated, by majorities of between 124 and 180. In the absence of a parliamentary majority the Government has no basis on which to reintroduce the death penalty.

/The possibility

The possibility of a referendum on the subject of capital punishment was discussed during the debates but rejected by speakers both for and against the motion. The issues surrounding capital and corporal punishment are complex and the options manifold, and I think unsuited to be decided on the outcome of a referendum which could do no more than offer a single and simplified choice to the electorate. I myself have voted in favour of the death penalty but I firmly believe that this must remain a matter to be determined by Parliament within its responsibility for criminal policy as a whole.

I must emphasise that the Government's position on the specific issue of capital punishment is in no way an indication that we are unwilling to take firm action against offenders. The powers of the courts are already considerable, with the most serious offences of violence, including manslaughter, rape, robbery and wounding with intent to do grievous bodily harm carrying a maximum sentence of life imprisonment. We have strengthened those powers in relation to young offenders by the Criminal Justice Act 1982. There are now some 9,000 more police. We have increased the number of attendance centres for young hooligans. And the largest prison building programme since Victorian times is in progress.

/That is

That is a practical demonstration of this Government's deep concern about crime and to provide the framework within which the law may more effectively be enforced. The protection of all our citizens from crime is of paramount importance and it is the personal tragedies of those who like Mrs. McCabe have suffered so grievous a loss which stiffen our resolve.

Y
Louis
Raymond

Iain Mills, Esq., M.P.