

"Law and Order" Material for your speech

You asked for some background documents from the Home Office. Attached are

(1) Home Secretary's speech last night on public confidence, law and order* : The key facts are

(a) 9,000 extra pdw over the last five years
(b) tougher sentences being served (not given, because that is for the courts). For those who commit the worst murders, life can now mean life.

(c) 14 new prisons planned or ~~are~~ under construction

(2) Home Secretary's speech tonight on the miners' dispute
You will find helpful the passages at the top of page 2 and at the bottom of page 2 / top of page 3

(3) An internet submission leading to a letter to the Daily Telegraph concerning a misleading Gallup Poll published in that paper on Nov 5th. Key points are

(a) the best available estimate (from information supplied by the public) suggests that fewer than one person in 60 is the victim of a robbery or theft from the person in any year, not one in eight as Gallup suggests

(b) burglary rates in the U.S. are twice those here

(c) there were methodological flaws in Gallup's work which calls into question all their conclusions

* not, apparently, much picked up by the press

(4) An extract from the statistical summary concerning
the dispute, produced to the Home Secretary weekly. The
key points are: (as at 6 November unless stated)

- (a) 7,700 + arrests up to last night
- (b) 55 sentenced to custody (and 32 suspended)
almost 500 - to fines of £100+
- (c) 3,400 cases dealt with
almost 3,300 cases outstanding, including many of the worst offences
- (d) Over 1000 police injured

We shall let you have ^{separately} a draft paragraph for your speech,
dealing with public order issues.



N. A. PAWTLINE

Private Secretary to the
Home Secretary.

10-11-84

EXTRACTS FROM A SPEECH BY THE RT HON LEON BRITTAN, QC., MP., HOME SECRETARY
TO THE RICHMOND (YORKS) CONSTITUENCY CONSERVATIVE WOMEN AT NORTHALLERTON ON
FRIDAY, 9 NOVEMBER 1984

RELEASE TIME: 3.00 P.M., FRIDAY, 9 NOVEMBER 1984

PUBLIC CONFIDENCE AND LAW AND ORDER

Since my appointment as Home Secretary, my top priority has been to reinforce public confidence in the criminal justice system.

Over the years, a wide and dangerous gap has opened up between the views and objectives of many of those responsible for penal policy and the expectations of the broad mass of the British people. It was a gap of knowledge - and a gap of trust. So wide had it become that by the mid-1970s penal policy-making had become paralysed. Policy-makers believed that any initiative, however sensible, to rationalise or improve the system would be caricatured as "soft". And the general public felt, with justice, that their values, beliefs and fears were treated with lofty contempt.

That could not be allowed to continue, and from 1979 a different Conservative approach began to be felt.

What I have sought to do since assuming office in 1983 has been to further that change in the direction of penal policy.

As a result, successive opinion polls have confirmed that the general public have new-found confidence in the criminal justice system. Their approval of our policies has been clear and consistent. They know that this Government will react swiftly and strongly to threats to law and order - whether from terrorists, from pickets, or from professional criminals. They know that there will be no no-go areas in Britain. They know that the police will receive the fullest support - moral and material - in their difficult job, however strong the malicious criticism levelled against them. Above all, they know that this Government will not shrink from measures required to preserve the fabric of society from the violent men who would tear it in shreds.

The Socialist fog which so long lingered over British penal policy has been finally dispelled.

First, the police.

The increase in police strength of over 9,000 achieved over the last five years is being put to good effect. More officers are being returned to the beat. Bureaucracy is being pruned. Police technical support is being improved. Police resources are being targeted on the worst crimes. The police are being given the powers they need to catch criminals, through the Police and Criminal Evidence Act. And police pay has not been and will not be allowed to fall behind. At the same time, public support for the police is being galvanised. Over 1,500 neighbourhood watch schemes have been set up over the last year.

Second, sentencing.

Tougher sentences are being served by those who commit violent crime. I make no apology for this. Those who commit the worst violent crimes must pay for them - both to deter others and to mark society's abhorrence of deeds which fundamentally assault civilised values. Those who commit the worst categories of murder, including terrorist murder, must now expect to serve at least 20 years in prison. And if they pose a continued threat to society, they will not be released at all. Those who are sentenced to more than five years' imprisonment for crimes of violence or for drug trafficking can now no longer expect to be released on parole. These measures were denounced by a few as reversing the trend of 25 years of penal policy. What they actually have done is to show the Government's belief that if serious crime is not treated seriously, public confidence in the whole criminal justice system could not be sustained.

Third, prisons.

Many minor criminals do not need to go to prison at all - and it is not in their or society's interests to put them there.

But other criminals, particularly violent criminals, certainly do - and must stay there for long periods. So sufficient prison space is needed to contain them. We have accordingly embarked on the biggest prison

building programme this century. 14 new prisons have been built or are planned. This will allow an end to prison overcrowding by the end of the decade.

During the rest of this Parliament, those same policies directed to strengthening public confidence will continue.

The police will continue to receive every support they need. And the new Independent Prosecution Service which we are to set up will allow them to concentrate their efforts on their principal task - preventing and detecting crime.

The Bill to introduce an independent prosecution service will also affect sentencing. It will allow the Attorney General to refer what seem to be over-lenient sentences to the Court of Appeal, so that a proper sentencing pattern can be laid down for such cases in the future. Our drive against serious crime will also be backed up by legislation to increase the maximum penalties for trafficking in heroin and cocaine and for carrying firearms in the furtherance of crime from 14 years to life imprisonment.

The prison building programme is being accelerated. We will soon be announcing our conclusions on the introduction of week-end imprisonment. New arrangements will be introduced to deal with difficult and disruptive prisoners. The benefits of these policies are bound to take time to become apparent. But these achievements and plans show how aware we are that public confidence in the criminal justice system is not to be taken lightly: it must be won - and it must be kept. That is what we are determined to do.

Extracts from a speech by Rt Hon Leon Brittan QC MP, Home Secretary, to the Yorkshire Area Young Conservatives' Conference at the Windmill Hotel, Leeds on Saturday 10 November.

Release Time: 3.00 p.m., Saturday 10 November

The miners' strike has clearly begun to crumble. The faster that process continues, the better for all concerned - not least the striking miners themselves.

When it comes, the end of the strike will not just mark a triumph of common sense over extremism. It will also mark a triumph of the rule of law over violence.

The challenge to the rule of law in Britain has never been so great or so direct as during this dispute. It has been clear from early on that the stakes could not have been higher. The miners' leaders avoided the ballot. They barely attempted persuasion. They preferred force. They scorned the law. They abused the courts. They vilified the police. And they have even consorted with a terrorist regime overseas. But the very nakedness of the challenge to the rule of law has meant that the triumph of the law is all the more significant and its effects likely to be all the more lasting.

The miners' mass pickets posed the biggest single challenge to public order policing since the War. If their tactics had succeeded, the Nottinghamshire coal field would have been shut by force at the beginning of the strike. Coke works, steel works and power plants would have been brought to a halt. And, no matter how long the strike continued, no matter how great or senseless the hardship suffered, miners wishing to return to work would have been physically prevented from doing so.

That did not happen - because the police stopped it happening. They stopped it because the use of force to stop people from going to work is a criminal offence. The police showed that locally based police forces could respond effectively to a national challenge and do so in the biggest single policing operation in this country, involving, on occasion no fewer than 8,000 police officers. The police have inevitably not always been able to prevent intimidation or to detect those responsible for it. Nor, in spite of their carrying out over 7,600 arrests, have they been able to bring to justice everyone who has committed a criminal offence. No-one could reasonably have expected otherwise. But what the police have been able to do through skill and courage and against the expectations both of the pickets and of many others too is to ensure that all those wishing to go to work have been able to do so.

From the Government the police have received total support in the face of a wave of malicious and irresponsible allegations fuelled by Labour politicians and others. And the cost of policing the dispute is being met to an unprecedented degree by central government. But it is to the police, themselves, as servants not of the Government but of the law itself, that credit must ultimately go for upholding the basic freedoms of working miners and their families.

The rule of law has prevailed because the police would not bow to violence. And it has prevailed too because the courts will not be intimidated.

To the extremists who lead the NUM the judges are "scabs" and their law is just a weapon of class warfare. But for the rest of us the law and the courts are what stands between democracy and tyranny - whatever form tyranny may take.

With the assistance of 9 extra stipendiaries appointed for the purpose, the courts are now clearing the backlog of cases from the dispute. So far over 50 people have received immediate

custodial sentences. The most serious offences have still to come to trial. But already it is clear that justice will not be mocked and that the rule of law will not be suspended to accommodate the interests of those who flout it.

Whether the miners' strike will prove the last dispute in Britain in which mob violence is used for political ends, it is, as yet, too soon to be sure. But the lesson for those who are tempted to flout the law for their own purposes and for those who lend comfort to them is already crystal clear. It is that the courts, the Government and the people are determined to ensure that the rule of law will prevail.

From: D. E. R. Faulkner
7th November, 1984



RES/84 501/13/14

c.c. Mr. H. Taylor ✓
Mr. Webber
Mr. Bohan
Miss Maurice
Mr. Mower
Mr. R. Harris
Mr. Jeffrey
Mrs. Tuck
Mr. Hough (RPU)

*SAD - to Mr
I think a response on this
was in a JWD memo*

Mr. Davidson

INTERNATIONAL CRIME COMPARISONS

*Yes (A JWD memo, approved by
OM is bit? [initials])*

Ministers have asked if they could have an analysis of the victimisation study reported in Monday's Daily Telegraph (copy attached), which claimed to show that Britain headed the 'Euro Crime Table', and if they could have a suggested line to take.

2. Both the comparisons and the figures for individual countries are misleading and unreliable. The 'crime table' is constructed from responses to just three questions asked in more than a dozen languages; their interpretation will have varied widely from country to country - a problem which remains even when countries share a common language. The poll's results are contradicted by more detailed and thorough surveys which have been made both in this country (principally the British Crime Survey) and in some of the other countries concerned. For example it is clear from the British Crime Survey and the U.S. National Crime Survey that burglary rates in the United States are roughly double those in Britain; this must cast serious doubt on the finding that their rates for "home broken into" and "robbery" are significantly less than ours.

3. The figures themselves are equally suspect. For example, respondents questioned about "robbery" were asked whether they or other household members had had money or property stolen from them. Victims of any theft, however trivial, and the relatives of any such victims, will give positive replies to the question; only a fraction of these will be victims of robbery or theft from the person. The British Crime Survey showed that only 1.5% of the population aged 16 or over were victims of robbery in the last year. There are other difficulties of definition as well - whether "home broken into" includes break-ins to garages or outhouses; whether "personal assault" includes domestic violence or fights between friends and acquaintances, and so on.

4. Mr. Mellor may wish to set the record straight by writing to the Daily Telegraph on the lines of the attached draft.

RECEIVED BY
- 7 NOV 1984
PRIME SECRETARY

DLF

7th November, 1984

PERSONS ARRESTED BY CATEGORISED OCCUPATIONS

APPENDIX A

<u>NUMBER</u>	<u>OCCUPATION</u>
7,045	Miners
5	Retired Miners
4	M.P.s (including MEP)
14	Transport Workers incl. Coach driver H.G.V. driver Railway Worker
53	Students in Academics School/College Students/Lecturers
5	Medical Workers incl. Nurses Hospital Workers
25	Non Manual Workers incl. Planning Officer Community/Social Worker Clerks
164	Manual Workers incl. Construction Workers - Welder Labourers - Electrician Refuse Collector- Builder Industrial Worker
11	Servicemen Royal Navy - Fire Service
37	Housewives
145	Unemployed
2	Retired (Non miners)
8	Female (Other)
61	Not known/Given

7579 as at 6 November
7714 as at 10 November

NUMBERS OF ARRESTS BY TYPES OF OFFENCE

	<u>NUMBERS</u>	<u>OFFENCE</u>
1.	3264	Section 5 Public Order Act 1936 (behaviour likely to cause a breach of the peace)
2.	1525	Obstruct Police
3.	582	Obstruct Highway
4.	724	Criminal Damage
(a)	4	Criminal Damage with Intent to Endanger Life
(b)	10	Arson
5.	263	Assault on Police
6.	293	Assault - Actual Bodily Harm
7.	34	Assault - Grievous Bodily Harm
8.	137	Theft
9.	17	Resist Arrest
10.	38	Offensive Weapon
11.	226	Conspiracy and Protection of Property Act - Besetting
12.	17	Burglary
13.	1	Handling Stolen Property
14.	1	Drug Offence
15.	117	Breach of the Peace
16.	28	Breach of Bail Conditions
17.	17	Attempt (Various Offences)
18.	56	Drunkenness
19.	507	Unlawful Assembly
20.	17	Railway Offences
21.	21	Affray
22.	137	Riot
23.	1	Incitement
24.	14	Reckless Driving
25.	12	Threats/Conspiracy to Cause Damage
26.	3	Explosives Offence
27.	3	Threats to Kill
28.	2	Unlawful Imprisonment
29.	123	Other Offences

Total of arrests exceeds number of people arrested because of "double counting".

COURT SENTENCES IMPOSED

<u>NUMBER</u>	<u>SENTENCE</u>
7	Remand in Custody
47	Custodial Sentence - [Longest sentence 9 Months]
6	(a) Detention Centre [Maximum 6 months]
2	(b) Youth custody Order [Maximum 6 months]
9	Detained in Police Custody - [1 day]
32	Suspended Sentence - [Longest sentence 6 Months]
	<u>Fines</u>
6	Under £10
117	£10 - £24
210	£25 - £49
283	£50 - £74
401	£75 - £99
310	£100 - £149
66	£150 - £199
118	£200 and above
5	Community Service Order [80 hours]
2	Probation Order
248	Conditional Discharge/Absolute Discharge
740	Bound Over to Keep the Peace
590	Acquitted
3276	Court Bail



PARLIAMENTARY UNDER
SECRETARY OF STATE

HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

7 November 1984

Dear Sir,

I am writing to correct some misleading aspects of your article on 5 November under the heading 'Britain heads the Euro crime table'.

I do not criticise Gallup International for trying to compare the extent of crime in many countries. Crime is an international problem and we can learn from others' experience. The trouble is that you cannot make satisfactory comparisons on the basis of three questions put in more than a dozen languages about poorly defined kinds of offence. If you do, the results are likely to measure differences of interpretation rather than crime levels.

Let me give an example. Firmly based crime surveys in Britain and the United States of America have shown burglary rates there to be about twice what they are here. The article's suggestion that a slightly higher proportion of people had their homes broken into in the United Kingdom than in the USA will therefore come as a surprise to the US law enforcement agencies. I do not think they will believe it either.

Your article further implies that around 13% of the British population are liable to be robbed in any one year. The best available estimate of the risk of an individual being a victim of a robbery or of theft from the person in any one year comes from the British Crime Survey and is 1½%, about one tenth of the figure you quote.

DAVID MELLOR

The Editor

Gallup Poll

BRITAIN HEADS THE EURO CRIME TABLE

BRITAIN is the most crime-ridden country in Europe, according to a special study conducted by Gallup International for *THE DAILY TELEGRAPH*.

People in 13 European countries were asked whether they had been a victim of three crimes in the last five years: home broken into, robbery or theft from themselves or other family members, and personal assault.

The following table shows the incidence of such crimes in Europe in the last five years given in percentage terms:

	Home broken into	Robbery of family member	Personal assault
Britain	16	25	5
Holland	10	30	4
France	17	17	6
Italy	13	22	4
Denmark	12	21	3
Spain	10	19	6
Switzerland	7	25	2
Sweden	6	24	3
Ireland	9	20	3
Norway	6	20	5
West Germany	7	15	2
Greece (Greater Athens)	5	12	2
Belgium	4	10	2

Gallup International also asked the same questions in nine other countries around the world and the results were:

	Home broken into	Robbery of family member	Personal assault
Columbia*	33	49	18
Brazil	19	34	7
South Africa (whites)	17	29	4
Canada	13	24	4
U S A	14	16	2
Uruguay	12	12	2
Turkey	6	10	8
Korea	6	14	3
Japan	3	6	1

* Rural Indian population excluded.

In Europe, Britain, therefore, is second to France on house breakings, second to Holland on robberies or thefts, and second to France and Spain on personal assaults. However when the three crimes are totted up together, Britain heads the league.

Age pattern

Even when ranked against all the other countries worldwide in the survey, Britain comes behind only Colombia, Brazil and South Africa in the ranking for crimes.

In Britain, analysis by age shows a distinct pattern with younger adults, in particular, being most vulnerable.

Among those aged 18-34, for example, 32 per cent had had money or property stolen from themselves or a member of their household, 19 per cent had had their home broken into, and 9 per cent had been personally assaulted physically.

People in all the countries were also asked whether they had been a victim of any of the crimes in the last year.

The rank order of countries was similar to the previous question with Britain and France heading Europe, but still behind Colombia, Brazil and South Africa.

In Britain, 13 per cent of the general public had been robbed in the last year, 7 per cent had had their home broken into, and 2 per cent had been personally assaulted. The figures for younger adults were 18 per cent, 9 per cent, and 4 per cent respectively.

The interviewing for this study was conducted in August and September, with approximately 1,000 adults in each country. In each case the samples were nationally representative unless otherwise indicated.

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Letter To 'Daily Telegraph'
Friday 9th Nov. 1984

Different interpretations of crime figures

From the Parliamentary Sec. of State
for Home Affairs

SIR—I am writing to correct some misleading aspects of your report on Nov. 5 under the heading "Britain heads the Euro crime table."

I do not criticise Gallup International for trying to compare the extent of crime in many countries. Crime is an international problem and we can learn from others' experience.

The trouble is that you cannot make satisfactory comparisons on the basis of three questions put in more than a dozen languages about poorly defined kinds of offence. If you do, the results are likely to measure differences of interpretation rather than crime levels.

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Your report further implies that around 13 per cent. of the British population are liable to be robbed in any one year. The best available estimate of the risk of an individual being a victim of a robbery or of theft from the person in any one year comes from the British Crime Survey and is 1½ per cent., about one tenth of the figure you quote.

DAVID MELLOR
London, S.W.1.

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4. Mr. Mellor may wish to
Daily Telegraph on the lines

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1984
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DLM

7th November, 1984