



10 DOWNING STREET
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THE PRIME MINISTER

25 July 1988

Dear Mrs. Holmes,

Thank you for your letter of 10 June. I was so very sorry to read about the brutal murder of your son. Please accept my deepest sympathy for your tragic loss.

As you know, I personally share your views on capital punishment, but Parliament has recently voted against it by a substantial majority. The Government is well aware of public feeling about this issue, but ultimately it is a matter which only Parliament can decide. In the absence of a majority in favour we have no basis on which to seek the reintroduction of the death penalty.

You suggest that the majority of the population support the reintroduction of capital punishment and ask why a referendum on the subject cannot be held. Although referenda have occasionally been used as a means of gauging opinion on constitutional issues, such as membership of the European Community or devolution, the Government believes that it would be wrong in a Parliamentary democracy for them to be used for other issues. If they were advisory, it would still be up to Parliament to decide whether to change the law. If they were binding on Parliament they would undermine the authority of Parliament.

In the absence of a vote in Parliament in favour of reintroduction, life imprisonment remains the mandatory penalty for murder and reflects the gravity of the worst

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offences. It is also the maximum penalty for the other most serious crimes of violence including manslaughter and causing grievous bodily harm. No one who receives a life sentence is ever entirely free again; even if he is released on licence he may be recalled to prison at any time if his conduct warrants it. The Home Secretary is continuing his predecessor's policy of requiring the worst categories of murderers - including those who kill police or prison officers, sexual or sadistic murderers of children, terrorist murderers and those who kill during the course of robbery - to serve at least 20 years in prison. I must emphasise that 20 years is the minimum. Many will serve longer. Some may never be released.

You referred to the Home Secretary's speech on capital punishment during the recent debate. In setting out some of the factual and statistical background of the debate for Members of Parliament the Home Secretary added his own strong view that an execution would attract public attention to the condemned man and his family in a way which would overshadow the suffering of the victim's family. He certainly did not say or imply that those close to the victims would ever forget them. I am enclosing an extract of his speech so that you can read exactly what he said.

I know that words cannot ease the cruel hurt you are suffering. I do feel for you and so, I know, does Douglas Hurd.

Yours - very sincerely

Raymond Shafter

Mrs. Audrey M. Holms