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C. P. King Unit  
file 8H



10 DOWNING STREET

From the Private Secretary

13 September, 1983

Dear Hugh,

As you know, the Home Secretary saw the Prime Minister today to talk about the proposals for sentencing policy set out in his minute of 9 September. The Prime Minister asked about the difference between the proposed 30 year minimum for terrorist offences as compared with the 20 year minimum for murders of police and prison officers. The Home Secretary said that the former figure was in line with the recommendations made by judges in terrorist cases; the latter had been announced during the capital punishment debate in the House of Commons and had been widely welcomed by police and prison officer organisations. In any event, however, the case of every life sentence prisoner would be assessed against the criterion of public safety before release was authorised; there would also be a number of prisoners the gravity of whose offences was so great that they could not be released.

The Prime Minister noted the Home Secretary's conclusion that minimum sentences should not be introduced. Although she was herself not opposed in principle to statutory minima, she recognised the strength of opposition amongst the judiciary. The Home Secretary reported that the Lord Chief Justice took the view that some form of right of appeal against lenient sentences was the best safeguard. He proposed, therefore, that the Attorney General should be empowered to refer to the Court of Appeal any case in which the sentence imposed by the Crown Court appeared to him inadequate. This would be a major step and the Home Secretary proposed to discuss it with the Attorney General as soon as possible. The Prime Minister asked whether there would be any similar arrangements applying to sentences in magistrates courts. The Home Secretary said that he would give some thought to this.

The Home Secretary said that there was a particular difficulty about his proposal to increase maximum sentences for a number of firearm offences to life imprisonment. It seemed likely that the first legislative opportunity to introduce this provision would be the 1985/86 session.

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The Prime Minister further noted the Home Secretary's proposal for restricting parole for violent offenders. While she agreed with this proposal, she hoped that there would be provision for re-introducing those who had served very long sentences to the community. The Home Secretary said that he would be arranging for release under supervision for a few months immediately before the end of the sentence under tightly controlled conditions. Such an arrangement served the interests of public safety far more than would unsupervised release at the end of the sentence.

The Home Secretary said that it had to be recognised that his proposals would have considerable implications for the prisons. The prison population would increase, as would the proportion of offenders with records of violence. It was important, therefore, for the purposes of control, that every possible step was taken to relieve the pressure on the prison system. The most important proposal in that context was the reduction in the minimum qualifying period for parole - a measure which had wide support, even amongst those who were pressing for a tougher stand against violent offenders. There would, moreover, need to be a continuing high priority given to the programme of prison building and refurbishment. The Prime Minister said that she very much supported this programme and, in particular, the efforts which were being made to introduce proper sanitation arrangements into the older prisons.

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Yours ever,  
Tim Flesher

TIMOTHY FLESHER

Hugh Taylor, Esq.,  
Home Office

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