

D. R. X
PRIME MINISTER

LIMITED SENTENCES

Following your recent meeting with the Home Secretary and others to discuss this, the Home Secretary proposes to take the line set out in the attached letter in opening the Second Reading Debate of the Prosecution of Offences Bill tomorrow.

As it stands, the letter suggests the Home Secretary might take a somewhat less robust line than was agreed at the meeting. I have spoken, however, to his office, and they have confirmed that the Home Secretary's speech includes two further points as well:

- (i) That the Government does not propose to let the matter rest, particularly in view of the weight of public opinion in favour of the change; and
- (ii) that, if the proposal is not carried on to the Statute Book in this Bill, it will be borne very much in mind in preparing the Criminal Justice Bill.

On this basis, the Home Secretary's line seems to reflect the upshot of the meeting.

Content?

S. Addison

Yes not

pp. MARK ADDISON

15 April 1985

Message passed to HO.

MBT 16/4

eg/no



HOME OFFICE
 QUEEN ANNE'S GATE
 LONDON SW1H 9AT

15 April 1985

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Dear Mark,

LENIENT SENTENCES

We had a word on the telephone about the outcome of the meeting held by the Prime Minister on 3 April to discuss the provision contained in what was clause 22 of the Prosecution of Offences Bill. That clause would have empowered the Attorney General to seek from the Court of Appeal an opinion on any Crown Court sentence which appeared to be excessively lenient. I said that the Home Secretary thought it would be helpful if I were to set out in more detail what he intended to say in opening the Second Reading debate tomorrow.

The Home Secretary will begin his speech by confirming that neither he nor the Lord Chancellor were persuaded by the arguments deployed in the House of Lords, and that the criticisms advanced there appeared to be misconceived. He will go on to say that he recognises, nevertheless, that the strength and breadth of the feeling on the subject in the House of Lords was considerable and could not be set aside without a wider measure of support for the provision than has so far been apparent. The Home Secretary will indicate that he would like to reflect upon the matter further, but he has at present no plan to reintroduce the provision in this Bill. This section of the speech will be carefully worded so as not to rule out Government support for a back bench amendment along lines similar to those of clause 22, or even a Government amendment at a later stage of the Bill's progress should a wider measure of support emerge.

I am copying this letter to the Private Secretaries to the Lord President, the Lord Chancellor, the Lord Privy Seal, the Attorney General, the Chief Whip in the House of Commons and the Chief Whip in the House of Lords.

Jam,
 Nigel
 N A PANTLING

Mark Addison, Esq