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## CABINET

## CRIMINAL JUSTICE BILL

Memorandum by the Secretary of State for the Home Department

1. In view of the public and Parliamentary interest in the Criminal Justice Bill, my colleagues may like to have, for information, a brief statement of its principal contents. They have been approved by the Home and Social Affairs Committee.

2. The objects of the Bill are i. to provide more effective means of dealing with major criminals, and ii. to broaden the range of alternative methods of dealing with the smaller fry, who make up the great bulk of the present prison population and contribute substantially to the overcrowding problem.

3. The main proposals are as follows:

## Reparation

A simplification and enlargement of the powers of the courts to order an offender to pay compensation to the victim.

## Criminal Bankruptcy

A limited experiment in applying bankruptcy procedures to major criminals. The primary object would be to determine whether this approach has promise as a means of depriving major criminals of the fruits of their crime; reparation would be an important, but subsidiary, aim.

## Penalties

There is a need to increase some of the maximum penalties for firearms offences. Penalties for the most serious offences, such as use of a firearm to resist arrest, would go up from 14 years to life.

### Driving disqualification and crime

The higher courts are to be given power to disqualify from driving an offender who has used a vehicle in the commission of crime,

### Forfeiture of Property

The courts are to be given a general power to order, for the prevention of crime, forfeiture of property in the possession of an offender. This would replace the existing provisions, which are limited in scope.

### Suspended Sentence

The requirement that certain short prison sentences should be suspended is to be removed, but the courts are to be required to consider information about an offender before sending him to prison for the first time and (in the case of magistrates' courts) to state their reasons for doing so. Compulsory supervision by probation officers is to be made available for the longer suspended sentences.

### Parole

There will be some devolution of responsibility, in the less serious cases, from the Parole Board to the local review committees.

### Deferred Sentence

To enable the court to await a promised change in an offender's circumstances, there is to be power to postpone sentence for up to six months.

### Community Service

An experimental scheme (initially in four or five areas) to enable the courts to require offenders to carry out work of service to the community in their spare time. The scheme would be managed by the probation service. Full use would be made of local voluntary service organisations.

### Day Treatment Centres

Another experiment (two or three centres in the first instance), to provide intensive supervision and social education for certain types of offender, as a condition of probation.

## Hostels

Local probation committees, in addition to the existing voluntary bodies, are to be given power to set up and manage hostels and other accommodation for offenders, and for persons on bail who would otherwise be remanded to prison.

4. A Bill with these provisions (and some other minor changes) would provide a useful "package" to meet the objectives outlined above. A number of its proposals are avowedly experimental and carry with them the risk that they may not be successful or, though they prove themselves, may be difficult to extend more widely. But I believe that we can justly claim that we have here a hard-headed but constructive policy for improving the administration of criminal justice.

R M

Home Office

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