

Dealing with crime

I reproduce below the Lord Chancellor's letter to MPs setting out his new proposals, as I think they are good.

I am writing to inform you that the Government has laid before Parliament a White Paper entitled '*A Smarter Approach to Sentencing*'.

This paper sets out the Government's proposals to deliver on manifesto commitments to **crack down on crime and protect the public by ensuring dangerous criminals are kept in prison for longer.**

Our current sentencing and release framework is failing to give victims and the wider public the confidence they should have in our criminal justice system. Too often the time offenders spend in prison does not match the severity of the crime, with some of the most serious criminals being released after serving only half their sentence.

At the heart of this paper are reforms to the sentencing and release framework in England and Wales, which will see certain sexual and violent offenders serve longer jail time, while new measures aim to tackle the underlying causes of criminal behaviour and improve the rehabilitation and supervision of offenders in the community.

Keeping dangerous criminals in prison for longer

Our white paper sets out plans to **make whole life orders the starting point for child killers**, as well as allowing judges the discretion to hand out this maximum punishment to 18-20-year olds in exceptional cases (where, currently, only those aged 21 and over may receive a whole life order). We are **ending the halfway release of offenders** sentenced to between four and seven years in prison for serious crimes such as rape, manslaughter and GBH with intent. Instead they will have to spend two-thirds of their time behind bars, like those serving determinate sentences of more than seven years already do following the legislation we brought in earlier this year. We will also introduce a new power to **prevent automatic release for offenders who pose a terrorist threat or are a danger to the public** and are serving standard determinate sentences. We will also legislate to increase the time discretionary life sentence prisoners and certain sex offenders must serve in prison before they can be considered for release by the Parole Board.

Tougher community sentences which tackle the underlying causes of crime

The white paper includes plans to make community sentences stricter, better monitored and more targeted at cutting reoffending by tackling issues associated with criminality. **More vulnerable offenders who do not pose a risk to public safety will be diverted into treatment programmes to recover from these serious issues, such as mental health, alcohol or drug addiction programmes.** This will help them lead crime free lives, ultimately helping drive down reoffending rates alongside strengthened supervision to ensure

compliance.

Community sentences will be made tougher by **doubling the amount of time offenders can be subject to curfew restrictions** to two years for more serious criminals. Courts and **probation staff will be given more flexibility to use those curfews to support rehabilitation**. For example, by having lesser restrictions Monday to Friday to keep offenders in work, but stricter curfews of up to 20 hours a day on weekends. The robust measures aim to provide strong but rehabilitative punishment in the community.

GPS tagging for burglars

Meanwhile, for the first time, **GPS electronic location monitoring will be used to track burglars**, robbers and thieves when they are released from prison. Reoffending rates among these offenders is amongst the highest across all offence types, with individuals convicted of theft who reoffend doing so on average five times over their lifetime. The technology will allow probation to monitor an offender's whereabouts and where appropriate share this data with the police to support them investigating and prosecuting these crimes.

The move builds on Government's plans to **make greater use of electronic tags to cut crime**, following the rollout of GPS monitoring over the last twelve months and plans to begin using so-called 'sobriety tags' to tackle alcohol-related offending.

Reducing Re-offending

There is more that we, across Government, need to do to address reoffending. Reoffending weakens public confidence in the criminal justice system's ability to deal with offenders. It also has a significant financial cost, not only to the criminal justice system, but to wider society. **This paper introduces cross-government work underway to develop ambitious plans to reduce reoffending, focusing on employment, accommodation, and substance misuse**. An important first step is supporting ex-offenders striving to turn their lives around through work by **reducing the time in which they are required to disclose certain convictions for non-sensitive roles**.

Alongside this, work is underway to boost education in prisons. Ministers will deliver on the manifesto commitment to **develop a Prisoner Education Service, focused on work-based training and skills**. It will build on recent reforms that have already enabled Governors to commission education services that meets the needs of their prison populations and local economies. The ability to improve prisoners' functional, vocational and life-skills is key to support wider rehabilitation and reduce reoffending on release.

Next steps

The Government will bring forward legislation next year to deliver on the proposals set out in this paper.

You can view the White Paper at

<https://www.gov.uk/government/publications/a-smarter-approach-to-sentencing>.

Not another lock down

The Prime Minister is right to say he does not want another national lock down. The Chancellor is right to warn of economic damage were the government to impose one.

It appears that the Cabinet is arguing over what is the right balance between encouraging people and businesses back to school and to work, and advice or controls over conduct to seek to limit the spread of the virus.

The government needs to ask itself why it wants more of a lock down, and what purpose will be served. The first national lock down had two specified purposes. The first was to save the NHS which was not ready or equipped to handle an upsurge in CV 19 cases. This problem has surely been solved by the addition of many more intensive care beds and the arrival of the Nightingale emergency hospitals, along with billions of pounds of extra funding.

The second idea was to squash the sombrero or flatten the hump in the graph of cases. No-one said they could eliminate the virus. The terms of the lockdown implied a subsequent increase in virus cases as it came off, but at a more acceptable rate and below much increased NHS capacity to cope. It also meant spreading out the virus outbreak reduced the time to the arrival of a vaccine if one is going to emerge this winter.

Now it appears some are moving closer to the idea that we need to eliminate the virus. That would be great. Unfortunately it seems they think this can only be done by imposing very intrusive controls, doing lasting damage to all businesses that rely on social contacts, and keeping the controls in place for a long time. There does not yet seem to be any country worldwide outside China that has imposed draconian lock downs that has avoided a second coming of the virus after relaxing some of the controls. If one country could do it they would need very tough border controls to stop it coming back in from elsewhere.

Yesterday I made some suggestions on how to stop the current spread of the virus leading to more deaths, by stronger safeguarding for those most at risk. I think it unlikely further controls on social contact either for business or within groups of family and friends will be sufficient to end the virus. Test and trace becomes more difficult as we enter the flu and cold season, leaving many more with symptoms. The rate of false results on tests and delays in getting them and finding the results also makes it difficult to guarantee success in stopping the virus by this means.

I have not lectured people on how they should live their lives or respond to the virus. I think the government needs to repeat clear advice on how the virus spreads, what the risks are and what actions might reduce the risk, and leave more to individuals to decide how they wish to respond.

Letter to Matt Hancock

Dear Matt

I sympathise with the government's need to balance the aim of getting deaths and serious illness from CV 19 down, and to allow recovery of the business activity from the economic disaster of lock down.

Now that we see cases of CV 19 rising again, with the danger that it will get back into the vulnerable community and cause more suffering and death, can we learn some of the lessons of the first time round?

I take away from the experience of March and April that it is particularly important to protect the elderly vulnerable to keep the death rate down. Shouldn't we now stop all visits to Care Homes, and ask people to contact friends and relative by phone, or on line video calls which the staff can help the residents set up?

Shouldn't there be a strong regime to test staff in care homes in case they catch the virus without symptoms, to further safeguard residents? I am glad you are helping the sector with proper protective clothing and stressing the need for strict hygiene regimes.

We also saw hospitals as centres of spreading the virus. Can we this time identify isolation hospitals or sections of hospitals that can be fenced off against the virus to handle all CV 19 cases, allowing the bulk of the NHS to proceed with the many other life threatening conditions that need treatment without the threat of cross infection?

The vulnerable in the community should be reminded that their voluntary protection from the virus requires them to be very careful about social contacts. Friends, neighbours, relatives and local Social Services should be encouraged to offer safe distance social contact and support with on line orders to see them through a further need to observe distance from others who may carry the virus.

The main emphasis of policy should be on protecting those most at risk, as we now know the pattern of risk factors making it more likely someone will get a dangerous version of this disease.

It would also be good to have an up date from your medical advisers on best and preferred courses of treatment, now that much more is known about the nature of the disease and the efficacy of various drugs and treatments.

Yours

John

Getting our money back

Margaret Thatcher understood the UK had a bad deal out of our EEC/EU membership. At a time when she was battling to get the public finances under control and to get value for money for UK taxpayers, she naturally expected the same of our EU contributions and budgets. She judged the public mood well. Why accept less spending at home if they were wasting so much of our money abroad?

The official government and establishment was shocked by her wish. They did the usual thing of checking with their official continental friends and gleefully reported back that there was no interest in offering the UK a better financial deal, and the UK would be the only state wanting to press the matter. To even raise it was bad taste which would “undermine our position in Europe” or would “marginalise the UK “

Margaret decided to proceed. She said she would threaten to withhold contributions if they did not take the matter seriously and make a concession. This caused even greater official consternation. They pointed out it would be completely illegal to withhold the money. It was owing under our Treaty obligations, enforced by the clear Act of Parliament making us obey the Treaty provisions. If she did so the UK would soon be found guilty by the European Court of Justice which had complete control over us all the time we were members.

She pressed on regardless. To the amazement and consternation of the official advisers the EU took her demands and possible threat seriously. They offered a generous discount on the bad terms we had before. She did not as a result have to carry out her threat to withhold the money. One woman, opposed by the whole EEC and by much of the UK establishment , saved UK taxpayers billions. It shows how will power and not making concessions is essential to a successful negotiation with the EU.

Negotiating with the EU

The only past UK Prime Minister to have conducted a successful UK negotiation with the EU was Margaret Thatcher. I wish the current PM every success in pursuing a Free Trade Deal and a full assertion of UK powers over borders, trade, money and laws.

All the other PMs failed to stand up to Brussels bullying or failed to engage to get the UK a better deal in the first place. Mr Heath needlessly

sacrificed our fish in a last minute panic to get into the EEC, setting up a running sore about our membership. His terms over money were also feeble.

Mr Wilson attempted a renegotiation which gained practically nothing back from the EEC, but did allow him to force his very divided party into accepting the EEC after a referendum. The pro remain referendum campaign told us we were just joining a Common Market with no loss of sovereignty. Over the years instead successive governments surrendered power after power to the EU institutions, making self government impossible.

Mr Callaghan accepted the Wilson settlement. He lost the election owing to poor economic management, partly triggered by the large balance of payments deficit with the EEC created by the adoption of EEC trading rules and tariffs.

Sir John Major signed the UK up to the Maastricht Treaty which split the party and country. He did not use the big EU push for more integration to secure a less intrusive model for the UK, though he did get the important opt out from the Euro. Sir John lost the General election heavily thanks to the enormous economic damage done by the European Exchange Rate Mechanism which he forced the UK into.

Tony Blair promised a renegotiation of the Common Agricultural Policy and stupidly surrendered part of of our cash rebate to get it. The Reform never materialised as wanted by the UK.

Gordon Brown did not try to get anything back for the UK.

David Cameron went in for a major renegotiation. He travelled the EU asking what they would give, and got the answer very little. He asked for very little and did not even get that. He failed for example to restore control over our benefits system. One of the many Remain lies over the years was this was a red line issue which meant we would stay in charge. His failure led directly to the referendum outcome, with many otherwise loyal Conservatives backing Leave. Mr Cameron had to resign owing to his EU policy.

Mrs May constantly gave in to pressures from the EU ,leaving her with an unacceptable set of terms for withdrawal which led directly to her exit from the job as PM.

Tomorrow I will look at how Mrs Thatcher carried out the very successful negotiation to get a substantial rebate on our onerous membership terms.