

REPORT TO LIAISON COMMITTEE

ON PRESENTATION OF

CONSERVATIVE POLICIES ON LAW AND ORDER

SECTION 1 - Public Perceptions

A short summary of public attitudes, as can be discerned from opinion surveys, is attempted first. This is obviously based on surveys of all-Party opinion, and should be read as such; as is shown in para. 5 there is some groundswell of opinion in our own Party which is different from that among supporters of other Parties. (The main sources are Tracking Surveys; Gallup "Law and Order" August 1981; MORI, "Attitudes to Police", August 1981; ORC, December 1981; NOP, Police, November 1981; Marplan, January 1982; Gallup, December 1981.)

1. Law and order is generally an important secondary issue, rather than a persistent determining factor in voting intention. It does inevitably become exceptionally important at unforeseeable times of crisis (e.g. riots, aftermath of publicity given to peculiarly serious offence).
2. It is likely - even at normal times - that opinion polls may understate the potential 'negative' impact of criminal activity. Each instance of private grief (e.g. a mugging or a burglary among family and friends) or private anxiety (e.g. the reading of an alarming report in a local newspaper) may raise law and order to a higher level of salience on the individual level.
3. There are apparent differences in perception between Scotland and England and Wales. More people in England and Wales appear to regard further improvements in law and order as important.
4. The Conservative Party is seen as more likely than any other to be effective on this issue.
5. The problem of Law and Order is far more important to Conservative supporters, or potential supporters, than those presently committed to the Labour Party. There is evidence, however, that it is seen as an influential second-rank issue by supporters of the Alliance, particularly those disposed to return to Conservative allegiance if circumstances change.
6. Although Marplan, January 1982, showed a majority who thought the Government unsuccessful on law and order in 1981, the generally more reliable Gallup, December 1981, and other polls, demonstrate

that somewhat more approve than disapprove of the overall record. Approval on law and order is normally stronger than on any other issue, although margins of approval are less substantial than at times in the past.

7. Almost all people believe crime is increasing in the UK; the vast majority, even in the aftermath of the riots, saw this as a problem common to all countries. It would be worthwhile to continue to emphasize this point, provided it is not allowed to appear a plea of impotence.
8. The vast majority of the population (more than four in five) have confidence in the police. There is overwhelming support for the 'bobby on the beat'. Most see the Conservative Government as having supported the police. Some poll evidence (MORI August 1981, NOP November 1981) suggests that a significant proportion of the population (between a fifth and a quarter) have had their confidence in the police reduced in recent years. This is more marked among young people, and, to some extent, middle class groups. One cannot neglect the impact of insensitive behaviour by some young constables, and the 'dripfeed' effect of the excessive prominence given in the liberal media to individual cases of presumed or actual wrongdoing by the police.
9. Coloured people - particularly youths - are seen as proportionately more likely to be involved in crime.
10. After the riots particular attention was directed to the 'causes' of crime. Among the leading causes named as 'fairly important' or 'very important' in Gallup, August 1981, which had been regarded as equally, or almost as, important in earlier surveys, were: breakdown in respect for authority and law (91%), bad example set by parents (88%), laws too lenient (80%), violence in television entertainment (67%). The leading causes, which had seemed significantly less important before the riots, or where there was no previous evidence were: unemployment (90%), lack of discipline in schools (81%), media coverage of crime (75%), poverty (73%), and racial conflict (66%). Clearly many of these perceived causes go far beyond Home Office areas of responsibility. Combatting them must be part of a more general Conservative reassertion of the need to respect authority and maintain order.
11. Direct experience of crime is limited. Most perceptions are second-hand. In Gallup, August 1981, two-thirds of those questioned (more than in 1980) said there was no area in their locality where they would be afraid to walk at night. One-third expressed fears, however. (Polls do not reflect evident fears which are felt in certain localities.) Again, last August, almost two-thirds of those questioned said that neither they, nor those close to them, had been victims of crime in recent years. Overwhelmingly, the most common experience was burglary - experienced or known of, as having happened to closest family

and friends, by a quarter of those questioned.

12. The majority of people believe that the individual is responsible entirely or in part for law-breaking, rather than that environmental factors in society are responsible. Even after the riots less than a fifth thought the environment made people commit crime; only a fifth thought the environment partly to blame.
13. Very few people believe prison sentences as a whole to be too long; a significant majority think them too short for some crimes.
14. Reclamation/treatment is thought to be the first purpose of sentencing by a comparatively small number of people. A mixture of retribution and deterrence is supported by a significant majority.
15. There is significant majority acceptance of the idea of non-custodial sentences for petty offenders.
16. A majority say they would support the return of corporal punishment.
17. A majority see capital punishment as a deterrent. More than two-thirds of those questioned in Gallup, August 1981, would support it for murder of policemen or army personnel, for terrorist murder, for murder 'for the fun of it', and murder after rape.
18. The majority do not believe that capital punishment will be brought back. The Conservative Party is seen as by far the most likely to restore it; almost no-one believes either the Liberals or Social Democrats would do so.

## SECTION 2 - Public Perceptions and Party presentation

1. There is much that is encouraging in recorded attitudes:
  - Conservatives are by far the leading party on this issue.
  - There is more approval for this aspect of the record than others.
  - There is strong support for the police, to whom we have given firm backing.
  - There is an emphatic anti-liberal majority supporting strong policies on serious crime.
  - There is recognition that problems are far-reaching and international, theoretically therefore not immediately

susceptible to Government action.

- There is more generally an emphasis on individual responsibility for crime, tempered by some concern over unemployment and depressed living standards in some areas.
  - There is acceptance of the idea of non-custodial sentences for petty offenders, together with an insistence on long sentences for serious crime.
2. All these attitudes are in line with the Conservative approach.
3. Some perceptions are less encouraging:
- (i) There is less conviction than there has been in the past, though there is still a majority belief, that the Government's record has been successful.
    - This should be fiercely countered. The Party cannot afford to lose a positive advantage on a 'Conservative' issue. This year in England and Wales, the passage of the Criminal Justice Bill, a crucially important reform in the law, provides a clear opportunity for a campaign to demonstrate how, with this final measure, we have fully implemented our Election promises. We can exploit it also as an opportunity to make more widely known the details of our record. Among the main components of the Bill which should carry most support are the revision of law on the sentencing of young offenders, better regulations for compensating the victims of crime, and the increase in parental responsibility for the wrong-doing of their children.
  - (ii) There is a feeling that crime is still on the increase.
    - The crime figures are worsening. Paradoxically, effective policing, which becomes aware of more crimes, can contribute to this. But the existence of this sentiment means that we must stress the international scale of the problem, and set crime in its broader context of social discipline. There is a responsibility for everyone in society to help the police, report crime, criticise and, in appropriate cases, punish infringements of proper standards by children and adults. A national campaign along this line might be considered to emphasise these points, and deflect the idea that Government alone has the responsibility. Even 'community policing' should mean policing which has active community assistance, not policing designed to win favour with a passive community.
  - (iii) There is concern about the prevalence of law-breaking among some young blacks.
    - This implies that we should be candid about this problem and be seen to state clearly to members of the black community the dangers of any such trend, and our unwillingness to tolerate it. We must not allow a suspicion to grow that the law is applied less firmly to minority communities.

- (iv) There is some feeling that unemployment and social deprivation are factors contributing to crime.
- This sentiment will obviously be lessened by perceived economic recovery although high unemployment will remain a problem. In countering it therefore we must stress the popular theme of individual responsibility for criminal action. No plea of deprivation can excuse criminal activity. We should seek to emphasise also in any debates those perceived causes of crime which are more helpful to us.
- (v) There is widespread sentiment for capital and for corporal punishment, on which we cannot deliver. At times we will be forced to confront these issues in public.
- This implies that we should cause a coherent case against judicial corporal punishment to be developed, as may be possible during the passage of the Criminal Justice Bill.
  - It implies that we should emphasise the Parliamentary position on capital punishment. This argument must not become personalized. Some of the complicating factors surrounding the reintroduction of capital punishment might be more heavily stressed.

### SECTION 3 - The Record

Marketing our record effectively will be the most forceful response to criticism. There are differences, however, in the criminal justice systems in England and Wales.

#### (i) In England

- A policy of support for the police has raised the strength to record levels, attracted high quality recruits, retained experienced officers, improved morale and equipment. We have given unique treatment to their pay, in direct contrast to the Labour Party. Training methods are constantly being improved; more 'bobbies' are back on the beat.
- Prison administration has been reformed; we have ended an era of neglect of the prisons; there is a major building programme, involving eight new prisons, the first for many years.
- The 'short, sharp shock' regime is operating in detention centres.
- We have greatly increased the number of attendance centres.
- We have supported senior judicial calls for heavy deterrent sentences for crimes of violence.
- We have widened the range of penalties available to the courts.
- We are introducing a comprehensive reform of the law on young offenders.
- There will be tougher sanctions against parents of young offenders.

- We are introducing residential care orders.
- Compensation for the victims of crime is greatly improved.
- We have proved our determination to resist terrorism.

(ii) In Scotland

- Police strength has greatly increased; more special constables are being encouraged.
- A major reform of criminal procedure, police powers, and penalties.
- Identification parade procedure has been overhauled.
- Police now have stop and search powers for offensive weapons.
- For the first time police have a limited legal power of detention.
- A ban on alcohol in football grounds has been introduced.
- A new offence of vandalism emphasises the gravity of this crime.
- Better compensation for the victims of crime.
- Improvements are being made in Scottish prisons; prison officers are being allowed to buy their houses.

SECTION 4 - The Presentational Approach

1. Too many people are still insufficiently aware of this very positive record. Ministers outside the Home Office, back-bench MPs, the Party organisation could all contribute more to the selling of these important themes.
2. The crime rate is seen to be rising. As recorded in the figures that is true. But this should not be allowed to promote a "they've done nothing" sentiment. The figures can even be turned to our advantage. (This is a world-wide problem. But we are determined to uphold the authority of the law. The rise in crime makes it imperative to have a Conservative Government to tackle it. How would we fare under any other Party?)
3. As implied above, we can be more aggressive about our political rivals. No other Party in the field is going to criticise us for being too weak on this issue. No other Party is likely to take supporters away from us by offering a more positive approach. But we could give pause to those who may be disenchanted, by explaining our policies better, and by asking what the alternatives would be, caricaturing other Parties'

supposed alternative strategies, and impugning the poor record of our opponents, and the disrespect for the law on the far Left.

4. Presenting our policies is a delicate balancing act. Our pursuit of the firm but balanced policies outlined above has opened us to attack from two quarters - from those who see ever more severe penalties as the only deterrent to crime, as well as from those of a more liberal opinion who believe, wrongly, that our policies recognise insufficiently the importance of the treatment and rehabilitation of offenders. Presentation is the more delicate for those Ministers departmentally responsible who answer for the criminal justice system which must be kept free from partisan taint. This makes it all the more important for Conservatives outside the Departments of State to contribute to political debate. Ministers have, however, clearly laid down lines of approach which are well in tune with public perceptions and aspirations:
  - The Government places the highest priority on maintaining the rule of law.
  - At a time of recession scarce resources have been made available for extra spending in this area.
  - We are seeking more effective detection, deterrence, and sentencing of offenders.
  - We have strongly supported the police in the proper performance of their duties and have significantly strengthened them.
  - We are widening the range of penalties available to the courts.
  - While developing alternatives to prison and the use of shorter sentences for lesser crimes, we insist on long, deterrent sentences for the serious offences.
  - We are facing the problems in prisons with a resolution not seen for many years.
  - We are paying particular attention to the disturbing incidence of crime amongst the young.
5. Few of these themes are controversial. We must avoid being seen as uncritically the "police party", and have rightly balanced strongly supportive words and actions with condemnation of infringements by police. We have to be careful to explain that the policy of shorter sentences applies only to lesser offenders. The theme is that the first taste of prison is what deters.
6. The Conservative Party has rightly always maintained the

importance of respect for the authority of the law. Policies designed to promote discipline and self-discipline in society command widespread support. Our policies on law and order are critically important. But the law and order services are mainly concerned with limiting the damage that delinquency can inflict on society, and with deterring those who are disposed to crime.

There are many other Government Departments whose work is equally important in this respect. We need to restrict the growth of delinquency from an early age. We need to provide more people with the sense of responsibility that comes from having a tangible stake in society. Therefore as part of the theme of promoting a disciplined and responsible society, we must stress, alongside our law and order programme, policies such as:

- The development of better standards and effective discipline in schools. Potential delinquents can frequently be identified at an early age.
- The strengthening of family life and the restoration of a wider sense of parental responsibility.
- The rebuilding of inner city life.
- The promotion of discipline in the workplace to which our trade union reforms can make such an important contribution.
- The widening of ownership in society - through housing policies, employee share ownership, and incentives to save.

By insisting on the maintenance of the authority of the law, we can reassure those whose great wish it is to preserve the stability of society and to enjoy that most basic freedom, to go about their business without fear of interference by those who defy the law. The traditional Conservative approach should highlight these themes. We should make it clear that the individual wrongdoer must in the general interest be held responsible for his actions. We should establish the equation between indiscipline and ultimate instability.

7. We must lay more emphasis on the immense cost of crime. Cost, in financial terms - from the extra price on items in shops because of shoplifting, through to the immense expense of maintaining police, courts and prisons; cost, too, in personal terms - in individual fear and suffering. In this connection we should further publicise the importance we attach to the victims of crime, the support we have given to victims' support schemes, improvements in criminal injuries compensation, and the insistence, in the Criminal Justice Bill, that compensation for victims should come first in sentencing, before any other call on the resources of an offender



8. We must embrace the community more directly in the upholding of the law. The Home Secretary is rightly stressing this theme in his remarks on policing. In crime prevention and crime detection a civilian population that is properly informed, interested and concerned about crime can be as effective as a large number of extra police at far less cost. The principle that it is the citizen's duty to help - just as the Government tries to help - those impartial forces that uphold the law is essential to a free society. Without Government backing and without positive - not apathetic - popular support the forces of law and order would be hamstrung. In this context it would be worthwhile also to consider developing - as has been done in Scotland - a campaign to recruit more special constables, so that the police, expensive crime-fighting weapons, can be left more free to concentrate on their most essential duties.
  
9. There is every reason to be proud of the Conservative record, every reason to expect that it is possible to extend once more the margin of approval of our performance. There will inevitably be moments of crisis and of public disquiet. The issue will always be overshadowed by the great economic considerations. But, actively projected by the Party as a whole, our policies can continue to be an important, and distinctly Conservative, factor in binding to us our support.

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