

*cybs*



2 MARSHAM STREET  
LONDON SW1P 3EB  
01-212 3434

The Rt Hon Viscount Whitelaw CH MC  
Home Secretary  
Home Office  
Queen Anne's Gate  
London  
SW1

My ref: R/PSO/18401/86

Your ref:

20 October 1986

*LPC?*

*NBM*

*at top*

*Dear Willie*

COMMUNITY CHARGE : FRAMEWORK OF DUTIES AND OFFENCES

Douglas Hurd copied to me his letter of 2 October on this subject.

Our decision to go for civil rather than criminal penalties for avoidance of community charge liability stemmed from a wish to avoid creating new criminal offences unnecessarily, and to minimise the workload on the courts. But we must make it plain that failure to register would be a serious matter : repeated refusal to supply information, or continuing to supply incorrect information even after a penalty has been levied, would be especially serious. Unless larger penalties are available in those circumstances, the only way of marking the gravity of repeated offences will be for authorities to seek prosecutions under the Theft Act 1978 for evasion of liability by deception. That would be both more expensive and reintroduce criminal penalties - contrary to our earlier intentions.

I therefore suggest that, if £400 is thought to be too high, the penalty for repeat offences should be £200 - the average community charge when the new system is fully in place - with a mechanism for increasing the penalty periodically.

I am copying this to other members of E (LF), to the Lord Chancellor, the Attorney General, the Lord Advocate and to Sir Robert Armstrong.

*James*  
*Nicholas*

NICHOLAS RIDLEY



Local Gov't Rating Reevaluation PTS.

