CC BG

HOME SECRETARY

QUEEN ANNE'S GATE LONDON SW1H 9AT

Our Ref: LXN/86 30/14/4

15 December 1986

NBPR

Dear Nicholas, at flap

You copied to me your letter of 3 December to Willie Whitelaw seeking approval of a draft statement for publication setting out how the community charge would work in England and Wales.

My officials have heen in touch with yours and have confirmed that there is no Home Office objection to the publication of the statement, subject to the drafting changes which have been agreed. I understand that the statement will be published today.

On the question of enforcement of payment I recognise the importance of introducing an attachment of earnings procedure and see it as a sensible sanction. I am pleased to see that in your proposals a means enquiry will not have to take place as a prerequisite to an attachment of earnings order and that the administrative burden on magistrates' courts will be minimised. Nonetheless I am concerned at the workload resulting from the probable increase in recovery actions in the courts and from attachment of earnings appeals. There are likely to be substantial extra costs for magistrates' courts. Your officials are working with mine on estimates of these costs, and I shall look to your Department to transfer the necessary provision to the Home Office to cover them.

I have seen John MacGregor's letter of 4 December to Willie Whitelaw which suggests that magistrates' courts should charge their full cost in the enforcement process. I take this to mean charging the defaulter for the costs incurred by the magistrates' court in dealing with his case. I must make it clear, however, that it has never yet been accepted that a person proceeded against in a magistrates' court should pay for the cost of the court, and in view of the wide ranging implications for the criminal justice system as a whole I do not think we can plan for the enforcement of the community charge on that basis.

I am copying this letter to the recipients of yours.

Yours,

Douglas.

The Rt Hon Nicholas Ridley MP

LOCAL GOVT Rating PTS