

WORLD FACTBOOK OF CRIMINAL JUSTICE SYSTEMS

England and Wales

Corretta Phillips, Rutgers University
Gemma Cox, University of Manchester
Ken Pease, University of Huddersfield

This country report is one of many prepared for the World Factbook of Criminal Justice Systems under Bureau of Justice Statistics grant no. 90-BJ-CX-0002 to the State University of New York at Albany. The project director was Graeme R. Newman, but responsibility for the accuracy of the information contained in each report is that of the individual author. The contents of these reports do not necessarily reflect the views or policies of the Bureau of Justice Statistics or the U.S. Department of Justice.

GENERAL OVERVIEW

1. Political System.

"England and Wales has an unwritten or, more appropriately, an uncodified constitution. The British constitution is a blend of statute law, precedent, and tradition dating back to the time of King Henry I (1100)." The Magna Carta (1215), the Bill of Rights (1688), and the Act of Settlement (1700) represent the three major statutes that define British legal and political history. (Terrill, 1984:2).

Delegated legislation, typically in the form of 'statutory instruments' may be promulgated by Government ministers or departments. Parliament, composed of the Monarch, the House of Lords, and the House of Commons, may annul such legislation and courts may challenge such legislation as being ultra vires (beyond the competence) of those who introduced it.

Acts of Parliament can override common law provisions, and in principle, deny established rights. In practice, courts faced with such a situation would be likely to subvert the intentions of Parliament by the use of perverse interpretations in individual cases. Later Acts take precedence over earlier ones.

Membership in the European Union entail adherence to European Community law, which takes precedence over both legislation and common law.

2. Legal System.

The legal system in England and Wales is

adversarial in all courts, including the juvenile courts. The prosecution must disclose relevant information to the defense, but the corresponding duty on the defense does not exist.

3. History of the Criminal Justice System.

The criminal justice system in England and Wales is the historical pioneer of the common law type of legal system. In England, courts expanded and the law evolved according to decisions made in individual cases. Judicial decisions influenced legal perceptions and rules. This process can be traced back to the fifth century, where freemen of local communities acted as judges and incorporated community perceptions into court decisions. After 1066, the geographical generality of common law principles increased when judges traveled around for court sittings. These judicial circuits survive to the present day. In a common law tradition, the dissemination of judicial pronouncements was crucial, and the first forerunner of published Law Reports was distributed in 1283.

The common legal systems of England and Wales derive from the Acts of Union of 1536 and 1542 which united the countries. The late nineteenth and twentieth centuries have seen an increase in the number and scope of statutes and of delegated legislation in British law.

CRIME

1. Classification of Crime.

* Legal classification. While there are many ways of classifying crimes, they are largely distinguished on the basis of their seriousness. In addition, offenses may be classified according to the procedure by which a case is brought to trial (in a magistrates' court only, by indictment, or triable-either-way in a magistrates' or the higher Crown Court), according to the availability of the sanction of imprisonment, or in terms of the Home Office's Standard List of more serious offenses.

* Age of criminal responsibility. The age of criminal responsibility in England and Wales is 10. Children between 10 and 17 years of age are brought before a youth court when charged with a criminal offense. The sanctions available to youth courts are more restricted than those for adult courts, the major differences being that fines can be imposed which parents must pay and

supervision or attendance center orders may be imposed.

* Drug offenses. The classification of drugs by seriousness of offense presents particular difficulties. The Misuse of Drugs Act of 1971, created for the purpose of narcotic control, listed certain drugs as Class A, B, or C, depending on the magnitude of harm deemed to be attached to their trafficking and use. Drugs can be reclassified and new drugs classified within this framework. It is essential that flexibility be maintained so that drug classification is kept in line with current social and scientific opinion. The Misuse of Drugs Act was intended to regulate the use and flow of drugs. Accordingly, as a general rule it is unlawful to import or export, produce, supply, possess, prepare or cultivate any controlled substance.

2. Crime Statistics.

Home Office data shows that in 1994 there were 5.3 million recorded notifiable offenses, including indictable offenses, and certain summary offenses recorded by the 43 Home Office police forces. (Twenty-six percent of the total number of recorded notifiable offenses were cleared. That is, people were charged or there was enough evidence to charge even if the case was not proceeded with, the defendant was only cautioned, or the person admitted the offense.)

* Murder. In 1994, there were 729 initial recordings of homicide by the Home Office. Homicide is defined as murder, manslaughter, and infanticide. Manslaughter is defined as homicide without the intent to kill. (In 1994, there were 220,000 recorded offenses of violence against the person, which accounted for 4% of all recorded notifiable offenses in that year. 19,600 offenses were classified as more serious, which is defined as endangering life. Of those 729 initial recordings of homicide, only 677 were currently recorded as homicide. Of cases dealt with at court, over half were dealt with as manslaughter cases.)

* Rape. In 1994, there were 5,039 rapes recorded which represents over three times the level recorded in 1984. (Overall, sexual offenses comprised fewer than 1% of the total recorded notifiable offenses in 1994.) The increase is thought to be attributed to both an increase in reporting and changes in police practice of recording the offense.

* Property Crime. In 1994, 93% of the total 5.3 million offenses were against property, including burglary, theft, criminal damages and fraud.

* Serious drug offense. In 1994, there were 17,569 reported offenses of trafficking in controlled drugs.

* Crime regions. Nearly half of the total of 5.3 million notifiable offenses were recorded by the police in metropolitan police areas, which also had higher per capita crime rates than the non-metropolitan areas. Rural areas had the lowest crime rates, while the highest rate was in Humberside, with 15,357 offenses per 100,000 population, followed by Nottinghamshire and Cleveland, with rates of 14,837 and 14,609 per 100,000 population, respectively.

VICTIMS

1. Groups Most Victimized by Crime.

The British Crime Survey is a periodic crime victimization survey which has been carried out in England and Wales during the years 1982, 1984, 1988, 1992 and 1994. Some 10,000 respondents (14,500 in 1994) were interviewed in each of the years about crimes they suffered personally, and about crimes which their resident household had suffered.

The British Crime Survey revealed that the rise in crime between 1981 and 1993 was less steep than measures of recorded crime in the annual Criminal Statistics. The Surveys show that young males have the highest risk of violent victimization. In 1992, 8 out of 10 street assaults involved male victims. Mugging victims, however, were divided equally between males and females.

The largest number of domestic assaults involved partners, ex-partners or family. In 1992, nearly 50% of the assaults involving female victims were of this type, yet just over 1% of all women reported one or more incidents of domestic violence. Thus, women have less risk than men of violence, except in the categories of domestic assault and mugging.

The survey also examined repeat victimization. Persons are more likely to be repeat victims of violent crimes than property crimes. In the 1992 survey it was found that 33% of violent crime victims were involved in incidents more than once, especially female victims of domestic assault.

One-third of violent crime incidents against Afro-Caribbean and Asians were believed to be racially motivated. Most incidents of

racial violence or threats were perpetrated by young men aged 16-21 who were strangers to the victim. Three-quarters of Asian victims were attacked by more than one offender. People of an Afro-Caribbean or an Asian background were more likely to be crime victims than white people. Afro-Caribbeans were more often victimized in their homes, while Asians experienced a higher frequency of vandalism and robbery. Despite their high levels of fear, the elderly are infrequent victims of violent assault. (Aye Maung and Mirrlees-Black, 1994).

The International Victimization Survey shows England and Wales to have a higher prevalence of victimization than the European average of 23%. The country had the highest rate of car theft among the twenty participating countries at 3.3%, and the third highest rate of theft from cars at 8.7%. It had the sixth highest rate of burglary with entry and the tenth highest rate of the combined category of robbery and pickpocketing. As for sexual incidents, assaults and threats, England and Wales was eleventh highest at 3.5%.

2. Victims' Assistance Agencies.

Apart from specific helping agencies, such as Rape Crisis Centres, there is an umbrella organization for victims, known as the National Association of Victim Support Schemes. Its central organization has provided a powerful national voice to the victim movement and case-by-case help to victims referred by police forces. In 1990, there were 375 victim support schemes involving 7,000 volunteers and covering 97% of the national population.

The Criminal Injuries Compensation Board administers a compensation scheme for the victims of violent crime, whether or not the perpetrator is identified. Annual payments were over £140 million in financial year 1993-1994 for England and Wales, with 62,511 new applications, a 12% increase on the previous year. Restitution is available as a court sentence in its own right, and payment of restitution takes precedence over the payment of other financial penalties.

3. Role of Victim in Prosecution and Sentencing.

The victim has no direct role in prosecution, but private prosecutions are possible.

4. Victims' Rights Legislation.

The Victim's Charter was published by the UK Government in 1990. It sets standards to which the agencies of criminal justice should aspire. (For example, "the police should respond to complaints of crime as promptly as the circumstances require and allow....The police

should try to give the name, station and telephone number of the police officer dealing with the case, so that the victim can check if he or she has questions about the investigation or court case The police should ensure that they know what loss or injury the victim has suffered - to pass on to the Crown Prosecution Service and court if someone is charged, in order to ensure that no victim loses their (sic) right to compensation by oversight ... the police should outline to the victim the investigatory process. They should aim to ensure that he or she is told of significant developments in the case particularly if a suspect is found, if he is charged or cautioned, if he is to be tried, and the result of his trial." (Victim's Charter, 1990: 9)) In February 1990, the United Kingdom ratified the Council of Europe Convention on the Compensation of Victims of Violent Crime, under which mutual arrangements exist for compensation to citizens of the ratifying countries.

POLICE

1. Administration.

There are 43 police forces in England and Wales, each responsible for a certain area of the country. Other police forces, such as the British Transport Police, the Ministry of Defence Police, and The Port of London Authority Police are responsible for the policing of particular installations. They are maintained and provided resources by central and local government agencies, with immediate oversight by local county committee councils and magistrates (police authorities). The Metropolitan Police Force polices London and is directly answerable to the UK Government Minister. The UK Government Minister is responsible both for crime control and other interior affairs.

The chief officer of each police force, the Chief Constable, is not answerable to anyone on operational matters, but is accountable to the committee on matters of efficiency. He or she must prepare an annual report on the work of the force concerned. Local police authorities select a force's most senior officers, subject to the approval of the Home Secretary. The Chief Constable can also appoint other officers. With the exception of the Metropolitan Police, all police forces are required to undergo statutory inspection by Her Majesty's Inspectorate of Constabulary.

Some common services to police forces are provided centrally. The most important of these is the compilation of criminal records information. Liaison with the International Criminal Police

Organization (Interpol) is provided by the Metropolitan Police. Other central bodies are the National Drugs Intelligence Unit and a National Criminal Intelligence Service (NCIS). The Police National Computer records, inter alia, registration and relevant history of all motor vehicles.

2. Resources.

* Expenditures. Expenditures on the police service in England and Wales for 1993/94 was £6022 million, an increase of 41 per cent since 1986/87.

* Number of police. In 1994, there were 127,358 sworn police officers and 50,978 civilians employed by the 43 police forces. As of December 1994, 14 per cent of these officers were female and 1.6 per cent officers serving in England and Wales were of an ethnic minority. Recruitment campaigns for such officers periodically appear in the press.

* Availability of police automobiles. The number of motor vehicles used by police officers in England and Wales was 24,304, amounting to 19.4 per 100 officers.

3. Technology.

* Electronic equipment. Each force has a computerized crime recording system and control and dispatch system.

* Weapons. Arms are not routinely carried. However, recent developments in 1994 have led to pronouncements by Chief Officers in urban areas that arms will be carried more often in response to the perception that professional criminals now carry firearms. The standard weapon carried by all officers is a wooden staff or truncheon. A weapon capable of inflicting more harm, a side-handled baton, promises to replace the truncheon in the near future.

4. Training and Qualifications.

Police training lasts for 2 years, and has recently been reorganized.

5. Police powers and use of discretion.

* Stop/searches and powers of seizure. The Police and Criminal Evidence Act of 1984 allows a police officer to stop, detain and search persons and vehicles for stolen goods, weapons, or other tools of crime, and they may set up roadblocks in certain circumstances. The officer must state

and record the grounds for taking this action and record what was found. In 1995, the police recorded 690,300 stops and searches of persons and/or vehicles, an increase of 20 per cent over the previous year. Twelve per cent of searches led to an arrest.

The police have powers to enter and search premises and to seize and retain property. The police may seize anything which on reasonable grounds is believed to be evidence of the offense under investigation, or of any other, or which had been obtained following an offence.

* Decision to arrest. Arrest may occur without a warrant where a person is reasonably suspected of having committed an arrestable offense, or a magistrate may issue a warrant.

* Use of force. The Police and Criminal Evidence Act 1994 allows a police constable to use reasonable force if necessary to detain or search a person or vehicle. What is reasonable force will depend on the circumstances and the extent to which the citizen resists.

6. Suspects' rights.

* Legal advice. One of the most important rights available to those detained on the suspicion of committing an offence is the right to free and independent legal advice. Persons detained at the police station must be notified of their right to free legal advice by the custody officer. Legal advice can be obtained regardless of means, privately or through the Duty Solicitor Scheme.

* Admissions. No national data is available on the proportion of suspects who admit the offence for which they have been arrested.

* Right of silence. Suspects may opt to remain silent during interviews with the police. Under the Criminal Justice and Public Order Act 1994 however, the court, under certain circumstances, may draw adverse inferences where suspects exercise this right.

7. Accountability.

The Police Complaints Authority, established in 1984, supervises the investigations of alleged serious misconduct by police officers and decides whether a breach of discipline should be charged. If a police officer is alleged to have killed or seriously injured a citizen, the Authority must oversee an investigation. The Authority will hand a case to the Crown Prosecution Service if a judgement is reached that a criminal offense may

have been committed. Discriminatory behavior is an offense under the Police Discipline Code.

PROSECUTORIAL AND JUDICIAL PROCESS

1. Procedures.

* Preparatory procedures for bringing a suspect to trial. If the police wish to offer a case for prosecution, they charge the defendant and hand case papers to the Crown Prosecution Service, which then reviews the evidence and makes a decision whether or not to prosecute. Currently, around 26% of all cases are discontinued by the Crown Prosecution Service on the grounds of either insufficiency of evidence or a judgement that it is not in the public interest to pursue a case.

Once in court, a defendant may be found guilty, acquitted, have the sentence deferred for up to 6 months, have an absolute discharge or be conditionally discharged on good conduct.

* Official who conducts prosecution. The Crown Prosecution Service took over responsibility for prosecution from the police in England and Wales in 1986, and are currently under increasingly heavy criticism. The two problems which their introduction was intended to address were regional differences in rates of prosecution and the high rates of directed acquittals in the Crown Court. However, both of these problems now appear to be worse than before the Crown Prosecution Service was introduced.

The Service has been accused of discontinuing winnable cases due to incompetence and for wasting police time by demanding the preparation of full case dossiers in advance of a decision to prosecute. In addition, the necessity to create administrative units within the police service to weed out cases before they are considered by the Crown Prosecution Service is seen as overly time consuming.

Finally, the Service is less accountable for its actions than the police or courts, a matter which has attracted increasing concern and criticism. The Serious Fraud Office, established in 1988, investigates and prosecutes the most serious and complex fraud offenses in England and Wales and in Northern Ireland. The SFO has itself attracted criticism for its failure to secure prosecutions in some notorious cases.

* Alternatives to trial. Options exist for a court appearance to be avoided. This may be by a

formal caution administered by the police, used disproportionately for young offenders, or by discontinuance of a case by the Crown Prosecution Service. A formal caution requires that certain conditions be satisfied, including the admission of the offense and the willingness of the offender, or his or her legal guardian if the offender is a juvenile, to proceed as the police wish.

A movement is currently under way to persuade the Government to permit legal aid for mediation procedures as an attempt to avoid the court process.

* Pre-trial incarceration conditions. There are limits to the length of the remand period. In magistrates court trials, the defendant must not be in custody more than 56 days from their first court appearance to trial. If there is a committal for trial to the Crown Court, this must take place within 70 days of the first court appearance.

If a plea has not been taken within 112 days of committal the defendant is entitled to bail unless the court extends the limit. To do this properly, the court must be satisfied that the prosecution has acted as swiftly as was reasonably possible.

* Bail Procedure. The police may release an accused person on bail. Under new provisions in the Criminal Justice and Public Order Act 1994 the police can attach bail conditions to a person's bail before the first court appearance. If bail is not granted by the police, a swift appearance before a magistrates court occurs. There is a presumption in favor of bail under the Bail Act of 1974. The presumption for bail may be over-ridden on clearly defined grounds, such as the judgement that an accused will interfere with the administration of justice or abscond. There is a limited right of appeal against a magisterial decision to deny bail.

2. Rights of the Accused.

*Legal advice is available to all defendants charged with an offense. Duty solicitors are on hand at the court to provide legal representation, or defendants, particularly those with prior knowledge of the criminal justice system, may use the services of a private solicitor before their appearance at court.

* Assistance to the accused. Legal aid must be granted when a defendant faces a murder charge or where the prosecutor appeals to the House of

Lords. Otherwise, complete or partial payment of legal costs is made available if the defendant is deemed to require such assistance after a means inquiry.

3. Outcomes

* Proportion of guilty pleas at trial. In 1994, around 1.95 million defendants were proceeded against at magistrates' courts. Around one-half of these pleaded guilty at trial.

JUDICIAL SYSTEM

1. Administration.

All cases first appear in magistrates' courts, which are also known as courts of first instance. The magistrates' courts decide if the nature of the offense is appropriate for that court and whether the parties consent to try the offense in that court. Alternatively, the court may decide to commit the accused for trial in the Crown Court.

It is possible for a case to be tried in a magistrates court and but sentenced in the Crown Court. That is, if the magistrates' court assesses the facts as meriting a sentence beyond its powers to impose, the accused may be convicted in the magistrates court but committed to the Crown Court for sentencing.

The Crown Court sits in approximately 90 centers in England and Wales. Judges, sometimes sitting with lay magistrates, adjudicate in these courts. Matters of fact are determined by a 12-person jury composed of people between 18 and 70 years of age. Verdicts may be delivered by a 10 to 2 majority, and guilt must be established beyond a reasonable doubt.

If convicted by a magistrates' court, a person may appeal to the Crown Court against the sentence. Appeals from the Crown Court are brought to the Court of Appeal Criminal Division. If an important point of law is entailed, the appeal is then brought to the House of Lords. The Attorney General, who is a Government minister and has ultimate oversight of the prosecution process, may also refer a case to the Court of Appeal if a sentence is deemed too lenient.

2. Special Courts.

* Youth Courts. Youth courts are specialized magistrates' courts that adjudicate cases involving defendants under 18 years of age. There are restrictions on the access of the public and press to such courts. The defendant and any other

witnesses under 18 years old must not be identified. Arrangements also exist for child witnesses to give videotaped evidence to avoid direct court appearances.

3. Judges.

* Number of judges. In magistrates courts, the bench of magistrates is usually comprised of 3 lay members. They are advised on points of law by a legally qualified clerk. In some courts, legally qualified stipendiary magistrates sit alone.

* Appointment and qualifications. County advisory committees advise the Lord Chancellor on the appointment of justices. Attempts are made to represent various sections of the community, in terms of race, age, sex and occupational status. Following appointment, justices undergo two periods of training over twelve months, with both instruction on the duties of magistrates and practical exercises completed.

PENALTIES AND SENTENCING

1. Sentencing Process.

* Determining the sentence. Where defendants are found guilty at the magistrates' court, the sentence is set by the magistrate; at the Crown Court, the judge will determine the sentence.

* Sentencing hearing. In the vast majority of cases the defendant is sentenced after the jury verdict, but in cases where the judge requests a pre-sentence report or further information, the defendant will be sentenced at a separate hearing.

* Input into the sentencing process. Defence advocates usually attempt to reduce the sentence severity by informing the court of any mitigating circumstances. Pre-sentence reports provided by the probation service will often recommend an alternative sentence to custody which will be considered by the magistrate or judge. Neither the crown prosecutor nor the victim participates in the sentencing process.

2. Types of Penalties.

* Range of penalties. Absolute and conditional discharges and bindovers constitute the lowest level of sentences imposed. The numerically preponderant sentence is the fine, which is unlimited in the Crown Court and limited to £5000 on summary conviction. (An attempt under the Criminal Justice Act of 1991 to relate fines more

closely to offender income was quickly abandoned after some well-publicized cases had resulted in large fines and vice versa for apparently trivial offenses.) Around 80% of offenders found guilty are fined.

An order for financial compensation to a victim may be imposed either as the totality of a penalty or in addition to a fine. Maximum amounts also exist for financial compensation. The probation order has historically been imposed as an alternative to sentencing, but is now itself a sentence. Community work of up to 240 hours, or a combination of probation supervision and community work may now be given, and more recently curfew orders have been imposed. A sentence of imprisonment may be suspended or may be imposed to begin immediately.

* Proportion of pre-trial offenders incarcerated. In 1994, 69,200 persons received custodial sentences. Seventeen per cent of those found guilty of indictable offences were sentenced to immediate custody. The average sentence length of adults males received into custody in 1994 was 16 months.

* Death penalty. For all practical purposes, the death penalty has been abolished in England and Wales.

PRISON

1. Description.

* Number of prisons and type. Prisons are segregated by sex and age, with young offender institutions housing persons under 21 years-old. As of November 1995, there were about 130 prisons, of which four were contracted out and run by the private sector. Prisoners are classified into one of four security categories, and must be housed in a prison with a security classification at least that of their individual security class. The Inspectorate of Prisons periodically writes reports on individual prison establishments and is often extremely critical of them. A series of prison riots in 1990, of which the most serious was at Strangeways in Manchester, has rendered authorities extremely sensitive to any deterioration in prison conditions.

In England and Wales there are secure prisons, local prisons, closed and open training prisons, closed and open young offender institutions, and remand centres for men and women.

* Average annual population. This was 48,983 at

male establishments in 1995, and 1,979 at female establishments, the highest total ever.

* Number of prison beds. At June 30, 1995 there were 50, 251 in-use Certified Normal Accommodation, creating a total excess of 796 (including those in police cells) of the annual average population in custody.

* Population under sentence. As of June 30, 1995, there were 37,900 male inmates serving sentences in England and Wales, not including the remand population. As of June 30, 1995, the total female sentenced prison population was 1,480.

2. Administration.

Prisons are run by a Governor in accordance with prison rules set by Parliament. The Home Secretary is responsible for setting prison policy, whilst the Prison Service Executive Committee, headed by the Director-General, is the decisionmaking body which considers operational matters.

* Number of prison guards. As of March 1995, there were 24,000 staff employed as prison officers. Of 826 prison officers recruited in 1994/5, 659 were men, 167 were women and 24 were from ethnic minorities.

* Training and qualifications. New entrant prison officers undertake a training course for 9 weeks. The course includes interactive skills training, physical education, control and restraints training, and learning about suicide prevention, equal opportunities, and race relations.

* Expenditure on prison system. In the financial year 1993-1994, the total expenditure on prisons in England and Wales was £1509 million.

3. Prison Conditions.

* Remissions. Until recently, early release from prison was available only after two-thirds of the sentence was completed. Parole consideration occurred periodically after one-third of the sentence or 6 months, whichever was greater, was completed. Under the scheme currently introduced, parole release is being limited only to those inmates with sentences exceeding 4 years. Those inmates with shorter sentences have a presumptive release when they serve 50% of their sentence. Longer-term prisoners released on a parole license are to be supervised by the probation service until 75% of their pronounced term of sentence has expired. Some sex offenders are supervised for

the entire term of their sentence.

* Work/education. A variety of prison jobs exist in England and Wales, including kitchen work, gardening, farming, and craft work such as weaving and woodworking. Some prisoners are employed in light assembly activities or laundry and cleaning jobs. Very low levels of pay are given.

Prisoners are able to take National Vocational Qualifications for 48 trades and occupations. Other certification up to degree level is available.

* Amenities/privileges. Prisons vary in the extent to which they offer comprehensive exercise facilities. Most prisons have small prison shops and libraries. There has been a limited movement towards allowing prisoners to wear their own clothes.

There are now national guidelines on incentives and earned privileges for prisoners, which cover access to private cash, extra or improved visits, enhanced earning schemes, and community visits for eligible groups. The aim is to improve responsible behaviour and increase participation in constructive activities.

EXTRADITION AND TREATIES

* Extradition. For the purpose of extradition, the legal framework in the United Kingdom distinguishes between different types of states. First are those designated as Commonwealth countries and Dependent Territories, where extradition is governed by the Fugitive Offenses Act of 1967. These states include: Australia, Bahamas, Barbados, Botswana, Canada, Cyprus, Dominica, Fiji, Gambia, Ghana, Grenada, Guyana, India, Jamaica, Kenya, Lesotho, Malawi, Malaysia, Malta, Mauritius, Nauru, New Zealand, Papua New Guinea, St. Lucia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Switzerland, Tanzania, Togo, Trinidad and Tobago, Tuvalu, Uganda, Western Samoa and Zambia.

Dependent territories include Belize, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong, Monserrat, Pitcairn Islands, St. Helena and the Turk and Cacos Islands.

Second, the U.K. has Extradition Acts which govern treaty agreements with the following foreign states: Albania, Argentina, Austria, Belgium, Bolivia, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Ecuador, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, Iraq, Israel, Italy, Liberia, Luxembourg, Mexico, Monaco, Netherlands, Nicaragua, Norway,

Panama, Paraguay, Peru, Portugal, Romania, Salvador, San Marino, Switzerland and Thailand.

Finally, extradition between the Republic of Ireland and the U.K. is controlled by the 1965 Backing of Warrents Act, in accordance with the 1978 Suppression of Terrorism Act, which gives effect to the European Convention on the Suppression of Terrorism.

A current matter of active concern is the exchange of criminal records among countries of the European Union, particularly in connection with citizens of the Union seeking employment in other countries of the Union.

* Exchange and transfer of prisoners. Information not obtained.

* Specified conditions. Information not obtained.

SOURCES

Aye Maung, N. and C. Mirrlees-Black, Racially motivated crime: a British Crime Survey analysis. Research and Planning Unit Paper 82. (London: Home Office), 1994. Barclay, G.C., with C. Tavares and A. Prout, Digest: Information on the Criminal Justice System in England and Wales. (London: Home Office Research and Statistics Department), 1995. Central Office of Information, Criminal Justice. (London: HMSO), 1992. Central Office of Information, Britain's Legal Systems. (London: HMSO), 1993. Central Office of Information, Citizen's Charter. (London: HMSO), 1991. Central Office of Information, The British System of Government. (London: HMSO), 1992. Central Statistical Office, Annual Abstract of Statistics. (London: HMSO), 1994. Chartered Institute of Public Finance and Accountancy, Police Statistics 1995/96 Estimates and 1993/4 Actuals, (London), 1995. Criminal Injuries Compensation Board (1995), Thirtieth Report. Accounts for the year ended 31 March 1994. Cm 2849. London: HMSO. Fielding, N.G., Joining Forces: Police Training, Socialization and Occupational Competence. (London: Routledge), 1988. Fowles, A.J., Prisoners' Rights in England and the United States. (Aldershot: Avebury), 1989. Heberton, B. and T. Thomas, Criminal Records. (Aldershot: Avebury), 1993. HEUNI: Helsinki Institute for Crime Prevention and Control, Criminal Justice Systems in Europe and North America. (Helsinki: HEUNI), 1990. HM Inspectorate of Prisons for England and Wales, Report of HM Chief Inspector of Prisons for England and Wales April 1994 - March 1995. Cm 760. (London: HMSO), 1995. HM Prison Service, Prison Service Annual Report and Accounts April 1994 - March 1995. CM 447. (London: HMSO), 1996. Home Office, Operation of Certain Police Powers Under PACE: England and Wales, 1994. Statistical Bulletin Issue 12/96. (London: Home Office Research and Statistics Department), 1996. Home Office, Prison Statistics: England and Wales 1994. Cm 3087. (London: HMSO), 1996. Home Office, Criminal Statistics England and Wales 1994. Cm 3010. (London: HMSO), 1995. Home Office, The Prison Population in 1994. Statistical Bulletin Issue 8/95. (London: Home Office Research and Statistics Department), 1995. Home Office, Statistics of Offenses against Prison Discipline and Punishments: England and Wales 1992. (London: HMSO), 1993. Home Office, Victim's Charter. (London: Home Office), 1990. Lidstone, K., and C. Palmer, Bevan and Lidstone's The Investigation of Crime: A Guide to Police Powers. Second Edition. (London:

Butterworth's), 1996. Macdonald, B. (ed). Police Probationer Training: The Final Report of the Stage II Review. (London: HMSO), 1987. Mayhew, P., "Findings from the International Crime Survey". Home Office Research and Statistics Department Research Findings 8, 1994. Mayhew, P., C. Mirrlees-Black and N. Aye Maung, Trends in Crime: Findings from the 1994 British Crime Survey Research Findings 14. (London: Research and Planning Unit), 1994. Mayhew, P., N. Aye Maung and C. Mirrlees-Black, The 1992 British Crime Survey Home Office Research Study 132. (London: HMSO), 1993. McConville, M., A. Sanders and R. Leng., The Case for the Prosecution. (London: Routledge), 1991. Nuttall, C. and K. Pease, "Changes in the Use of Imprisonment in England and Wales 1950-1991", Criminal Law Review, May, 1994, pp. 316-323. Southgate, P., (ed.) New Directions in Police Training. (London: HMSO), 1988. Terrill, Richard J. World Criminal Justice Systems: A Survey. (Cincinnati, Ohio: Anderson Publishing Company), 1984. Van Dijk, J.J.M. and P. Mayhew, Criminal Victimization in the Industrialized World. (Leyden: Directorate of Crime Prevention, Netherlands Ministry of Justice). 1992. Waplington, D., "The training of prison officers in England and Wales", Prison Service Journal, Spring 1991, pp. 18-21. Woolf, L.J., Prison Disturbances April 1990, (London: HMSO), 1991.

Ken Pease
Professor
School of Social Policy
Department of Social Policy and Social Work
University of Manchester
Oxford Road
Manchester M13 9PL
England
Tel: 061-275-4766/4764
Fax: 061-275-4724

Gemma Cox
School of Social Policy
Department of Social Policy and Social Work
University of Manchester
Oxford Road
Manchester M13 9PL
England
Tel: 061-275-4766/4764
Fax: 061-275-4724