

MEMORANDUM FOR THE CABINET

BY THE HON. MINISTER OF JUSTICE AND PARLIAMENTARY AFFAIRS

Proposed amnesty on the occasion of the 60th Anniversary of His Grace the Archbishop's ordination to the priesthood.

On the occasion of the 60th Anniversary of His Grace the Archbishop's ordination to the priesthood, the granting of an amnesty on the following scale and according to the following criteria is recommended:-

- I Sentences restrictive of personal liberty under ten years -
 - (a) First offenders and recidivists once only - a remission of three months for every year or one-fourth remission;
 - (b) Recidivists twice and thrice - a remission of two months for every year or one-sixth remission;
 - (c) Recidivists over three times - a remission of one month for every year or one-twelfth remission.

II Sentences restrictive of personal liberty over ten years - a remission of one fourth of the sentence still to be served on the 19th December, 1968, the date of dismissal from prison for the purpose of the computation of such fourth being taken as the date on which the prisoner will be dismissed from prison if he will have earned full remission for good conduct and industry.

III The amnesty will apply only to sentences restrictive of personal liberty and shall not apply to any term of imprisonment or detention resulting from the non-payment of any fine or other pecuniary penalty imposed by any Court of Justice.

IV Should a prisoner forfeit any remission to which he is entitled under the Prisons Regulations for good conduct and industry, the amount of remission granted to the prisoner by virtue of the amnesty shall be reduced in proportion to the amount of the remission so forfeited.

The above recommendations are made in the light of the following facts:

(1) All prisoners, falling under category I, above, are actually serving a sentence of 2 years

or less/.....

L-Arkivj Nazzjonali ta' Malta

or less, except three prisoners who are serving a longer sentence but fall under sub-division (b) or (c) of the said category

(ii) There have already been three amnesties in the course of the last nine years so that prisoners who are serving a sentence longer than that of ten years have already availed themselves of the following benefits: a first prisoner - three amnesties, a second prisoner - two amnesties and a third prisoner - one amnesty. The criterion recommended under paragraph 11, above, is fair because it operates in a manner that the prisoner who has only received the benefit of one amnesty will enjoy a greater benefit under the present amnesty than the two other prisoners. At the same time, this criterion keeps within proper proportions the benefit granted under this new amnesty to this class of prisoners who have had their sentence already very considerably reduced by the former amnesties.

Hon. Ministers are requested to approve.

2nd December, 1968.

mf