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From the Secretary of the Cabinet and Permanent Secretary to the Management and Personnel Office

Sir Robert Armstrong GCB CVO

Ref. A083/1778

22 June 1983

I see that the Attorney General, in his letter of 20 June to the Home Secretary, has proposed that we should now put into effect the arrangements for scrutinising new powers of entry which were proposed in my minute of 6 October 1982 to the Prime Minister.

For my part, I should certainly endorse this proposal.

--- I presume that the procedures would then be on the lines of the annex to my minute of 6 October, as amended by my minute of 16 November. I attach for convenience a copy of the proposed procedures as so amended.

I am sending copies of this letter to Kerr Fraser, Henry Steel and Robin Butler.

ROBERT ARMSTRONG

Sir Brian Cubbon KCB

F E R Butler Esq



Let us await
the comments
of the Home
Office

CABINET OFFICE

FRBS

23.6.

With the compliments of
Sir Robert Armstrong GCB, CVO
*Secretary of the Cabinet
and Permanent Secretary to the
Management and Personnel Office*

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ROYAL COURTS OF JUSTICE
LONDON, WC2A 2LL

20 June 1983

The Rt Hon Leon Brittan QC MP
Secretary of State for the Home Department
Home Office
Queen Anne's Gate
LONDON S W 1

Dear Leon.

SCRUTINY OF NEW POWERS OF ENTRY

Your Department will be aware of the Report by David Mitchell (then Parliamentary Under Secretary at the Department of Industry) on the objections raised by the National Federation of Self-Employed to existing powers of entry to business premises. As a result the former Solicitor General was given the responsibility for the scrutiny of all proposals in primary or subordinate legislation for new powers of entry. This involved a consideration of policy issues as to the acceptability of such proposals and operated independently of the normal scrutiny already undertaken by your Department.

I was never wholly in favour of a Law Officer, or my Department, being engaged in this work. When the Prime Minister considered this arrangement in December 1982 she concluded, in response to Sir Ian Percival's express wishes, that she would leave matters as they were for the time being. I consider that the time for a change has now come and I propose that your Department should take on this function.

I am copying this letter to the Prime Minister and to Sir Robert Armstrong.

Yours etc. Michael

Gov Machinery
: Ministerial Responsibility
for Scrutiny of Powers of Entry
Oct '82

21 JUL 1982

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*With the compliments of
the Attorney-General*

*Attorney General's Chambers,
Law Officers' Department,
Royal Courts of Justice,
Strand. W.C.2A 2LL*

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