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PREM 19/3366

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JUNE 1979

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PREM 19/3366

FILE

KK



10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

MISS PHIPPARD
CABINET OFFICE

cc Mr Maclean
Mr Brereton
Mr Whetnall

MINISTERIAL CORRESPONDENCE SCRUTINY

The Prime Minister has seen your minute to me of 5 June and was content with the draft answer setting out progress on implementing the Efficiency Unit scrutiny. I suggest we table this question for Tuesday for answer on Wednesday.

AT

ANDREW TURNBULL
7 June 1991

AT



Prime Minister
Content?
HT 516

V O K V

Ref.AO91/1374

MR TURNBULL

cc Mr Maclean
Mr Brereton
Mr Whetnall

Ministerial Correspondence Scrutiny

Given the continuing interest among MPs about the follow-up to the scrutiny of the handling of ministerial correspondence, Sir Angus Fraser has suggested that it would be timely to answer an arranged question reporting on progress, now that all Departments have produced their Action Plans. A draft question and answer, which reflects comments from Departments, is attached. I understand that Cranley Onslow MP would be willing to table the question: on behalf of the 1922 Committee, he has taken a keen interest in the scrutiny. The Chief Whip has told him that it should be possible for him to table the question this week.

If the Prime Minister is content to answer such a question, I would be grateful if you would keep me informed of the timing.

Lucia Phippard

MISS S C PHIPPARD

5 June 1991

[The Rt Hon Cranley Onslow]

To ask the Prime Minister what action Departments have taken in response to the report of the efficiency scrutiny on Ministerial correspondence, and if he will make a statement.

PRIME MINISTER

The report of the efficiency scrutiny on Ministerial correspondence was made available to Members of Parliament and other last December. The report, which provides recommendations of good practice, was accepted by the Government.

Departments have reacted very positively to the scrutiny report. Each Department has produced an Action Plan to implement those recommendations which they have accepted, and which are not already Departmental practice. Each Department has nominated a Minister for correspondence issues.

Every Department accepted a majority of the scrutiny team's recommendations; overall 90 per cent were accepted and none was generally rejected.

The report recognised that Members of Parliament always have the right to approach Ministers directly, but that a more efficient service could be achieved by decentralisation of correspondence on operational matters to agency chief executives and other discrete units or local offices. Departments have generally accepted these recommendations, and the most recent edition of the "List of Ministerial Responsibilities" has been extended to provide information on agency chief executives and other key addresses.

The report identified the use of targets and monitoring of performance as important factors in improving the management of

correspondence and all Departments agree with this. All Departments accept the recommendation that their own targets on correspondence should be published, and there has been widespread acceptance of the recommendation to send a prompt and informative interim reply where a Departmental target will not be achieved. Departments also gave a strong support to the recommendations for monitoring annual publication of performance.

Departments are pursuing other recommendations, designed to improve the handling of correspondence, taking into account their differing functions and organisation.

In line with the normal procedures for an efficiency scrutiny each Department will produce by July next year an implementation report to record the achievements in carrying through their Action Plan.



Foreign and Commonwealth Office

London SW1A 2AH

*Copy
(letter only)*

From The Parliamentary Under-Secretary of State 's
Private Secretary

13 December 1988

Dear Ms Smith,

GM

MPS' REPRESENTATIONS IN IMMIGRATION CASES

You will know from the debate on 10 November that guidelines for the handling of MPs' representations in immigration cases are to be introduced at the Home Office and FCO with effect from 3 January 1989.

I enclose for your information and that of copy recipients, a copy of the guidelines which we propose to issue under cover of a "Dear Colleague" letter from Mr Eggar to all members of the House of Commons on Wednesday this week.

I am copying this letter and enclosure to **Nick Sanderson**, Andy Bearpark, Murdo MacLean, Rhodri Walters and Nick Gibbons.

*Yours truly
Richard Makepeace*

Richard Makepeace

Ms A Smith
Private Secretary to
The Lord President of the Council
68 Whitehall
LONDON SW1A 2AT



FOREIGN AND COMMONWEALTH OFFICE

**GUIDELINES ON
THE HANDLING OF
REPRESENTATIONS
BY MEMBERS OF
PARLIAMENT IN
IMMIGRATION CASES**

DECEMBER 1988

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INTRODUCTION

This document has been prepared to assist Members of Parliament in carrying out their responsibilities on behalf of their constituents in immigration cases.

ROLE AND PRACTICE OF THE ENTRY CLEARANCE OFFICER

2. Applications for entry clearance overseas are considered by Entry Clearance Officers at Diplomatic Service posts in accordance with the provisions of the Immigration Rules. The decision to issue or refuse entry clearance is vested in them, although certain categories of application may be referred by the Entry Clearance Officer to the Home Office for decision.

3. Britain is the only country in the world which offers all persons refused an entry clearance a right of appeal against that decision from abroad. Where a Member makes representations about the refusal of an entry clearance, an FCO Minister cannot intervene while an appeal is pending, nor overturn an appeal which has been dismissed. Where new and compelling evidence is produced to suggest that the Entry Clearance Officer might be prepared to reconsider his earlier decision, a fresh application for entry clearance can always be made.

ROLE OF FCO MINISTERS

4. Responsibility for the operation of the entry clearance system overseas lies with FCO Ministers. Members make representations to an FCO Minister at any, or several, stages in an individual case; but it should be borne in mind that FCO Ministers are not empowered to review decisions made by Entry Clearance Officers overseas nor are they able to intervene to take the initial decision on an application; to pre-empt consideration of a disputed decision by the independent appellate authorities; or to reverse a decision where the appeal process has been exhausted.

5. FCO Ministers look to members to respect the convention that they do not take up cases involving other Members' constituents. Ministers will not therefore normally deal with enquiries involving other Ministers' constituents except when a Member is dealing with constituency business on behalf of another Member who is absent or ill. Where Members of the House of Lords or Members of the European Parliament wish to make representations in individual cases, it will be assumed that they will first have consulted the constituency Member, and a copy of the response will be sent to the constituency Member.

CORRESPONDENCE WITH MIGRATION AND VISA CORRESPONDENCE UNIT

6. FCO Ministers recognise that Members will often wish to make representations or enquiries about entry clearance applications made overseas. Ministers are aware of the well-established practice where Members customarily correspond direct with their local offices of government departments. In the same way, and to offer a more rapid response, Ministers now wish to encourage Members to correspond direct with the Migration and Visa Correspondence Unit of the FCO on such matters.

7. Correspondence should be addressed initially to:

Head of Unit
Migration and Visa Correspondence Unit
Foreign & Commonwealth Office
4th Floor, Clive House
Petty France
LONDON SW1H 9HD

Correspondence should not be addressed to individual officials from whom a reply on another case may have been received since the same official may not have responsibility for the particular case in which a Member expresses an interest.

CATEGORY OF ENQUIRY

Responses to Members' enquiries from the Correspondence Unit will be of a strictly factual nature. Officials are not empowered to discuss or comment on immigration policy. Where a Member writes direct to the Correspondence Unit and it is apparent that the matter requires Ministerial consideration, officials will submit the Member's letter to the Minister for reply. Similarly, when a factual enquiry is put to a Minister direct, the latter may, following an initial acknowledgement, ask the Correspondence Unit to contact the Member direct on his behalf.

9. The following list illustrates the type of enquiry which Members may wish to make direct with the Correspondence Unit, although individual Members' experience may suggest others:

- (i) general enquiries about procedures for applying overseas etc;
- (ii) progress enquiries on applications, interview dates, appeals and explanatory statements;
- (iii) supply by the Member or his constituent of further information in support of an unresolved application;
- (iv) request for return of papers;
- (v) Member's support for case under consideration.

10. In all cases, it would be helpful if Members could provide sufficient information to identify the case, ideally:

- (i) full name, nationality, date of birth and address of the applicant (and spouse in a marriage application);
- (ii) full name and address of the sponsor in this country;
- (iii) place and date of application;
- (iv) the overseas post's reference number.

TELEPHONE ENQUIRIES

11. Members are welcome to telephone direct an officer from whom a reply has been received about a case; the officer's telephone number will be given at the head of the reply. Where the officer is not available, the following numbers may be of assistance.

01-270 4017	General Enquiries
01-270 4012	India and Bangladesh
01-270 4013/4007	Pakistan and Sri Lanka
01-270 4014	All other countries
01-270 4163	Head of Unit

These telephone numbers are exclusively for Members and their staff only and should not therefore be disclosed to the public.



QUEEN ANNE'S GATE LONDON SW1H 9AT

20 January 1988

cc B.G.
nbpm

Dear Tom,

MPs' CORRESPONDENCE

WILL REQUEST IF REQUIRED

My Private Secretary wrote to the Chief Whip's Office at the end of last year to draw to the business managers' attention, and to report progress on, our view of the way in which MPs' letters on immigration cases are handled. I first mentioned this review in the course of the Second Reading debate on the Immigration Bill and you referred to it on 10 December in response to a query from the Leader of the Opposition and in exchanges on 14 January with Max Madden and Pat Wall. The review is now complete and the purpose of this letter is to inform you of the background and of our proposals in respect both of correspondence and "stops" in immigration cases.

My Private Secretary's letter of 10 December referred to the fact that in 1986 we had to deal with 16,000 letters from MPs on immigration and nationality cases. There will probably have been fewer last year but within the high ranges now established for some years. The letters only rarely raise points of substance or invite Ministers to review points of policy or special circumstances. Indeed, in immigration cases about a third are purely progress/procedural enquiries and a fifth of all cases involve the MP simply forwarding representations. Another quarter consist of no more than routine applications for extensions of stay. In almost all cases there is an appeal to the independent appellate authorities (now entirely appointed by the Lord Chancellor). Indeed, those authorities in 1986 themselves dealt with over 14,000 cases.

Against this background, I have concluded that, without seeking in any way to avoid our proper Ministerial responsibilities, we should try to reduce the routine burden on Tim Renton and myself, especially where there is a statutory right of appeal. This will enable us to concentrate our attentions, in personal immigration matters, on those individual cases where Ministerial review is properly called for. Some steps have already been taken in that direction. In nationality cases (which take a long time to consider) it has been the practice for some time to respond to representations forwarded by MPs by the Minister doing no more than in effect noting their receipt, stating that they will be taken into account and confirming that the applicant will be informed in due course. This has been established without complaint and its logic has been applied increasingly in immigration cases so that letters where the MP is merely a conduit for representations get "closing off" acknowledgements without any undertaking to write to the MP when the case is decided. This practice was modified, after complaint from Margaret Beckett, backed by Gerald Kaufman, to arrange for a copy of the ultimate reply to the constituent to be sent also to the MP by the Immigration Department. Ministers are therefore removed from a further round of correspondence.

My proposals in respect of correspondence are therefore to secure acceptance to such "closing off" replies as general practice in all immigration cases where:

- (a) an initial decision on an application has not yet been taken;
- (b) a right of appeal is available or being exercised;
or
- (c) an appeal has been dismissed and there is no new and compelling evidence to merit a review.

Full Ministerial review will continue to be given to cases where:

- (d) the applicant has no right of appeal (or has not exercised it);
- (e) the appeal process has been exhausted and there is new and compelling evidence; or
- (f) to confirm a decision to remove a person under the deportation powers or as an illegal entrant.

A further, and new, proposal I had in mind when I made my announcement on 16 November involves the application to immigration correspondence of the logic of practices long established in Departments with local offices, notably DHSS and the Revenue. That is, MPs would be invited to write direct to the Immigration and Nationality Department at Croydon with routine enquiries much as MPs write to their local DHSS managers or tax inspectors. Generally, this should produce a quicker reply, though from an official, than they would get from a Minister. They would not be compelled to write direct to Croydon and they could, of course, write at any time to Tim or myself. In the same way, Croydon officials could submit to Ministers correspondence they had received where they thought it warranted Ministerial review.

These are hardly revolutionary proposals. They fit logically with the operation of the Immigration Department and the appeal system and remove from MPs no rights to Ministerial review of a case which they previously enjoyed. Having two expensive systems (viz immigration appeals and Ministerial correspondence) running side by side indefinitely cannot be justified.

I hope that we can persuade the Opposition that there are no grounds to resist them. In addition to the complaints mentioned above, and objections from a number of Opposition MPs including Max Madden's approach to the Speaker, the main source of resistance will be Roy Hattersley, who has become personally involved in resisting changes which he regards as hostile to the established rights of Members. The premise on which he is arguing, that we are seeking to exclude MPs from correspondence with Ministers about their constituents, is mistaken and I have written to him today as enclosed to seek to put the record straight on this.

In a quite different category is the question of MPs imposing stops on the removal of passengers at the ports, or others (deportees, illegal entrants, etc) in the country. So far as is known, the ability of MPs unilaterally to stay executive action in this way is unique in government. Existing procedures antedate the creation of a statutory appeal system in 1969. Indeed, it could be said that the continuing ability of MPs to prevent removal in port cases (where Parliament has not given a right of appeal in this country) effectively frustrates the objects of the statute.

Two major changes to the system were achieved in 1986. First, in April 1986, I issued for the first time published "Guidelines on the Handling of Representations by MPs in Immigration Cases". Second, as a consequence of extending the visa system, the Guidelines were revised to make it clear that port stops would not normally be accepted where the passenger was a visa national without a valid visa. To have done otherwise would, of course, have frustrated the whole object of the visa requirement. The effect of this change was that, whereas in autumn 1986 stops had been running at a rate of 12,000 a year, they have now declined to less than 2,000 a year - about 4/5ths are port cases, and 1/5th in-country cases.

I said on 16 November merely that "it would be right to review the arrangements for dealing with Members' interventions - particularly stops in port cases - that have been operated over the past 12 months and that I wanted to hear everyone's views and would be putting proposals to Roy Hattersley. What I now propose is that all such stops - both at the ports and in-country - should become the exception rather than the rule, as they effectively have become at the ports since November 1986. Stops will in future be agreed only where MPs can positively establish that their representations relate to exceptional and compelling circumstances which in the case of in-country stops have not previously been raised. We would not refuse to discuss port cases with MPs but in future such discussion, if insisted upon, would not stay removal and would occur after it. This is, of course, likely to be controversial with a number of Members and Roy Hattersley would certainly oppose it strongly.

A desirable but not essential prerequisite to these proposals as they affect asylum cases is the establishment of a satisfactory scheme for injecting an independent element into the review of port asylum cases, i.e. cases where the passenger claims he is a refugee and where, therefore, there is special sensitivity about returning him abroad. A previous scheme, established by David Waddington in 1983, had to be withdrawn in the face of the Tamil cases in March 1987. A suitable new scheme, involving referral of such cases to the United Kingdom Immigrants Advisory Service, could well be in place by the time the revised Guidelines are introduced.

We have revised the Guidelines to take these proposals into account and have also taken the opportunity to restructure them to provide guidance on the full range of cases on which Members may wish to make representations and to remove some of the more contentious passages which reflect past controversies. A copy of the revised draft Guidelines is enclosed but they will, of course, be subject to amendment in the light of comments. Subject to your views and those of copy recipients of this letter, I propose as the next step to consult both Michael Mates and John Wheeler before going to the Opposition Front Bench and ultimately Commons Members as a whole circulating a revised version of the Guidelines. I expect the proposals will be broadly acceptable to Government MPs (including on stops in which many indulge only because they are expected to) and hope that the Opposition can be persuaded to accept that the package in practice does not impede their access to Ministers or remove any legitimate ability to influence cases bearing in mind the existence of very full appeal rights.

On timing, I envisage that we shall be in a position to circulate the draft Guidelines to MPs either before or just after Easter. We shall by then have completed the Commons stages of the Immigration Bill and as an added advantage, are likely to have the UKIAS scheme for port asylum cases in place. Further, as correspondence touches closely on the situation in the Immigration and Nationality Department, we should also by then have better news on the backlog of registration and immigration cases waiting to be processed. At present it looks as though the Opposition will press for a debate. We had such debates when the Guidelines were first introduced and then altered later in 1986. Although I do not recommend that we automatically offer this when changes are made, the present proposals are I think sufficiently radical to justify doing so on this occasion. You will appreciate from this that it will not be possible to discuss correspondence jointly with the Immigration Rules next week and that we should therefore welcome a maximum one and a half hour debate as being sufficient for the extent of change which the Immigration Rules introduce. We shall of course make suitable reference in the Immigration Rules debate to the correspondence issue and, if you agree, offer the prospect of a separate debate at the appropriate time.

I am copying this letter to the Prime Minister, the Foreign and Commonwealth Secretary, the Lord Privy Seal and the Chief Whip.

Yours,

Douglas.

INTRODUCTION

This document sets out guidelines for the assistance of Members of Parliament in carrying out their responsibilities on behalf of their constituents in immigration cases. It describes the way in which Home Office Ministers will exercise their responsibilities for implementing an effective and efficient immigration control.

Role of Home Office Ministers

2. The role of Home Office Ministers is exercised in accordance with immigration legislation passed by Parliament and with the Immigration Rules which have been endorsed by Parliament. In responding to Members' representations, Ministers will have particular regard to the role of the independent immigration appellate authorities which Parliament established for resolving disputed decisions in immigration cases.

3. Members may make representations to a Home Office Minister at any, or several, stages in an individual case. The guidelines describe the differing role of the Minister at different stages. In brief, the Minister will review decisions taken by the Department only where either there is no right of appeal or the appeal process has been exhausted and new and compelling evidence has become available. The Minister will not normally intervene to take the initial decision on an application; to pre-empt consideration of a disputed decision by the independent appellate authorities; or to reverse a decision where the appeal process has been exhausted and no new and compelling evidence has become available.

4. As is the Parliamentary convention, Home Office Ministers will normally deal only with the constituency Member in a case, except where another Member is dealing with constituency business on his behalf if he is absent or ill. Where Members of the House of Lords wish to make representations in individual cases, Ministers will assume that the Peer concerned has consulted the constituency Member.

Correspondence with the Immigration and Nationality Department

5. Home Office Ministers recognise that Members will often wish to make representations or enquiries about both immigration and nationality cases at a stage where Ministers have indicated that they will not normally intervene. Ministers are aware of the well-established practice where Members customarily correspond direct with their local offices of government departments. In essentially the same way, Ministers would wish to encourage Members to correspond direct with the Immigration and Nationality Department (IND) at Croydon on such matters. The Annex to these guidelines provides details of the type of enquiry where a direct approach to IND would be appropriate and of the address to which such correspondence should be sent. Additionally, following an initial acknowledgement, the Minister may on occasion ask IND to contact the Member direct on his behalf, for example to request details to enable the case to be fully considered.

THE ROLE AND PRACTICE OF THE HOME OFFICE

Representations made in entry clearance cases

6. Responsibility for the operation of the entry clearance system overseas lies with the Foreign and Commonwealth Office. Certain categories of case may be referred by the entry clearance officer to the Home Office for decision. Any representations to the Home Office about a referred application (usually on behalf of the sponsor resident in the United Kingdom) will be taken into account in reaching a decision. The Minister will not intervene to take a decision on the case.

7. All persons refused an entry clearance have a right of appeal against that decision from abroad. Where a Member makes representations about the refusal of an entry clearance, the Minister will not normally intervene while an appeal is pending, nor overturn an appeal which has been dismissed, unless there is new and compelling evidence to suggest that the original decision should be reversed rather than a new entry clearance application made.

Representations made in cases where a person has been refused entry

Appeal Rights

8. Section 4(1) of the Immigration Act 1971 makes it clear that the statutory power to admit a person to this country is vested in the immigration officer, not the Minister. Section 13(1) of the Act provides a right of appeal to an adjudicator against an immigration officer's decision to refuse leave to enter (except in cases covered by section 13(5) of the Act).

Representations to the Minister

9. Members of Parliament may contact Ministers to make representations in cases of refusal of entry. But in view of statutory appeal rights and the Immigration Service's discretion in exceptional circumstances to defer the return of a person refused entry, the Minister's Private Office will not agree to such deferments except under the strictly limited terms of paragraph 10 below.

10. The Minister's Private Office or, out of working hours, the Home Office Duty Officer will arrange for the removal of a passenger to be deferred at the request of a Member only if the Member is able to demonstrate that there are exceptional and compelling circumstances (eg recent bereavement or sudden grave illness here in the immediate family) which the immigration officer has had an opportunity to consider but has not taken sufficiently into account. In such cases action to remove the passenger will normally be deferred for a period of five working days and the Member will be so advised and asked to submit written representations within that period.

11. Illegal entrants detected on or shortly after arrival at ports and airports will be treated on the basis of the arrangements in paragraph 10 and not of those in paragraph 21.

12. Where an application for political asylum is made at a port, Ministers will not agree to defer removal where this is to a safe third country nor will there be an automatic deferral of removal in other

cases, although Ministers will consider any representations made by Members on their merits.

13. In the event of written representations not being received within the time limit of five working days, the Minister's Private Office will give instructions for the removal arrangements to be implemented.

14. If the decision to remove is upheld, the Member will be informed in writing. Arrangements to effect removal will be made after four working days from the date of the reply to the Member.

Representations made in after-entry cases

New and outstanding applications

15. A person who wishes to extend or vary his permitted stay applies to the Home Office for further, or variation of, leave. Representations made by Members when an application is submitted or to enquire about progress on an application which is under consideration by IND will be taken into account when a decision is taken. The Minister will not intervene to take a decision on the case.

Appeal Rights

16. In after-entry cases a statutory right of appeal is exercisable in this country, unless the decision relates to an application made after a person's leave to remain has expired or to the removal of an illegal entrant.

Cases where an appeal is pending (either against the refusal to grant further leave to remain or against a decision to deport)

17. When an appeal is lodged no action is taken to remove the appellant until the appeal proceedings have been completed and the determination has been considered by IND. The Minister will not normally intervene while an appeal is pending and, unless there has been a significant change of circumstances, there is no point in a Member making representations at this stage.

Cases where an appeal has been dismissed

18. Even if the appellate authorities dismiss an appeal the adjudicator may make a recommendation for exceptional treatment outside the Immigration Rules and any such recommendation will be seriously considered by the Minister. If, however, the appellate authorities dismiss an appeal and do not feel it is appropriate to make a recommendation, the Minister is unlikely to overturn that decision unless new and compelling evidence is provided.

Cases where there is no right of appeal or where the right of appeal has not been exercised.

19. Representations may be considered in cases in which either the right of appeal against a decision has not been exercised or if the law provides no right of appeal. Due account will be taken, however, of the reasons why there was no right of appeal or why an appeal right was not exercised, and the Minister is unlikely to reverse the decision unless the Member raises new and compelling factors which were not known when the decision was taken.

Requests for deferment in deportation/illegal entry cases

20. Deportation can only follow the issue of a notice of intention to deport or the recommendation of a court, against both of which there is a right of appeal. Any representations made by Members will be taken into account and the case will be fully reviewed before a deportation order is signed. Requests for deferment of removal will be accepted only if the Member provides new and compelling evidence which was not taken into account when the deportation order was signed. If, exceptionally, deferment of removal is agreed, the Member will be asked to submit written representations within five working days and advised that removal will be deferred for that period. If written representations are not received within this period, the Minister's Private Office will give instructions for the removal arrangements to be implemented.

21. There is no right of appeal under the Immigration Act in this country before removal as an illegal entrant, although it is possible to seek judicial review and to appeal after removal. If a case has been reviewed by the courts, requests for deferment of removal will be accepted only if the Member provides new and compelling evidence which has not previously been taken into account (but see paragraph 11 above for illegal entrants detected on or shortly after arrival). In other illegal entrant cases, however, if a Member requests deferment of removal, he will be asked to submit written representations within five working days and advised that removal will be deferred for that period. If written representations are not received within this period, the Minister's Private Office will give instructions for the removal arrangements to be implemented.

22. If the decision to remove is upheld, the Member will be informed in writing. Arrangements to effect removal will be made after four working days from the date of the reply to the Member.

CORRESPONDENCE WITH THE IMMIGRATION AND NATIONALITY DEPARTMENT

Introduction

Paragraph 5 of the guidelines indicates that in certain circumstances Members may prefer to correspond direct with the Immigration and Nationality Department (IND) about individual immigration and nationality cases.

Category of enquiry

2. The following list illustrates the type of enquiry which Members may wish to make direct with IND; individual Members' experience may suggest others:

- (i) general enquiries as to procedures, legal requirements etc
- (ii) progress enquiries on applications and appeals
- (iii) supply by the Member or his constituent of further information in support of an unresolved application
- (iv) request for return of papers or passport
- (v) Member's support for case under appeal
- (vi) representations up to the time a deportation order is signed
- (vii) submission of or support for a citizenship application.

3. Where a Member writes direct to Lunar House and, on examination of the case, it raises a matter which requires Ministerial consideration, officials will submit the Member's letter to the Minister and the latter will reply.

Address

4. All correspondence should be sent from the House of Commons or House of Lords in the usual way, addressed to:

The Secretary
Immigration and Nationality Department Board
Lunar House
Wellesley Road
Croydon
CR9 2BY

Correspondence should not be addressed to individual officials from whom a previous reply may have been received since, given the division of responsibilities within the Department, it is unlikely that the same official will have responsibility for all cases in which a Member expresses an interest.

5. In all cases, Members should provide sufficient information to identify the case:

full name of the applicant (and spouse in a marriage application)
and Home Office reference number

If this information is not available, Members should provide:

the applicant's nationality and date of birth (and spouse if relevant)

and the date of application and any posting details (if known).

6. Members are welcome to telephone direct an officer from whom a reply has been received about that case; the officer's telephone number will be given at the head of the reply. Where the officer is not available and for all general enquiries, a central telephone enquiry point is available on 01-760 . This telephone number is made available for Members and their staff only; it is not a public telephone point.

TEMPORARILY RETAINED S. Gray 17/2/2017



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OF THE PUBLIC RECORDS ACT.

QUEEN ANNE'S GATE LONDON SW1H 9AT

20 January 1988

Dear Roy,

Thank you for your letter of 8 December about the handling of correspondence from Members of Parliament about individual immigration matters. You also wrote to Tim Renton on 20 and 30 November about the cases of _____ respectively and I hope that you will accept this as a reply to those letters also.

You will by now have received Tim Renton's letter to you of 10 December about the case of _____ which explained more generally, as we had to Margaret Beckett, the level of the correspondence which we receive in the Home Office about both general immigration and asylum cases. That, and the balance we wish to achieve between providing the MP with information for his constituent and making proper use of Ministerial review, sets the background to the review of procedures to which I referred on 16 November during the Second Reading Debate on the Immigration Bill.

We have no intention of removing the rights of an MP to write to Tim Renton or myself about individual cases. The review which we have undertaken is intended, within the balance to which I have referred above, to produce proposals for dealing more efficiently with this vast amount of correspondence. Indeed, I hope that as a result we shall be able to offer an improved service to Members and their constituents.

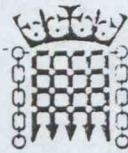
The changes are therefore likely to be limited in nature but to make a clearer distinction than has hitherto existed between those cases where rights of appeal are available and those where they are not. The independent immigration appellate authorities were established by Parliament for the specific purpose of resolving disputed decisions in individual cases and a wider recognition of their role is, to my mind, long overdue.

As I also mentioned on 16 November, the review is considering as well the role of Members' "stops" in immigration cases, in the light of experience after the first year of a visa requirement for the Indian sub-continent and certain African countries. Again, any proposals will have due regard to the available rights of appeal in such cases.

I expect that the review will take some more weeks to complete; as I undertook to do, I shall then write to you with full details of what we propose before going to Members generally. Perhaps at that stage we could usefully have a discussion.

Yours,
Douglas

RT HON ROY HATTERSLEY MP



HOUSE OF COMMONS
LONDON SW1A 0AA



01- 219 6479
01- 219 6378 (Constituency Calls)

8 December 1987

Just for Secret

I have received a number of letters from your Minister of State relating to immigration matters that conclude with the statement that they propose to contact my constituents directly rather than send information about the Home Office position to me. I enclose a selection of letters I have recently received in which such a statement is made.

I understand that other Members of Parliament have received letters announcing the same intention.

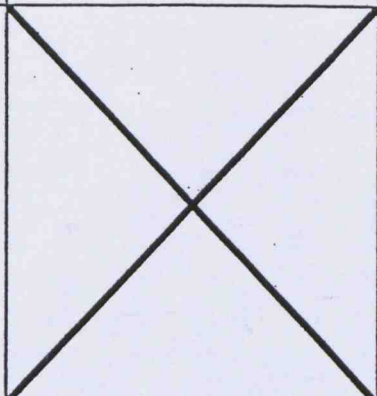
This matter was discussed by the Labour Party Parliamentary Committee last week and I am instructed to write to you expressing our extreme disquiet at such a practice. For my part I am not prepared for cases raised with me by constituents to be dealt with in anything other than the normal way and I hope you will take this letter as an indication of that intention. No doubt other Members of Parliament will react in much the same way. However it seemed to the Parliamentary Committee that an issue of principle - possibly of privilege - is raised by the suggestion that the MP should be bypassed and I look forward to your assurance that the Home Office does not intend to pursue the proposal which your Minister of State has made.

I have already written to Timothy Renton regarding specific cases from which he has attempted to exclude me. I have not yet received a reply.

Yours sincerely
Douglas Hurd

Rt Hon Douglas Hurd MP
Home Secretary
Home Office
Queen Anne's Gate
LONDON
SW1

The National Archives

DEPARTMENT/SERIES <i>PREM 19</i> PIECE/ITEM <i>3366</i> (one piece/item number)	Date and sign
Extract details: <i>Attachments to Hattersley to Mord dated 8 December 1987</i>	
CLOSED UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	
TEMPORARILY RETAINED	<i>17/2/2017 J. Gray</i>
MISSING AT TRANSFER	
NUMBER NOT USED	
MISSING (TNA USE ONLY)	
DOCUMENT PUT IN PLACE (TNA USE ONLY)	

Instructions for completion of Dummy Card

Use black or blue pen to complete form.

Use the card for one piece or for each extract removed from a different place within a piece.

Enter the department and series,
eg. HO 405, J 82.

Enter the piece and item references, .
eg. 28, 1079, 84/1, 107/3

Enter extract details if it is an extract rather than a whole piece.

This should be an indication of what the extract is,

eg. Folio 28, Indictment 840079, E107, Letter dated 22/11/1995.

Do not enter details of why the extract is sensitive.

If closed under the FOI Act, enter the FOI exemption numbers applying to the closure, eg. 27(1), 40(2).

Sign and date next to the reason why the record is not available to the public ie. Closed under FOI exemption; Retained under section 3(4) of the Public Records Act 1958; Temporarily retained; Missing at transfer or Number not used.

Mr Addison



cc to ~~Questions~~

CABINET OFFICE

70 Whitehall London SW1A 2AS

01-270 0101

From the Secretary of the Cabinet and Head of the Home Civil Service

Ref. A087/2282

Sir Robert Armstrong GCB CVO

28 July 1987

Dear Murdo,

--- Further to Mark Addison's letter to you of 22 July (not originally copied to me) I attach a draft letter for the Chief Whip to send to Ministers meeting the undertaking set out in the Prime Minister's Parliamentary reply to Robin Maxwell-Hyslop MP of 22 July (OR Col 221).

On matters raised in associated correspondence:

- a. John Wheeler's letter of 13 July. While it may well be correct that most MPs have no use for acknowledgment cards, I am sure that there are a number who would object to not receiving them, and therefore I do not think that we should encourage Departments to change their practice in this respect.
- b. Sir Geoffrey Finsberg's letter of 16 July appears to ask Departments to place their own reference numbers on acknowledgment cards so that MPs can quote them back at Departments. I am doubtful if Departments really would find any advantage in such a practice, and I cannot see how the MP would benefit; I therefore suggest that the idea is not pursued further.
- c. Mr Maxwell-Hyslop's letter of 22 July refers to acknowledgment cards sent by the Department of Health and Social Security and the Department of Education and Science. It is not the practice of DHSS Headquarters to send acknowledgment cards - although local offices corresponding direct with MPs may do so. The draft letter from the Chief Whip to Departments therefore specifically asks Departments to ensure that their local offices conform to the new guidance. The Department of Education and Science do not send acknowledgment cards in envelopes - but the cards state only the name of the constituent, not the subject of the letter.

I am copying this letter to Mark Addison.

*Yours ever,
T A Woolley*

(T A Woolley)

Private Secretary

Murdo MacLean Esq
12 Downing Street

DRAFT LETTER FROM THE CHIEF WHIP TO ALL MINISTERS
IN CHARGE OF DEPARTMENTS

Ministerial Acknowledgment Cards

Mr Robin Maxwell-Hyslop MP has raised with the Prime Minister recently the question of departmental practice in the use of cards to acknowledge Members' correspondence. His concern has been that if acknowledgment cards are not sent in envelopes, there may be a risk of violating the confidentiality of constituents' correspondence with MPs. To ensure that this does not occur, I should be grateful if, where acknowledgment cards are not sent in envelopes, Departments would omit the subject matter of constituents' correspondence from the cards. This practice will reflect the Prime Minister's undertaking to Robin Maxwell-Hyslop MP in her reply to his Parliamentary Question on 22 July (OR, Column 221). Perhaps Departments could ensure that these procedures are followed by their local offices in cases where they correspond direct with MPs.

TAWABL



c - Mr Addison (for info)

CABINET OFFICE
70 Whitehall London SW1A 2AS
01-270 0101

cc Mr Hamilton
Mbx 14/7

From the Secretary of the Cabinet and Head of the Home Civil Service
Sir Robert Armstrong GCB CVO

Ref. A087/2044

10 July 1987

Dear Robert,

Ministerial Acknowledgement Cards

In September 1984, Mr Robin Maxwell-Hyslop MP wrote to the Chief Whip asking that the acknowledgements sent by Ministers' offices in response to MPs' letters should be placed in envelopes in order to ensure that the name of the constituent and the subject about which he wrote remained confidential to the MP and the Department concerned. In response, the Chief Whip wrote to all Secretaries of State on 2 October 1984 asking that Mr Maxwell-Hyslop's request be met, and also wrote to Mr Maxwell-Hyslop saying that he had done so.

Mr Maxwell-Hyslop has returned to the charge with a Parliamentary Question to the Prime Minister to which we have provided a holding reply. It is clear that, notwithstanding the Chief Whip's letter of 2 October 1984, at least some Government Departments have not adopted the practice of placing acknowledgement cards in envelopes - although I accept that there may be very good reasons why this should be the case. In order to prepare the basis for a substantive reply to Mr Maxwell-Hyslop, I should be grateful if you, and the Private Secretaries to all Ministers in charge of Departments (to whom I am copying this letter) could let me have advice on the following points:

a. Is it your Department's practice to send acknowledgement cards to Members' letters in envelopes or "en clair"?

/b. In the case

R N Culshaw Esq MVO
Foreign and Commonwealth Office

b. In the case of Departments who do not use envelopes, do the acknowledgement cards specify not only the name of the constituent but also the subject of his letter?

c. In the case of Departments which do not send acknowledgement cards in envelopes, would it create unmanageable problems to alter the practice and use envelopes henceforth?

At the very least, if we are to satisfy Mr Maxwell-Hyslop, I think we may need to ensure that acknowledgement cards sent without envelopes do not specify the subject of the constituent's letter as well as the constituent's name; but if it were possible to agree that acknowledgement cards would be sent in envelopes in all cases, so much the better.

The Prime Minister will not wish to postpone for too long a substantive reply to Mr Maxwell-Hyslop, and I should therefore be grateful for responses to this letter by 15 July.

Yours ever,

Thomas Woolley

(T A Woolley)
Private Secretary

forms



CABINET OFFICE

*From the Chancellor of the
Duchy of Lancaster*
Lord Gowrie

MANAGEMENT AND PERSONNEL OFFICE
Great George Street
London SW1P 3AL
Telephone 01-233

Richard Stoate Esq
Private Secretary to the
Lord Chancellor
Neville House
Page Street
London SW1P 4LS

MB

23 August 1985

Dear Richard,

... I am enclosing for your information a copy acknowledgement card (from the Home Office) which Sir Geoffrey Finsberg MBE JP MP recently submitted to the Prime Minister as an example of good practice.

Such efficiency matters fall to Lord Gowrie. Although he is aware that all departments have systems for acknowledging receipt of correspondence, lessons of value may be gleaned from this example. Lord Gowrie would particularly commend the practice of including references which identify both the correspondence and the individual to whom it relates.

Perhaps you would be good enough to pass this to the appropriate quarter within your department. Copies of this letter go for similar action to all private secretaries of Ministers in charge of departments, except Hugh Taylor at Home Office.

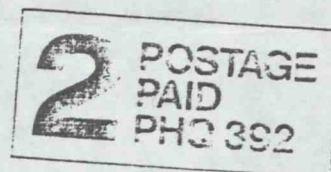
*Yours sincerely
Paul Thomas*

PAUL THOMAS
Private Secretary

ON HER MAJESTY'S SERVICE

Home Office
Queen Anne's Gate
London SW1 9AT

Correspondence Enquiries: 01213 3518



PC REFERENCE : 19065 85

THE PRIVATE SECRETARY
ACKNOWLEDGES RECEIPT OF YOUR
LETTER DATED 30/07/85 ON
BEHALF OF LAURA FRIEDMAN.
THIS IS RECEIVING ATTENTION.

01/08/85

SIR GEOFFREY FINSBERG MBE MP

HOUSE OF COMMONS

LONDON

SW1A 0AA

MR. COLES *MR 5*
10

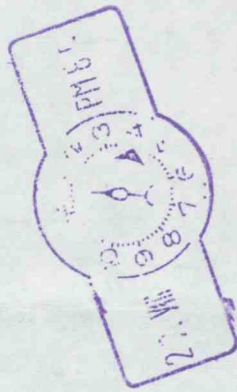
cc: Mr. Butler
Mr. Turnbull
Mr. Barclay

You asked me to look into how the Prime Minister was presented with the attached slightly unfortunate acknowledgement of a letter to Stuart Holland MP., which appears to accept the premise within his own letter about the situation in Sri Lanka.

The procedure for letters to Members of Parliament is as follows: either the Prime Minister replies to the letter herself, in which case the Member receives an acknowledgement from the Private Secretary; or, she asks one of her other Ministers to reply on her behalf, in which case she signs the acknowledgement herself. In this way, she sees all correspondence from Members of Parliament, even if she does not reply substantively to it. Acknowledgements of both kinds are routinely prepared in the Garden Rooms without being dictated and on this occasion the acknowledgement to Mr. Holland was so prepared. It is, however, always seen by the Private Secretary responsible for Ministerial correspondence before it goes into the box and it is at this stage that infelicities of the kind in the letter to Mr. Holland should be spotted. There is, however, another opportunity after the Prime Minister has signed the letter when it is circulated in the folder of signatures which goes to each Private Secretary before any correspondence is despatched. All of us therefore have the opportunity to pick up errors, etc., and indeed this does occasionally happen.

I conclude from this that there is nothing wrong with the procedure and I certainly do not propose to dictate every acknowledgement to a letter, whether it be from a Member of Parliament or anyone else. I do think, however, that this sort of incident is an awful reminder that before correspondence goes into the Prime Minister it ought to be

/checked



MR. COLES

cc: Mr. Butler
Mr. Turnbull
Mr. Barclay

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/checked

checked thoroughly, not only by the Garden Rooms but also by the Private Secretary. I know I have a tendency to put very straightforward correspondence, e.g. acknowledgements, into the box without checking thoroughly. Moreover, I am sure we should all make use of the opportunity to look again at correspondence presented by the circulation of the signature folder in the morning. If we do not do so, there is little point in circulating the folder.

In the particular case of the Stuart Holland letter, it is clear that both the Private Secretary who put the letter into the box and those who saw it in the signature folder on 23 September had a mental blank. The price of avoiding such blanks is eternal vigilance!

Tim Fisher.

5 October 1983



10 DOWNING STREET

THE PRIME MINISTER

23 September, 1983

Stuart Holland

Thank you for your letter of 15 September about the atrocities being committed against the Tamil-speaking people in Sri Lanka.

I have asked Sir Geoffrey Howe to reply to you direct on my behalf.

*Yours sincerely
Margaret Thatcher*

Stuart Holland, Esq., M.P.

SH



VC

C. MA

10 DOWNING STREET

From the Private Secretary

29 July 1983

We spoke on the telephone about the practice of Ministers' offices of sending a top copy only of letters dealing with constituency correspondence. This is just to let you know that the Chief Whip has issued a note to all Ministers reminding them of the need to send a second copy, particularly during the recess.

TIM FLESHER

Robin Maxwell-Hyslop, Esq., M.P.

Just



Government Chief Whip
12 Downing Street, London SW1

Tina
Your letter has been
overtaken!

WM

TO ALL MINISTERS

There have been one or two complaints from Members that they have received a top copy only of letters from Ministers dealing with constituency correspondence.

I should be very grateful if Ministers would remind their private offices that a second copy should always be sent. This is particularly necessary during recesses when Members are dealing with correspondence from their homes.

29 July 1983.

MR. BUTLER

Attached is a letter to Private Secretaries to Members of the Cabinet reminding them that Ministerial correspondence to Backbench Members should include a copy of the Ministerial letter for the files of the Member concerned. This practice has in the past been the subject of an instruction from the Prime Minister, renewed at roughly only intervals of two years following a complaint from (usually Robin Maxwell-Hyslop) that a mistake has been made. Mr. Maxwell-Hyslop has once again contacted me to make this complaint and to ask if the Prime Minister could repeat her guidance. Since the last occasion on which it was done was in June 1982 and before that February 1980, I see no objection to sending around a reminder letter on the lines of the attached. I do not think that we need trouble the Prime Minister with this.

May I go ahead?



28 July 1983



10 DOWNING STREET

From the Private Secretary

28 July 1983

In June 1982 Willie Rickett sent around a note reminding Departments that Backbench Members find it helpful to be sent not only the top copy of Ministerial letters dealing with constituency cases, but also a spare copy which they can keep in their own files.

In general there are very few complaints from Backbench Members that this practice is not followed and I am sure that exceptions are both rare and inadvertent. The Prime Minister has, however, made it clear in the past that she wishes Ministers to adopt this practice and I should be grateful therefore if you and the other recipients of this letter could draw the Prime Minister's instructions to the attention of those who deal with Ministerial correspondence.

I should add that Members may find it helpful if they are sent not only a copy of the Ministerial letter itself but of any enclosure.

I am sending copies of this letter to the Private Secretaries to Members of the Cabinet, to Murdo Maclean (Chief Whip's Office) and Richard Hatfield (Cabinet Office).

(Timothy Flesher)

John Kerr, Esq.,
HM Treasury



039
Govt Mach

10 DOWNING STREET

From the Private Secretary

29 March 1983

Thank you for your letter of 18 March following your Secretary of State's reference in Cabinet on 10 March to the Prime Minister's correspondence. There is always a nice issue of judgment about whether No. 10 should deal with particular letters addressed to the Prime Minister or should delegate them to Departments. We try to decide this in the light of our judgment of whether the benefit to the Government of sending a reply from No. 10 justifies the extra cost; but it is always worth reviewing whether we are striking the balance correctly, and we have approached the points made in your letter in that light.

To set the matter in perspective, it is worth pointing out that the Prime Minister receives about three thousand letters in most weeks, including three times as many letters from members of the public as any of her predecessors. Of these, about three-quarters are dealt with directly by our Correspondence Section here and a further seven hundred to eight hundred are sent by the Correspondence Section to Departments to reply. The rest - between 100-150 each week - are referred to a Private Secretary, and about half of these are dealt with in our Private Office without reference to a Department: of the remaining 70 or so which are sent to Departments, about a quarter are for drafts for the Prime Minister's signature, about half for a Private Secretary to send, and the remaining quarter for the Department to deal with.

It follows from these figures that it is only for a minority of the Prime Minister's correspondence that we ask Departments to provide a draft letter to be sent from here. We only do so when there is in our judgment some positive reason for sending a reply from here - e.g. because the writer has some personal link with the Prime Minister or is appealing to the Prime Minister about their treatment by some other part of the Government or there is a particular reason to think that the extra cachet of a letter from No. 10 will bring dividends to the Government which justify the extra cost. The Prime Minister used to deal with all letters from Members of Parliament herself, but now delegates at least half to her Ministers.

Nevertheless, we have certainly taken account of the points you raise and indeed I am rather conscious that there have been a large number of letters in recent weeks seeking information on Government assistance to small businesses which could quite properly be answered from your Department. . As you may have

/ noticed

noticed, I am marking a higher proportion of these for Ministerial or Private Secretary reply from your Department rather than from No. 10. Perhaps I may also make two further suggestions which I hope will be useful. The first is that you do not trouble to send covering letters with the draft except where you consider that there is some additional point to explain. The second is that I hope that you and your colleagues will feel free to ring the Private Secretary here who has asked for the draft if you think that it is a case in which it would save time for you to answer the letter directly.

Timothy Flesher

Steve Nicklen, Esq.,
Department of Industry.



F.R.

~~Robin~~
my point was that letters might be cleared by junior ministers rather than by the Secretary of State (one of the reasons why P Jenkin feels so burdened is that he insists on clearing all drafts for 10 Downing Street himself). But

MR RICKETT

(separate copies) I agree with

MR FLESHER

you that this is really a matter for Departmental Secretaries of State. Otherwise fine.

CORRESPONDENCE

WJ
28/3

Thank you for your minutes. I attach a reply which I will send to David Edmonds, if you are content. One of you could then reply to Steve Nicklin's letter in similar terms.

m

The only point I have not incorporated is Willie's suggestion that drafts for No 10 should no longer be cleared by Ministers. This is the department's business, and if there is some disaster I do not want them to be able to blame it on a suggestion made by us by saying that the disaster would have been detected if the Minister had scrutinised the draft provided by his department.

F.R.B.

28 March 1983

File AH

MR RICKETT (separate copies)

MR FLESHER

CORRESPONDENCE

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*Tim ?
AH.*

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28 March 1983

Robin

Content

✓

MR RICKETT (separate copies)

MR FLESHER ✓

28/3.

CORRESPONDENCE

Thank you for your minutes. I attach a reply which I will send to David Edmonds, if you are content. One of you could then reply to Steve Nicklin's letter in similar terms.

The only point I have not incorporated is Willie's suggestion that drafts for No 10 should no longer be cleared by Ministers. This is the department's business, and if there is some disaster I do not want them to be able to blame it on a suggestion made by us by saying that the disaster would have been detected if the Minister had scrutinised the draft provided by his department.

Sgt F.E.R.B.

28 March 1983



2ice AH

10 DOWNING STREET

From the Principal Private Secretary

28 March 1983

Dear David,

PRIME MINISTER'S CORRESPONDENCE

Thank you for your letter of 16 March, following your Secretary of State's reference in Cabinet on 10 March to the handling of the Prime Minister's correspondence. There is always a nice issue of judgment about whether No 10 should deal with particular letters addressed to the Prime Minister or should delegate them to departments. We try to decide this in the light of our judgment of whether the benefit to the Government of sending a reply from No 10 justifies the extra cost; but it is always worth reviewing whether we are striking the balance correctly, and we have approached the points made in your letter in that light.

To set the matter in perspective, it is worth pointing out that the Prime Minister receives about three thousand letters in most weeks, including three times as many letters from members of the public as any of her predecessors. Of these, about three quarters are dealt with directly by our correspondence section here and a further seven hundred to eight hundred are sent by the correspondence section to departments to reply. The rest - between 100-150 each week - are referred to a Private Secretary, and about half of these are dealt with in our Private Office without reference to a department: of the remaining 70 or so which are sent to departments, about a quarter are for drafts for the Prime Minister's signature, about half for a Private Secretary to send, and the remaining quarter for the department to deal with.

It follows from these figures that it is only for a minority of the Prime Minister's correspondence that we ask departments to provide a draft letter to be sent from here. We only do so when there is in our judgment some positive reason for sending a reply from here - e.g. because the writer has some personal link with the Prime Minister or is appealing to the Prime Minister about their treatment by some other part of the Government or there is a particular reason to think that the extra cachet of a letter from No 10 will bring dividends to the Government

AH

which justify the extra cost. The Prime Minister used to deal with all letters from Members of Parliament herself, but now delegates at least half to her Ministers. //

As regards the two examples which you enclosed in your letter, they were both cases where the incoming letter dealt with a range of subjects, only some of which were for the DOE. Replies therefore had to be co-ordinated involving contributions from other departments, and in these cases, it saves a letter if we commission and co-ordinate contributions directly from here rather than asking another department to do it.

I have asked those who deal with correspondence here to take note of the point in your letter and to ask you to deal directly with as much correspondence as possible. I make two further suggestions which I hope will be useful. One is that you do not trouble to send covering letters with the draft except where there is some additional point to explain. The second is that you or members of your office can feel free to ring the Private Secretary here who has asked for the draft if you think that it is a case in which it would save time for you to answer the letter directly.

Yours sincerely,

Robin Butler

David Edmonds Esq.,
Department of the Environment.

MR. BUTLER

cc. Mr. Rickett

CORRESPONDENCE

Thank you for your note of 10 March and for sending me this letter from David Edmonds about the Prime Minister's correspondence. You might also like to see the attached letter from the Department of Industry on the same subject.

The point which is made in both letters, as well as in the Cabinet discussion on 10 March, is that No. 10 handles too many letters itself on the basis of drafts from Departments rather than leaving it to Departments to deal with the correspondence themselves. It is important to get this into perspective. Overall, the Prime Minister receives almost 3,000 letters in most weeks. Of these, about three quarters are dealt with by one of a range of responses from the Correspondence Section; a further 700 to 800 are sent by the Correspondence Section to Departments to reply. The rest - between 100 to 150 each week - are dealt with by Private Office. Of these about half are dealt with in the Private Office without reference to a Department; of the 70 or so which are sent to other Departments, about a quarter are for drafts for the Prime Minister's reply, about half for No. 10 Private Secretary reply, and the rest for the Department to reply to on the Prime Minister's behalf. To sum up, therefore, of the 3,000 letters which this office receives each week, we ask other Departments to provide drafts for either the Prime Minister or her Private Secretaries to send in about 50 cases. As for Parliamentary Questions, therefore, the scale of the problem is far less than Departments imagine.

This does not, of course, absolve Willie Rickett and myself from assessing in each case whether or not a Department can or should reply on the Prime Minister's behalf. That decision is influenced by a number of factors, which include:

/ (i)

- (i) the Prime Minister's wish to deal with a substantial proportion of her own correspondence, especially from Members of Parliament;
- (ii) a presumption that, at least in some cases, people who write to the Prime Minister ought to get a reply from her office: in this context it is worth pointing out that this Prime Minister attracts almost three times as many letters from members of the public as any of her predecessors;
- (iii) the nature of the correspondence itself: if the correspondent for example has what seems to be a legitimate grievance against a Department, I am predisposed in favour of a No. 10 reply; similarly, if the correspondent makes what seems to be a good point, or one worthy of drawing to the attention of the Prime Minister.

It is, of course, right, as both Mr. Jenkin and Mr. King have pointed out, to say that most of the correspondence dealt with by No. 10 could quite properly be dealt with by Departments. This is not, however, to say that it should be, unless the Prime Minister wishes to delegate all of her communications with MPs and with the public to her Ministers, which she clearly does not.

I propose, therefore, if you agree, to continue to handle the Prime Minister's correspondence with members of the public along the same broad lines as hitherto. I concede, however, that the Department of Industry do have a fair point; we do get a very large number of very similar letters from small businesses asking for assistance and it would be quite proper to send Industry more of them for reply. I am already doing this. Environment have, I think, rather less to complain about. They are not one of our biggest clients on correspondence and the two cases quoted by David Edmonds are really rather bad examples in the sense that they are both DOE contributions to a reply requiring several such contributions. As such they are just as well dealt with from here.

If you and Willie Rickett agree, therefore, I propose to respond to Environment and Industry along the lines of the above, Subject to your views, Also, I might remind other Departments that if they have queries about the way it is proposed to handle particular items of correspondence, it is open to them to contact myself or Kay Dover.

23 March 1983

TJ

Mr Butler

I agree with this. But I would make 4 points

MR. BUTLER

(a) Departments should consider whether the drafts they send us really need to be cleared at anything above PVSS level; cc. Mr. Rickett

CORRESPONDENCE

(b) Departments should only provide covering letters where it is necessary;

(c) ~~Departments~~ this office should reflect the fact that the PM. If Departments feel they should reply, and have good reasons, they should reply to me;

Thank you for your note of 10 March and for sending me this letter from David Edmonds about the Prime Minister's correspondence. You might also like to see the attached letter from the Department of Industry on the same subject.

The point which is made in both letters, as well as in the Cabinet discussion on 10 March, is that No. 10 handles too many letters itself on the basis of drafts from Departments rather than leaving it to Departments to deal with the correspondence themselves. It is important to get this into perspective. Overall, the Prime Minister receives almost 3,000 letters in most weeks. Of these, about three quarters are dealt with by one of a range of responses from the Correspondence Section; a further 700 to 800 are sent by the Correspondence Section to Departments to reply. The rest - between 100 to 150 each week - are dealt with by Private Office. Of these about half are dealt with in the Private Office without reference to a Department; of the 70 or so which are sent to other Departments, about a quarter are for drafts for the Prime Minister's reply, about half for No. 10 Private Secretary reply, and the rest for the Department to reply to on the Prime Minister's behalf. To sum up, therefore, of the 3,000 letters which this office receives each week, we ask other Departments to provide drafts for either the Prime Minister or her Private Secretaries to send in about 50 cases. As for Parliamentary Questions, therefore, the scale of the problem is far less than Departments imagine.

(a) The PM need to reply to every MP who wrote to her, just as she never answers questions. She now delegates at least half the letters she gets from MP to her ministers.

WR
23/3

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- (i) the Prime Minister's wish to deal with a substantial proportion of her own correspondence, especially from Members of Parliament;
- (ii) a presumption that, at least in some cases, people who write to the Prime Minister ought to get a reply from her office: in this context it is worth pointing out that this Prime Minister attracts almost three times as many letters from members of the public as any of her predecessors;
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23 March 1983



JU247
Secretary of State for Industry

DEPARTMENT OF INDUSTRY
ASHDOWN HOUSE
123 VICTORIA STREET
LONDON SW1E 6RB
TELEPHONE DIRECT LINE 01-212 3301
SWITCHBOARD 01-212 7676

18 March 1983

Tim Flesher Esq
Private Secretary to the
Prime Minister
10 Downing Street
London SW1

Dear Tim

PRIME MINISTER'S CORRESPONDENCE

We spoke recently about my Secretary of State's comments about the handling of Prime Minister's correspondence. When the Lord Privy Seal recently reported to colleagues on efforts to curb the costs of dealing with Government correspondence, my Secretary of State made the point that the Prime Minister's office could quite reasonably leave Departments to reply to more correspondence from the public and so save duplication of work. The Prime Minister seemed receptive to this suggestion.

2 He has asked me to explore with you whether more letters could be dealt with by: (a) an acknowledgement from the Prime Minister's office saying that she had asked the relevant Secretary of State to reply; (b) a substantive reply drafted by the relevant Department for the Secretary of State's signature.

3 He has suggested that your letter of 2 March to David Saunders enclosing one the Prime Minister has received from Mr W S G Wilson of Taylor Wilson Systems Ltd - to which I replied on 15 March - is an example of a letter which could have been dealt with in this way.

4 I would be grateful for your views. In the meantime we will continue to deal with correspondence forwarded to us in the usual way.

*Your sincerely
Steve Nicklen*

STEPHEN NICKLEN
Private Secretary

2 MARSHAM STREET
LONDON SW1P 3EB

01-212 3434

My ref:

Your ref:

16 March 1983

Mr. Flesher
Mr. Rickelt

Could you please consider this
as part of my recent minute to you
and let written have a word. FERB 17.3.

Secretary of State tells me that he was a contributor to the
discussion in Cabinet on 10 March about the cost of Parliament,
in particular the costs imposed on Departments by the need to
respond quickly and with care and in some detail to correspondence
sent on by No 10. He particularly has in mind that the number
of letters sent on to us by No 10 include many which could perfectly
well be dealt with by officials in the Department with responsibility.
I recall a recent study that shows the cost of providing a
Ministerial reply to a letter is around £50, with nearly 5 hours
of official time involved, compared with a "treat officially" reply
which costs £22 with only just over 2 hours of effort involved.

With letters from No 10 I would imagine that the costs are even
higher because of the standing rule that all such correspondence,
even if it is to be sent by a Private Secretary has to be approved
by a Minister. My Secretary of State has therefore asked me to
send to you personally the attached photocopies of the contents
of 2 files recently made up in this Department involving correspond-
ence from No 10. In both cases, my Secretary of State believes
that it would have been perfectly proper for a reply to have been
sent by the Departmental Minister rather than by No 10.

Whatever you may feel about my Secretary of State's reaction to
these particular letters I do have the impression that we are
providing for you many letters on subjects that we could deal with
ourselves. Though your colleagues may not always believe it, in
this Department we do have a special system for dealing with Prime
Ministerial correspondence and extra checks to see that correspond-
ence is dealt with speedily. This does impose costs. And the new
in-phrase - "word processor" - is, as you know, no answer, because
virtually all of this correspondence is on a one-off basis.

In DOE my basic rule is that every letter received by the Secretary
of State should be dealt with at the lowest possible level in the
machine consistent with providing a decent service to the House,
members of the public etc. I think we get the balance reasonably
right. Perhaps No 10 could think a little bit harder about who
replies to letters - or even give the recipient Department some
choice as to how they deal with it.

For an
D A Edmonds

D A EDMONDS
Private Secretary

Robin Butler Esq - No 10



2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

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Your ref:

Mr. Flesher
Mr. Rickelt

16 March 1983

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as part of my recent minute to you
and let written have a word.

FERB 17.3.

Alan Robin

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*Your sincerely
Steve Nicklen*

STEPHEN NICKLEN
Private Secretary



10 DOWNING STREET

Cabinet

HO	MOD	LPO	DEmp
LCO	MAFF	DTrans	PGO
HMT	DEnv	DHSS	DTde
FCO	SO	CS-HMT	CO
DES	WO	LPS	
NIO	DI	DEng	

Govt Mach

NB enc.

From the Private Secretary

22 June 1982

Two years ago, Nick Sanders sent round a note reminding Departments that Backbench Members find it helpful to be sent not only the top copy of Ministerial letters dealing with constituency cases, but also a spare copy which they can keep in their own files.

The Prime Minister has repeated this guidance in response to a Question from Robin Maxwell-Hyslop. I attach a copy of the text.

It is my impression that Departments in general already follow this practice as a matter of routine, and that exceptions are both rare and inadvertent. But I should be glad if you and the other recipients of this letter could draw the Prime Minister's answer to the attention of those who deal with the despatch of Ministerial correspondence, so as to reduce the cause for complaint still further.

I should add that Members find it helpful to be sent not only a copy of the relevant Ministerial letters but also copies of any enclosures.

I am sending copies of this letter to the Private Secretaries to the Members of Cabinet and to Murdo Maclean (Chief Whip's Office) and David Wright (Cabinet Office).

W. F. S. RICKETT

John Kerr, Esq.,
HM Treasury.

J

Monday 21 June 1982

(Answered by the Prime Minister on Monday 21 June 1982)

UNSTARRED Mr Robin Maxwell-Hyslop: To ask the Prime Minister,
NO. 16 whether, in view of the fact that many Ministers'
(W) private offices are ignoring her instruction to
include a copy of every Minister's letter to
honourable Members for forwarding to constituents,
and that this is particularly necessary during
Parliamentary recesses, she will once again remind
Ministers to ensure that their private offices do
not become careless in this respect.

I know that hon Members find this practice
convenient and I have therefore repeated my
request to colleagues to enclose the required
copy.

mt

A.M. Jackson

20.6.82

13

FILE

Govt Mach

VLB

cc CDLO

12 May 1980

Thank you for your letter of 7 May about copies of documents being sent to constituency M.P.s.

The most recent guidance on this matter is set out in my letter to John Wiggins of 1 February. I would be very willing to amplify that guidance if there was a general feeling that it would be helpful to do so, but I am not yet convinced that it is necessary to issue further and more detailed advice. If you or John Stevens (to whom I am copying this letter) come across any more examples of the sort of thing which is worrying Mr. Johnston, perhaps you will let me know.

N J SANDERS

J. C. Hawkins, Esq.,
Civil Service Department.

TR



Civil Service Department

Whitehall London SW1A 2AZ

Telephone 01-273 3000

Minister of State

N J Sanders Esq
Private Secretary
10 Downing Street
LONDON SW1

7 May 1980

Dear Nick

... I enclose a copy of correspondence the Minister of State has had with Russell Johnston MP about Ministerial replies sent to Members of Parliament.

Mr Johnston is particularly concerned that, when a Minister's reply refers to published documents, two copies of such documents should be enclosed. Mr Channon's reply is, I think, self-explanatory but he has promised in the last sentence of his letter to see what more can be done to help. I shall be grateful if you or John Stevens (to whom I am copying this) will let me have any suggestions that you may care to make.

Yours Sincerely
J C Hawkins

J C HAWKINS
Parliamentary Clerk



HOUSE OF COMMONS
LONDON SW1A 0AA

PARLIAMENTARY CHIEF CLERK	
AD	Mr Good
C. C.	
3 APR 1980	

2nd April 1980

Dear Paul,

This may seem a fairly minor point, but I wonder if you might have a look at it.

Almost invariably, when Ministries send replies, copies are enclosed, but if further documents are included, only one copy seems to be sent.

In the last couple of days, for example, the Department of Energy enclosed an 11 page document, Nuclear Energy and the Nuclear Industry, and the Department of Transport sent a Statutory Instrument and a circular letter which had been sent to interested parties on the question of off-sided mounted sidecars.

In the case of the first, I have had to phone the Department for a second copy for my file and in the second, the papers have had to be photocopied, to send to the constituent.

This happens time and again and causes extra work for my hard-pressed secretary, when it would be a simple matter, I should imagine, for a Department simply to add a second copy of what is often a printed document.

These are random examples, but the same seems to apply to most of the Departments I write to and I would be glad if something could be done.

Imarey

Paul Channon, Esq., M.P.,
Minister of State,
Civil Service Department,
Whitehall,
London, S.W.1.

Russell



Civil Service Department
Whitehall London SW1A 2AZ
Telephone 01-273 3000

Minister of State

Russell Johnston Esq MP
House of Commons
LONDON SW1A 0AA

6 May 1980

Russell Johnston

Thank you for your letter of 2 April about the need to enclose a second copy of documents when Ministers send copies to you and other Members of their replies to correspondence.

Departments are already aware of the need to enclose a second copy of the Minister's reply. I would interpret that as including other enclosures where these are integral to the reply.

I imagine you would agree, however, that unnecessary cost could result from extending that guidance to include all enclosures, even when an extra copy is not strictly necessary. The sort of circumstances I have in mind are where the subject matter has little permanent interest and a single copy can be noted and passed on to the original enquirer; or where copies are known to be held as a result of a previous enquiry; or where the document is particularly expensive or in short supply and is not an integral part of the reply.

But I do agree that we should try to avoid the inconvenience that you describe. I am grateful to you for writing about this. I will certainly see what more can be done to help.

PAUL CHANNON

Y
Pat

Govt Machinery

7th February, 1980

I write further to my letter of yesterday.


You will remember that you wrote to the Prime Minister about this on 19th June 1979.

Following your letter, the Prime Minister reminded all Departments about the need to enclose, when writing to Members of Parliament, an additional letter, which could be passed on to the Constituent concerned.

The Prime Minister replied to your Written Question on 31st January. On the following day, she sent a further reminder to all Departments.


If there should be any further transgression, would you please let me know straightaway?

Robin Maxwell-Hyslop, Esq. M.P.
House of Commons,
Westminster, London SW1


CLIVE WHITMORE

1. Herewith copy letter dated 30th January, which I have received from Robin Maxwell-Hyslop, together with a copy of my acknowledgment.
2. Maxwell-Hyslop complains that Ministers do not always send to Members of Parliament an additional copy of the Ministerial reply, so that Members can send on that copy to their Constituents.
3. I remember that, last year, Maxwell-Hyslop wrote about this to the Prime Minister. She replied saying that she had given instructions to Ministers that they were always to send to Members of Parliament additional copies of Ministerial replies.
4. It seems as if something has gone a bit wrong. Shall I reply to Maxwell-Hyslop saying that the Prime Minister has sent a reminder?

6th February, 1980


Ian Gow

From: Robin Maxwell-Hyslop, M.P.



HOUSE OF COMMONS
LONDON S.W.1.A. 0.A.A.
30/1/80.

Dear Ian,

Responding to your enquiry, specific recent defaulters in failing to enclose copies of their letters to me have been Geoffrey Howe, (ludicrously in a letter apologising for Peter Rees doing the same, and assuring me that it wouldn't happen again!), whose Principal Private Secretary claimed to be unaware of any instruction from the Prime Minister on the subject; Patrick Jenkin, Gerry Vaughan, Lynda Chalker, George Young, Peter Walker, and others.

In short, the P.M.'s instruction is clearly either unknown, or frequently ignored.

In my view, Permanent Secretaries should make sure that this sort of thing, which is administrative rather than policy, is efficiently performed. I have left messages for Sir Douglas Wass and Sir Patrick Nairn, both of whom were away from their offices yesterday when I telephoned, drawing this to their attention.

Failure to comply with the PM's instruction is particularly troublesome in dealing with mail sent to Members' homes, where there are no photocopying facilities, and results in there being no file copy when the original is sent on to the constituent concerned.

Yours sincerely
Hslop



10 DOWNING STREET

6th February, 1980

Many thanks for your letter of 30th January, about which we have spoken already.

I am making enquiries about this, and will write to you again as soon as possible.

IAN GOW
Parliamentary Private Secretary

Robin Maxwell-Hyslop, Esq. M.P.
House of Commons,
Westminster, London SW1



file 15
Government Stationery

10 DOWNING STREET

From the Private Secretary

1 February 1980

Dear John

Last June I sent round a note reminding Departments that Backbench Members find it helpful to be sent not only the top copy of Ministerial letters dealing with constituency cases, but also a spare copy which they can keep in their own files.

The Prime Minister has repeated this guidance in response to a Question from Robin Maxwell-Hyslop. I attach a copy of the text.

It is my impression that Departments in general already follow this practice as a matter of routine, and that exceptions are both rare and inadvertent. But I should be glad if you and the other recipients of this letter could draw the Prime Minister's answer to the attention of those who deal with the despatch of Ministerial correspondence, so as to reduce the cause for complaint still further.

I am sending copies of this letter to the Private Secretaries to the members of Cabinet, including the Minister of Transport, and to Murdo Maclean (Chief Whip's Office) and David Wright (Cabinet Office).

Yours ever

Nick Sanden

John Wiggins, Esq.,
H.M. Treasury.

Mr. Robin Maxwell-Hyslop: To ask the Prime Minister, whether she will now take effective action to ensure that departments, particularly the Treasury itself and the Department of Health and Social Services, comply with her instruction to enclose a copy of every letter sent by a Minister to a Member of Parliament.

The Prime Minister:

I know that hon. Members find this practice convenient and I therefore asked my colleagues to enclose the required copy.

Answered on 31 January 1980.



Gov. Machinery
file
cc Cabinet
HOT
co.
Master set

10 DOWNING STREET

From the Private Secretary

29 June 1979

Dear Private Secretary,

Correspondence from Members of Parliament

The Prime Minister has asked me to remind you that backbench Members of Parliament find it very helpful to be sent copies of letters from Ministers. I believe that this practice is generally followed by Departments, but we have had some evidence that the procedure may have been allowed to disappear in one or two places. Backbenchers do find it helpful to have an extra copy because it saves them time and effort in keeping their files up to date; the Prime Minister would be glad if all Departments would bear this in mind.

I am copying this letter to the Private Secretaries to the members of Cabinet, including the Minister of Transport, and to Martin Vile (Cabinet Office).

Yours sincerely
M Sanden

The Private Secretary

VLB

cc Press Office

Dear Robin,

Thank you for your letter of 19 June about the need for Departments to enclose a copy of letters from Ministers to Members about constituency cases.

I have asked for a reminder to be sent round on this: I know what a difference it does make.

MT.

Robin Maxwell-Hyslop, Esq., M.P.

HS



3

10 DOWNING STREET

PRIME MINISTER

This letter from Robin Maxwell-Hyslop asks you to remind Ministers to send a copy with any letter they may send to a Member. Unless you have any objection, I will send round a reminder to Departments about this.

I attach a draft for you to send.

MS ↓

25 June 1979

Yes ✓

From: Robin Maxwell-Hyslop M.P.



ce lan Gao
19th June 1979

HOUSE OF COMMONS
LONDON SW1A 0AA

R01

Dear Margaret,

I would be most grateful if you would give a general direction to all Ministers that they should enclose a copy of their letter, with each original letter to a Member.

A few Minister's offices are slipping out of this heretofore universal practice, and it is grossly inconvenient to Members, particularly those who deal with some of their correspondence at home where they do not have photocopying facilities, and either have to send their *only* (file) copy to the constituent, or go to the great labour of copying it themselves.

Yours sincerely
Robin

The Rt. Hon. Margaret Thatcher M P

Grey Scale #13



A 1 2 3 4 5 6 **M** 8 9 10 11 12 13 14 15 **B** 17 18 19

