

MR NORGROVE

22 May 1986

ROSKILL REPORT: SERIOUS FRAUD OFFICE

We agree that there is no credible alternative to placing responsibility for the Serious Fraud Office on the Attorney General. It also seems to be the only way in which police co-operation with it can be willingly secured.

A. Resources

It is doubtful whether the present resources and office facilities available to the Attorney General are adequate, irrespective of this relatively minor increase in his department's workload, which already includes some responsibility for serious fraud now handled by the DPP. If, as is thought likely, his support facilities are stretched already, they should be reviewed and the necessary resources provided. With increasing legal issues facing the Government and the advent of the new Prosecution Service, it is essential that the Government's legal advice should be maintained at a high level.

B. No "Ministry of Justice"

The proposal to put a Serious Fraud Office with the Attorney General's Office should be allowed to stand on its own merits without wider consideration of the creation of a Ministry of

Justice. But if Robert Armstrong is seriously suggesting this (paragraphs 5, 8 and 9) we note:

1. The term "Ministry of Justice" is on the face of it contrary to the British constitution. Justice is the domain of the courts. Ministries are the province of the executive.
2. The creation of a Ministry which would have some or all of the functions presently done by the Attorney's Department, the Home Office and the Lord Chancellor's Department, would be a costly Wilsonesque horror without obvious scope for savings, considerable scope for Civil Service expansion, predictable loss of public confidence, and likely to destroy tradition without any public demand or attraction.
3. But a modest and speedy review of the management of the Law Officers Department is timely and will prove useful.

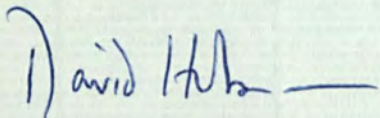
### Conclusion

We recommend that the draft minute should be supported, but feel that the last sentence of the second paragraph should be redrafted as follows:

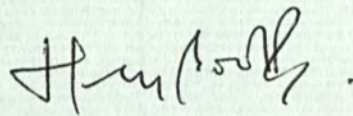
"Before taking a final decision, therefore, I should like the Attorney General to consider in more detail the administrative and management implications of giving him

responsibility for the SFO, in addition to his present and increasing prosecution responsibilities, and also whether he considers he would need a Parliamentary Secretary to support his management responsibilities."

We strongly oppose any further discussion of establishing a Ministry of Justice.



DAVID HOBSON



HARTLEY BOOTH