



Please let industry  
know as the review  
is done in dept. and

DEPARTMENT OF INDUSTRY  
ASHDOWN HOUSE  
123 VICTORIA STREET  
LONDON SW1E 6RB

TELEPHONE DIRECT LINE 01-212 0002  
SWITCHBOARD 01-212 7676

From the  
Parliamentary Under Secretary of State's Office

Prime Minister

M Pattison Esq  
10 Downing Street  
LONDON  
SW1

David Mitchell finished his  
co-ordination of work on powers  
of entry, although Treasury 16 January 1981  
Ministers are still working on

Customs and Inland Revenue matters,  
which are probably more controversial.

There is probably a need for some  
public statement of the work now completed  
You announced the review, without specifying  
Mr Mitchell's role: agree that you should now give  
a written answer on the results, on the attached  
lines?

Dear Mike,

POWERS OF ENTRY

We spoke this morning about your letter of 8 December and the conclusion  
of the powers of entry review. As the Prime Minister announced in a  
Written Answer that she was asking Ministers in the Departments concerned  
to undertake the review, I should be grateful for your views on how we  
should announce its outcome. We have already been approached by "The Times"  
and may be pressed by the National Federation of Self Employed to make an  
announcement.

The NFSE's own index of the officials who can demand rights of entry  
("An Inspector at the Door") revealed 252 powers amid a fanfare of alarmist  
publicity about the large number of inspectors who have the right to enter  
private and business premises. We cannot be too definite about the number  
of powers reviewed in our exercise. Our original number was 724 but has  
since been amended by the Northern Ireland Office, who found 4 powers were  
duplicated and one was overlooked, to 721. No doubt other Departments could  
find similar duplication or oversights, and indeed, it is unlikely that powers  
were counted on the same basis in all Departments. At the same time new  
powers are likely to have been introduced and others have been revoked or  
lapsed since the count took place. Three of the Northern Ireland powers in  
the list have been revoked. In view of this uncertainty and the evidence  
that the total number of powers is far in excess of the NFSE's wildest sus-  
picions it would be unwise to publish figures.

We could, however, publish the findings of the review that:-

1 Ministers recommended that of the powers listed 30 should be abolished,  
34 limited, 12 contain extra safeguards and 17 be amalgamated to 7 - in  
addition 8 powers were due to lapse and 18 were contained in legislation  
to be reviewed;

2 the remaining powers were necessary to carry out a particular function  
enshrined in legislation, were circumscribed to fit the function and could  
not be given up without destroying the effectiveness of the legislation;

20/1





3 powers of entry in future legislation should be scrutinised centrally to ensure they do not impose an undue burden on business;

4 the question of standard safeguards, possibly in the form of a code of practice, should be looked at again in the light of the findings of the Keith Committee.

This does not amount to a dramatic achievement that we would want to give wide publicity but it seems necessary to make some form of statement about the outcome. Since the Prime Minister made the original announcement about the setting up of the review she may wish to announce the results herself in answer to an arranged PQ. This would not be a policy statement and should not be controversial. A suggested draft of the form the question and answer could take is attached. Alternatively, Mr MacGregor as successor to Mr Mitchell, could answer a PQ - I would be pleased to know which course the Prime Minister would prefer.

I am sending copies of this letter and attachment to the Private Secretaries of members of the Cabinet, the Legal Secretary, the Lord Advocate and David Wright (Cabinet Office).

*Yours ever*

A C S WILLIS  
PRIVATE SECRETARY.

ENC



#### QUESTION

To ask the Prime Minister whether the review of statutory powers to enter business premises has been completed and if she will make a statement on its outcome.

#### ANSWER

The review of statutory powers to enter business premises which I announced on 7 December 1979 has now been completed by all Departments. As a result Ministers have recommended that 30 powers should be revoked and 63 modified. These recommendations will be carried out in the normal course of Departmental legislative programmes. I am satisfied that the remaining powers are necessary, are sufficiently circumscribed and contain adequate safeguards to ensure that they do not cause unwarranted intrusion into business premises. The scope for introducing more uniformity into the safeguards, possibly in the form of a code of practice, will be examined again in the light of the findings of the Keith Committee on enforcement powers of the Revenue Departments. Arrangements are being made to scrutinise centrally all future legislation containing powers of entry to ensure they do not impose an undue burden on business.





BF for Hansard

cc: Cabinet  
LAD  
LADVJ  
CO

10 DOWNING STREET

+ Mr. Lyghan

*From the Private Secretary*

21 January 1981

Thank you for your letter of 16 January about the announcement of the conclusions of the work on Powers of Entry which was co-ordinated by Mr. Mitchell.

The Prime Minister is content that this should be done through a Written Answer. She would be happy for an Industry Minister to do so.

I am sending copies of this letter to the Private Secretaries to members of Cabinet, to Jim Nursaw (Law Officers' Department), Miss Mary Howat (Lord Advocate's Department) and David Wright (Cabinet Office).

M. A. PATTISON

A. C. S. Willis, Esq.,  
Department of Industry.

BK.