

E.R.

I have passed comment to
Nashere, Chancellor
Cabinet Office. W.M.

22/6

2

PRIME MINISTER

In the first of the attached papers, Mr. Fowler asks H Committee to agree that the Police should have powers of entry to premises to breathalyse suspects, but should not be able to enter the suspect's home. In the second paper, the Solicitor General argues against this. He suggests the right of entry should logically extend to the suspect's home but should be limited to cases of "hot pursuit".

In the third paper the Lord Advocate suggests that the new provision should not apply in Scotland.

In the fourth paper, the Lord Chancellor proposes that a constable's powers under the Criminal Law Act to break into anyone's house for an arrestable offence should be extended to cases where he wishes to obtain breath samples.

WR

19 June 1981

I am very worried about the new proposal. It seems to me that the police must have grounds for suspicion before any right to enter the home of a third party be granted. p. 110

Own home should I believe
remain fully protected.

ms