



*From the Secretary of State*

Clive Whitmore Esq  
Principal Private Secretary to  
the Prime Minister  
10 Downing Street  
London, SW1

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*Dear Clive,*

EFFICIENCY IN CENTRAL GOVERNMENT: THE SCRUTINY PROGRAMME 1981

Your letter of 1 December invited Ministers to put forward their proposals for the 1981 scrutiny programme.

My Secretary of State proposes that his next Rayner Study should cover the handling of the routine prosecution work of this Department, particularly the scope for using other resources than our own HQ solicitors when dealing with cases being heard in the provinces. It is possible that this study could have a wider Whitehall impact, because other Departments exercise similar enforcement powers. It might provide a starting point for a consideration of the possibilities for more co-operation between Departments on routine prosecution work in the regions which could have significant implications for resource savings without loss of efficiency.

Copies of this letter go to the recipients of yours.

*Yours sincerely,  
S. Hampson*

S HAMPSON  
Private Secretary



EFFICIENCY IN CENTRAL GOVERNMENT: THE SCRUTINY PROGRAMME 1981  
DEPARTMENT OF TRADE

(a) Subject

The handling of routine prosecution work by the Solicitors Department on behalf of the Department of Trade.

The Solicitors Department provides legal services as a common service to the Departments of Trade and Industry. The work to be reviewed is done almost exclusively on behalf of the Department of Trade. It consists of investigation and prosecution work arising from legislation which is the Department of Trade's responsibility to enforce. Numerically, the majority of cases involve routine prosecutions, of which ten qualified lawyers, with their supporting staff, are mainly, though not exclusively, engaged. Many of these cases are heard in magistrates' courts outside London (these represented some 89 cases in 1980 out of a total of 125) and at present involve the attendance of legal staff from HQ to represent the Department.

(b) Reason for selection

Qualified legal staff are expensive and in short supply. There are pressures to reduce staff numbers and expenditure on travel and subsistence. The question is whether more use could be made in routine prosecution work of solicitors in private practice and province-based investigation staff of the Department. The



amounts of money and resources immediately involved are not enormous but the review could have implications for other Departments with similar enforcement responsibilities and might lead to a more general study of the scope for the development of interdepartmental arrangements for handling routine prosecution work in the provinces.

(c) Cost

Total staff costs, including accommodation, for the HQ legal and direct support staff in Solicitors Department C involved in routine prosecution work are estimated at £365,000 a year. Expenditure on travel and subsistence for court attendances outside London is estimated at £5-7,000a year.

(d) Terms of reference

To examine the handling of the routine prosecution work of the Department of Trade with a view to assessing the scope for the instruction of local solicitors to act as the Department's agents and the greater use of investigation staff in provincial offices and to make recommendations.

(e) Proposed starting and finishing dates

It is expected the review will commence in April 1981 and the draft report will be available in July 1981.



(f) Examining Officer and Reporting Arrangement

The Principal to carry out this review has not yet been identified. He or she will report to the Parliamentary Under Secretary of State (Mr Eyre) and will consult with the Permanent Secretary in designing, launching, conducting and reporting the study. An officer from the Solicitors Department will be designated to assist the Principal as an adviser on legal and technical matters.