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Nick Gulliford

Our Ref: FOI|18|09

Date: 17 April 2009

FREEDOM OF INFORMATION REQUEST

Thank you your email of 24 February making a request under the Freedom of Information Act 2000 (the Act). You have asked:

- What information do you have concerning the advice given to and by the Attorney General in the case of the battle over Britain's Orthodox Church?

We have considered your request and we can confirm that we hold information falling within your requested. I disclose two letters from the Treasury Solicitor's Department dated 14 January 2009 and 5 February 2009.

Some of the information you requested is being withheld under sections 35(1)(c) and 42(1) of the Act. Section 35(1)(c) provides that information is exempt if it relates to the provision of advice by any of the Law Officers or any request for the provision of such advice. Section 42(1) provides that information in respect of which a claim to legal professional privilege could be maintained in legal proceedings is exempt information.

Sections 35(1)(c) and 42(1) are qualified exemptions we consider that, in the circumstances of this case, the public interest in withholding the information outweighs the public interest in disclosure: there is a strong public interest in a person seeking access to legal advice being able to communicate freely with his legal advisers (including the Attorney General) in confidence, and in being able to receive advice from his legal advisers in confidence.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Jonathan Jones, Director General, to 20 Victoria Street, London, SW1H 0NF or alternatively you can send an email to foi@attorneygeneral.gsi.gov.uk.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T.A. Stevens', with a long horizontal stroke extending to the right.

TIM STREVENS
Freedom of Information Officer