



Attorney General's Office

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Natasha Jackson

Via email: request-494738-f0ef870b@whatdotheyknow.com

27th July 2018

Dear Ms Jackson,

FREEDOM OF INFORMATION REQUEST – OUR REF: FOI|93|18

I am writing in response to the Freedom of Information request you submitted to this office by email dated 29th June 2018, the detail of which is copied below in bold, together with the response.

On 5/6 April 2018, the national newspaper "The Sun" posted an article online (and I assume also printed it in their print edition) titled "DON'T CHARGE HIM: Join The Sun to demand an end to murder probe into hero OAP Richard Osborn-Brooks, accused of stabbing serial burglar".

As of this date, the article is still available at;

<https://www.thesun.co.uk/news/5984919/petition-richard-osborn-brooks-murder-burglar/>

According to what I have heard, several people have contacted your office to enquire whether this is not a contempt of court and what the Attorney General intends to do about this. Please could you disclose the full file you hold on this matter (i.e. any complaints received and any subsequent records). I am, of course, happy for the names of any members of the public, or junior AGO staff, to be redacted.

We do hold relevant information in the form of an email to the Attorney General's Office from an individual about this particular article.

Section 31(1 (c) and (g) of the Freedom of Information Act provides that information is exempt if its disclosure would, or would be likely to, prejudice the exercise by any public authority of its functions for any of the purposes specified in section 31(2) of the Freedom of Information Act, specifically, in this case, the purpose of ascertaining whether any person has failed to comply with the law or is responsible for improper conduct.

Section 31 is a qualified exemption and I have considered whether the balance of the public interest favours disclosing or withholding this information. There is a general public interest in openness but this has to be weighed against the public interest in ensuring that the Attorney General's Office can properly carry out its functions.

We consider that disclosure of the document mentioned above would impede: (a) the referral to this Office of contempt matters and (b) the provision to this Office of information relating to contempt matters from members of the public and bodies/persons external to Government. It is necessary for members of the public and external persons/bodies to be able to provide

information to this Office so that the Attorney General's Office is able to exercise its functions in relation to contempt. If information provided to this Office in relation to the Attorney General's functions in relation to contempt were made available to the public under the Act, this would be likely to discourage and inhibit both the nature and extent of referrals and the provision of information to this Office. This would undermine the exercise of the Attorney General's functions in relation to deciding whether an individual or a publisher has been responsible for improper conduct, e.g. contempt of court.

Taking into account all the circumstances of this case, I have therefore concluded that the balance of the public interest in withholding this information outweighs the public interest in disclosing it.

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 (i.e. two months from the date on this letter) and should be sent to the above address.

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,

FOI Officer

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