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LTSB

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Email: peter.moore@city-of-london.pnn.police.uk

31<sup>st</sup> January 2005

Mr G Milne  
39 Castle Street  
Norham  
Northumberland  
TD15 2LQ

Dear Mr Milne

I write with regard to your request for information dated 1<sup>st</sup> January 2005 which has been dealt with in accordance with the provisions of the Freedom of Information Act 2000. I note you seek access to the legal advice provided to the City of London Police in connection with the matter for which you seek resolution.

I have today decided that the information you seek is subject to an exemption under section 42 Freedom of Information Act 2000, Legal Professional Privilege. This is a qualified exemption subject to the Public Interest Test. I consider the public interest in disclosing the information is outweighed by the strong public interest in a person being able to communicate freely with and receive advice from his legal advisors in confidence, thereby sustaining the sanctity of legal privilege.

Factors favouring disclosure

1. The transparency of the City of London Police's decision making process.
2. The public interest may be served by providing individuals with information of particular reference to them.

Factors favouring non-disclosure

1. Confidentiality between lawyer and client promotes respect for the rule of law by encouraging clients to seek legal advice and allowing for full and frank exchanges between clients and their lawyers.
2. Without confidentiality, clients might fear that anything they say to their lawyers, however sensitive or potentially damaging, could be revealed later. They might be deterred from seeking legal advice at all, or from disclosing all relevant material to their lawyers, or the advice given may not be as full and frank as it ought to be.
3. The legal advice provided remains current and may be relied upon by the City of London Police or third parties until the possibility of further action no longer exists.

I regret I am unable to assist further at this time.

Yours sincerely

Peter Moore  
Superintendent