

**Reference:** IR782

**Date issued:** 16 July 2021

## Legal advice - Audit of the Council's governance and decision-making in respect of the Chief Executive's departure

I am writing in response to your request for information of 25 June 2021 for sight of the legal advice which Audit Wales received on points of law relating to the draft document '*Pembrokeshire County Council: Audit of the Council's governance and decision-making in respect of the Chief Executive's departure*'.

I am of the view that the requested information is exempt by virtue of 42(1) of the Freedom of Information Act 2000, which provides an exemption for disclosing information which is subject to legal professional privilege.

I have considered the public interest in disclosing the information. I consider that disclosure would be in the public interest to some extent, given the role of audit work in scrutinising the use of public money, including whether this would further public debate, and increase accountability and transparency about the use of public money. However, there is a very strong public interest in the protection of legal professional privilege. The concept of clients being able to correspond freely with lawyers, where necessary, is paramount to the wider administration of justice. I have therefore concluded that the balance of the public interest is such that the exemption provided by section 42(1) should be maintained.

If you are dissatisfied with the handling of your request, you can request an internal review. Requests for internal reviews should be addressed to Martin Peters, Head of Law and Ethics, by email to [martin.peters@audit.wales](mailto:martin.peters@audit.wales) or by post to Audit Wales, 24 Cathedral Road, Cardiff, CF11 9LJ.

We ask that you put the reference IR782 in the subject line of any future correspondence relating to this request.

I must also refer you to section 50 of the Freedom of Information Act under which you may apply to the Information Commissioner for a decision on whether or not your request has been dealt with in accordance with the Act. The Information Commissioner's contact details are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

email : [casework@ico.gsi.gov.uk](mailto:casework@ico.gsi.gov.uk)

Tel: 01625 545745  
Fax: 01625 524510

You should note, however, that the Information Commissioner will not ordinarily investigate a complaint until the internal review process has been exhausted. Further guidance may be found on the Information Commissioner's website:  
<https://ico.org.uk/>

If you have any queries, please do not hesitate to contact me.

Yours sincerely,