#### Dear

# Complaint in respect of ATISN 24993 – Request for Information via the Environmental Information Regulations

Thank you for your email which was received on 5 September, asking us to review your request to us made under the Environmental Information Regulations.

#### Information requested

You asked for:

Between the period of 1 January 2004 to 1 January 2005 –

- 1) Does the Welsh Government hold copies of any correspondence and communications written by Prince Charles to Rhodri Morgan? Please note this should only involve correspondence and communication which mentions and/or which in any way relates to any of the issues listed below. If the answer is yes, can you please provide copies of this correspondence and communication.
  - i. Hunting
  - ii. The state of rivers and or canals and other water ways in Wales.
  - iii. Climate change and or its impact on the UK and or Wales and or the world generally.
  - iv. The Welsh government's policies on climate change and or the environment generally.
  - v. Organic food and or organic farming and or the prince's passion for organic food/farming.
  - vi. GM crops and or the prince's concerns about GM crops and GM foods.
  - vii. Food production and or farming in Wales
- 2) Does the Welsh government hold copies of any correspondence and communications written by Rhodri Morgan to Prince Charles? Please note this should only involve correspondence and communication which mentions and/or which in any way relates to any of the topics listed in question one. If the answer is yes, can you please provide a copy of this correspondence and communication.
- 3) During the period did Prince Charles and Rhodri Morgan have an audience together. If the answer is yes, can you provide state the date, time, and location for this meeting. If you have a formal or informal agenda for this meeting, can you please provide it. If any briefing notes (or similar) were prepared for Mr Michael, can you please provide them.

#### Our response

Our reply indicated we do not hold the information requested, and you have challenged that view, saying:

I think it is highly likely that the Welsh Government will hold information relevant to the request, given the then Prince Charles's interest in the issues listed in the request.

I have therefore conducted this review.

The Freedom of Information Act gives the public the right of access to recorded information held by an authority. This right is for information held by the authority at the time the request is received, and I note that the dates you are interested in are from the early days of the Welsh Government, and over 20 years ago. Whilst Welsh Government retains paper records as well as newer electronic records, all files in Welsh Government have listed retention schedules, and all relevant retention schedules are shorter than 20 years. That is, we do not retain records, except in exceptional cases, that are this old. Officials relied upon this fact and a search of records that are exceptionally retained, to establish that the information is not held.

Because of the nature of the information you are interested in, there would be a strong presumption that the information would have been selected for permanent preservation when any files such information would be found in (if it existed) reached the end of their retention period. If such information was identified, it would, in the normal case, have been transferred to <a href="The National Archives">The National Archives</a>. You can make a Freedom of Information request to the National Archives at this page:

#### Make a Freedom of Information enquiry - Contact us

However, I asked our Social Research and Information division to conduct a search to establish answers to the following questions:

- 1. Whether we have records that any such information was held;
- 2. Whether any information on this matter was exceptionally retained;
- 3. Whether we have records of destruction or transfer of any such information.

Searches of our own files, including data on files that were destroyed or transferred, do not indicate that we ever held any such information. The team also conducted searches previously for you on the online TNA catalogue but were unable to find any relevant information. We hold no indication that the information was ever held.

It is possible, considering that this was the early days of the Welsh Government, that any such material would not have been considered part of the executive function of the Welsh Government. If these were considered private papers of the First Minister, then Welsh Government would not have held the information, but it is likely that such records would have been transferred to the National Library of Wales, who hold an extensive collection of papers relating to Welsh political figures. Although we have no record that this is the case, you can approach the National Library at this page:

## NLW enquiries - National Library of Wales

Following these extensive searches, I uphold the original response. The information is not held by Welsh Government.

I have considered your complaint in accordance with the procedure outlined in the Welsh Government's Practical Guide for Making Requests for Information which is available by post on request or via the internet at:

Requesting information from the Welsh Government [HTML] | GOV.WALES

### **Next steps**

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or Email: <a href="mailto:Freedom.ofinformation@gov.wales">Freedom.ofinformation@gov.wales</a>. Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely