

Subject: Request for access to court records from 1935 held under reference number SC37/8A/1935/265.

FOI reference: FOI/19/02407

Date received: 27/10/2019

Date responded: 28/11/2019

Information requested:

Access to court records from 1935, which was an action for affiliation and ailment, held under reference number SC37/8A/1935/265.

NRS Response:

A sensitivity review has been undertaken on this material by the Scottish Courts and Tribunals Service (SCTS). As a result of this some information in the files has been redacted due to sensitivity issues.

An exemption under section 38(1)(b) of FOISA (personal information) applies to the information which has been redacted because it is personal data of a third party and disclosing it would contravene the General Data Protection Regulation and Data Protection Act 2018. This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption. The redacted information is minimal and will not hinder understanding of the court action.

The redacted copy of the SC37/8A/1935/256 is available in digital form at the National Records of Scotland.

This can be viewed in the Historical Search Room at General Register House, 2 Princes Street, Edinburgh, EH1 3YY. Further information is available on our website at: <https://www.nrscotland.gov.uk/research/visit-us/historical-search-room>.

Under section 25(1) of FOISA, we do not have to provide information if it is already reasonably accessible by inspection or copying, even if a payment has to be made for it.