

**Subject:** Access to closed divorce court records (CS258/11064 and CS256/1451)

**FOI reference:** FOI/18/00201

**Date received:** 23 January 2018

**Date responded:** 16 February 2018

**Information requested:**

Request for access to **CS258/11064** (Court of Session divorce process for James Mitchell Denoon Stewart, who has been deceased since 2005), and of **CS256/1451** (Court of Session divorce process for Alexander Stewart, who has been deceased since 1943).

**NRS Response:**

**CS258/1451:** A sensitivity review has been undertaken on file **CS258/1451** by the Scottish Courts and Tribunals Service. The full file is now open for public inspection.

All of the information you have requested 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 at <https://www.nrscotland.gov.uk/research/visit-us/historical-search-room>.

**CS256/11064:** A sensitivity review has been undertaken on file **CS256/11064** by the Scottish Courts and Tribunals Service. As a result of this, some information in the file 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 data protection principles in Schedule 1 to the Data Protection Act 1998. 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 file is now open for public inspection 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 at <https://www.nrscotland.gov.uk/research/visit-us/historical-search-room>.

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