

Subject: Request for access to a criminal case file held under reference number HH16/553

FOI reference: FOI/19/02532

Date received: 18/11/2019

Date responded: 19/12/2019

Information requested:

Access to a criminal case file held under reference number HH16/553.

NRS Response:

A sensitivity review has been undertaken on this material by the Scottish Prison Service (SPS) and also by the Scottish Office, as Ministerial Correspondence was contained in it. As a result of this review, some information in the file has been redacted due to sensitivity issues.

Information reviewed by SPS has been redacted as an exemption under section 38(1)(b) of FOISA (personal information) applies, 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. These redactions are to protect the personal information of third parties mentioned in the file and should not hinder understanding of the case.

The Scottish Office, after their review, did not make any redactions to part of the file which related to the Ministerial Correspondence.

The copy of the requested information 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.