

Subject: Request for access to Court of Session divorce actions held under reference numbers CS258/1960/2543 and CS258/1962/3159.

FOI reference: FOI/19/02561

Date received: 22/11/2019

Date responded: 27/12/2019

Information requested:

Access to Court of Session divorce actions held under reference numbers CS258/1960/2543 and CS258/1962/3159.

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) has been applied to both of these records and 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. These redactions concern the pursuer and other named individuals. In addition, some of the information contained in the file may relate to the applicant.

This information is exempt under section 38(1)(a) of FOISA (personal information of which the applicant is the data subject) and has thus also been redacted.

Should you wish to access the information relating to you contained in this file, you have the option of submitting a Subject Access Request directly to the data controller SCTS. You can do this in writing to the Data Protection Team of dpo@scotcourts.gov.uk. You can find more information on submitting a Subject Access Request to SCTS by following the link below:

<https://www.scotcourts.gov.uk/about-the-scottish-court-service/contact-us/data-protection>

The redacted copies of CS258/1960/2543 and CS258/1962/3159 are available in digital form at National Records of Scotland.

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.