

Subject: Request for access to court records held under reference numbers CS258/1966/1287, SC36/9/1962/107 and CS258/1984/1070.

FOI reference: FOI/19/02688

Date received: 21/12/2019

Date responded: 31/01/2020

Information requested:

Access to court records held under reference numbers CS258/1966/1287, SC36/9/1962/107 and CS258/1984/1070.

NRS Response:

National Records of Scotland (NRS) holds the following records:

CS258/1966/1287 – Court of Session: Unextracted Processes: Appeal for Defender, 1966

SC36/9/1962/107 – Glasgow Sheriff Court: Processes: 1962

CS258/1984/1070 – Court of Session: Unextracted Processes: Divorce, 1984

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. SCTS were able to review and release personal information relating to the defendant once they had confirmation he was deceased.

An exemption under section 38(1)(b) of FOISA (personal information) has been applied to all three files. Some of the information contained in these files 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 copies of CS258/1966/1287, SC36/9/1962/107 and CS258/1984/1070 are available in digital form at the National Records of Scotland.

These 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.