

**Subject:** Access to closed Court of Session records held under reference numbers CS348/1996/P770 and CS46/1964/463.

**FOI reference:** Fol/20/00070

**Date received:** 19/01/2020

**Date responded:** 25/02/2020

**Information requested:**

Access to copies of the interlocutors from 1964 and 1996 cases heard in the Court of Session held under reference numbers CS348/1996/P770 and CS46/1964/463.

**NRS Response:**

A search of our catalogue confirmed National Records of Scotland (NRS) holds two relevant cases under reference numbers CS348/1996/P770 and CS46/1964/463.

A sensitivity review has been undertaken on these files by the Scottish Courts and Tribunals Service (SCTS). As a result of this review both files are open now for public inspection. CS46/1964/463 has been opened in full, while some information contained on one page of file CS348/1996/P770 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.

Please note that the interlocutors are to be found in pages 12-15 of CS348/1996/P770.

Both files CS348/1996/P770 and CS46/1964/463 are available in digital form at NRS.

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.