

Subject: Access to closed divorce record (CS258/1984/440)

FOI reference: 202000015127

Date received: 5 February 2020

Date responded: 5 March 2020

Information requested:

Access to closed divorce record (CS258/1984/440)

NRS Response:

National Records of Scotland (NRS) holds the following record: CS258/1984/440
– Court of Session process papers for a divorce.

A sensitivity review has been undertaken on this material by the Scottish Courts and Tribunals Service (SCTS) who are the data controller (i.e. they make decisions on access) of the information held in the case papers. As a result of this review some information in the file has been redacted (blocked out) 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.

In addition, some of the information contained in the file 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.

The redacted copy of the information is available in digital form at 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.