

Subject: Access to information relating to the Fatal Accident Inquiry into a fire that took place on James Watt Street, Glasgow, in 1968 (AD27/1969/1 (AD27/1969/1/1 - AD27/1969/1/20)).

FOI reference: FOI/18/02862

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Date responded: 14 November 2018

Information requested:

Access to information relating to the Fatal Accident Inquiry into a fire that took place on James Watt Street, Glasgow, in 1968 (AD27/1969/1 (AD27/1969/1/1 - AD27/1969/1/20)).

NRS Response:

This Fatal Accident Inquiry is an extensive record, and has therefore been divided into 20 parts. A sensitivity review has been undertaken on this material by the Crown Office and Procurator Fiscal Service. As a result of this, the majority of the record has been opened for public access, this includes the full court transcript of the court hearing and witness statements from professional witnesses. Four parts of the file have been redacted due to sensitivity issues. A further four parts remain closed due to exemptions which are detailed below.

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 third parties and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the 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.

An exemption under section 38(1)(d) of FOISA (medical records of a deceased person) applies to the records which have been closed in full. This exemption applies for 100 years. Consequently, these records will be open to the public in 2070.

The following parts of the Fatal Accident Inquiry are open in full and the original records can be viewed in the Historical Search Room:

AD27/1969/1/1

AD27/1969/1/2

AD27/1969/1/3

AD27/1969/1/4

AD27/1969/1/5

AD27/1969/1/6

AD27/1969/1/7

AD27/1969/1/8
AD27/1969/1/9
AD27/1969/1/14
AD27/1969/1/15
AD27/1969/1/18/1
AD27/1969/1/19

The following parts have been redacted and copies of are available to view in digital form in the Historical Search Room:

AD27/1969/1/13
AD27/1969/1/16
AD27/1969/1/17
AD27/1969/1/20

The four parts that remain closed are:

AD27/1969/1/10
AD27/1969/1/11
AD27/1969/1/12
AD27/1969/1/18/2

The open and redacted parts of AD27/1969/1 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.