

**Subject:** Access to Court of Session records (CS258/1987/2003 and CS258/1992/1295)

**FOI reference:** FOI/18/01099

**Date received:** 10 April 2018

**Date responded:** 16 May 2018

**Information requested:**

Access to Court of Session records (CS258/1987/2003 and CS258/1992/1295)

**NRS Response:**

As is common practice with the records of the Court of Session, the papers relating to the first case (CS258/1987/2003), were recalled by the Court of Session when the case was activated again in 1992 and have been combined with the subsequent case papers to comprise CS258/1992/1295. Both cases are now combined into the latter case reference.

A sensitivity review has been undertaken on CS258/1992/1295 by the Scottish Courts and Tribunals Service. 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) applies to the information which has been redacted because it is personal data of a third party and disclosing it would contravene the data protection principles in Schedule 1 to the Data Protection Act 1998. 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 copy of the information is available in digital form at the 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.