

Crown Office and Procurator Fiscal Service

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA
Response and Information Unit



A Nickson
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Your ref:
Our ref: R007095

14 May 2014

Dear Ms Nickson

Thank you for your email dated 25 April in which you raised a further question with regard to Crown Office circulars which were not released to you under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your e-mail dated 11 February was a request for a review and our response dated 14 April was in reply to both your original request and your request for a review. Under FOISA, you have no further right of internal review of our decision. If you wish to take this matter further, our response advised you that you may write to the Scottish Information Commissioner for a decision. You can contact the Commissioner at:

Kinburn Castle,
Doubledykes Road,
St Andrews,
Fife
KY16 9DS.

Email: enquiries@itspublicknowledge.info

Tel: 01334 484610

Should you then wish to appeal against the Commissioner's decision, there is a right of appeal to the Court of Session on a point of law only.

However, under section 48(c) of FOISA no application may be made to the Commissioner as respects a request for review made to the Lord Advocate to the extent that the information requested is held by the Lord Advocate as head of the systems of criminal prosecution and investigation of deaths in Scotland. I consider that the information you have requested falls into that category. While it is ultimately for the Commissioner to take a view, in my view it is unlikely that she will be able to validate an appeal and take a decision on this matter.



Yours sincerely

Carol McDivitt

MRS C MCDIVITT
Response & Information Unit

