



Judicial Institute for Scotland  
Parliament House  
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Edinburgh  
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21<sup>st</sup> February 2019

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Mr Jonathan Deans

By e-mail only to: request-552714-5672e495@whatdotheyknow.com

Dear Mr Deans,

**Freedom of Information (Scotland) Act 2002 (FOISA)**

I refer to your e-mail of 15 February 2019 at 07:57 in which you make the following request for information:-

“Please provide a copy of the training materials used in the new domestic abuse law training for Scotland’s judiciary.”

In response to your request, I can reply as follows:

The Judiciary and Courts (Scotland) Act 2008 confers responsibility on the Lord President, as head of the Scottish judiciary, for making and maintaining appropriate arrangements for the welfare, training and guidance of judicial office holders. The Judicial Institute was set up at the direction of the Lord President to assist him in the discharge of his training obligations. All information held by the Judicial Institute in respect of the Lord President’s responsibility for matters concerning the training of judicial office holders is held by the Lord President. As the Lord President is not a Scottish public authority in terms of section 3(2) and Schedule 1 of the Freedom of Information (Scotland) Act 2002, (‘FOISA’) all information held by him, including the material used in the new domestic abuse law training, is outwith the scope of FOISA.

The material used in the new domestic abuse law training includes video-linked lectures, face to face lectures, written lectures and case studies and ‘frequently asked question’ sheets. Much of that material was provided by third parties to whom an obligation of confidentiality is due, by those accessing the material, in terms of section 36(2) of FOISA. Other material was prepared by JI officials at the behest of the Lord President to whom an obligation of confidentiality is due, by those accessing the material, in terms of section 36(2) of FOISA. Had this information been held by a Scottish public authority (as defined in section 3(2) and Schedule 1 of FOISA) it would in any event be exempt information in terms of section 36(2).

Should you feel dissatisfied with this decision or the manner in which your request has been handled, the Act provides for a review process to be conducted. Should you wish to take advantage of this process you may apply in writing for a review. Your request should provide details of why you wish a review to be carried out and should be made within 40 working days of receipt of this letter to:-

Sarah Webster  
Judicial Institute for Scotland  
Parliament House  
Edinburgh  
EH1 1RF  
swebster@scotcourts.gov.uk

Following that review should you still feel dissatisfied, you have the right to lodge an appeal with the Scottish Information Commissioner either online:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Or at the following address:-

Office of the Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St. Andrews  
Fife  
KY16 9DS

Yours sincerely,



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Jenny Ulyet  
Policy Officer  
Judicial Institute for Scotland