

Peter McNab  
request-732404-fb16f9e6@whatdotheyknow.com

Our Reference: 202100167640

Your Reference: Why is a Sheriff permitted to block a Party Litigant from Appealing a Legal Decision?

23 March 2021

Dear Mr McNab,

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 1 March 2021 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### Your request

You asked: "[W]hich particular legislation gives a sheriff the right to conduct self-regulation here in Scotland?"

### Response to your request

All the information you have requested is available in the Scottish Civil Court Rules which can be accessed on the Scottish Courts and Tribunals Service (SCTS) website at [Sheriff Court - Civil Procedure Rules \(scotcourts.gov.uk\)](https://www.scotcourts.gov.uk). In particular, you may wish to consider the Ordinary Cause Rules chapter 31 - Appeals. You do not state what kind of action you were involved in. However, you will note that there are rules relating to the case management of various types of cases in the Ordinary Cause Rules. Under section 25(1) of FOISA, we do not have to give you information which is already reasonably accessible to you.

You should note that your request is for legal advice and I regret that the Scottish Government is not able to provide such advice. You may wish to consult a lawyer to assist with the information you

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require.

### Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Neil Rennick, Director of Justice, Room GW02, St Andrew's House, Regent Road, Edinburgh , EH1 3DG. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review in accordance with FOISA as soon as possible, and not later than 20 working days from the day following the date we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: <http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

Michael A Green

Michael Green  
**CLLS : Courts and Tribunals**

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