



Scottish Information
Commissioner
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Decision Notice 087/2026

Minutes of Angus Robertson's meeting with the Israeli deputy Ambassador

Authority: Scottish Ministers
Case Ref: 202501593

Summary

The Applicant asked the Authority for the draft and final agreed minutes of Angus Robertson's meeting with the Israeli deputy ambassador to the UK on 8 August 2024. The Authority withheld some of the information requested, arguing that disclosure would or would be likely to, prejudice substantially relations between the UK and the state of Israel and would, or would be likely to, prejudice substantially the effective conduct of public affairs. The Commissioner investigated and found that the Authority had wrongly withheld the information requested, which he required to be disclosed.

Relevant statutory provisions

Freedom of Information (Scotland) Act 2002 (FOISA) sections 1(1), (2), (4) and (6) (General entitlement); 30(c) (Prejudice to effective conduct of public affairs); 32(1)(a)(i) and (3) (International relations); 47(1) and (2) (Application for decision by Commissioner).

Background

1. On 22 May 2025, the Applicant made a request for information to the Authority. He asked for the minutes of the meeting between Angus Robertson (the Cabinet Secretary for Constitution, External Affairs and Culture) and the Israeli deputy ambassador to the UK, Daniela Grudsky, on 8 August 2024. He specified that his request covered all draft minutes, as well as the final agreed minutes.

2. The Authority responded on 20 June 2025. It disclosed some information to the Applicant and withheld other information under the exemptions in sections 30(b)(ii), 30(c), 32(1)(a)(i) and 38(1)(b) of FOISA.
3. On 23 July 2025, the Applicant wrote to the Authority requesting a review of its decision. He stated that he was dissatisfied with the decision because he considered that the exemptions under sections 30(b)(ii), 30(c) and 32(1)(a)(i) of FOISA had been applied too broadly and because disclosure of the withheld information was in the public interest.
4. The Authority notified the Applicant of the outcome of its review on 21 August 2025, which confirmed the original decision with modifications. It disclosed some further information to the Applicant but maintained its reliance on the exemptions in sections 30(c), 32(1)(a)(i) and 38(1)(b) of FOISA to withhold the remaining withheld information.
5. On 9 September 2025, the Applicant wrote to the Commissioner, applying for a decision in terms of section 47(1) of FOISA. He stated that he was dissatisfied with the outcome of the Authority's review for the reasons set out in his requirement for review.

Investigation

6. The Commissioner determined that the application complied with section 47(2) of FOISA and that he had the power to carry out an investigation.
7. On 26 November 2025, the Authority was notified in writing that the Applicant had made a valid application. The Authority was asked to send the Commissioner the information withheld from the Applicant. The Authority provided the information, and the case was allocated to an investigating officer.
8. Section 49(3)(a) of FOISA requires the Commissioner to give public authorities an opportunity to provide comments on an application. The Authority was invited to comment on this application and to answer specific questions related to its application of the exemptions in 30(c) and 32(1)(a)(i) of FOISA, including its consideration of the public interest test.
9. The Applicant did not challenge the application of the exemption in section 38(1)(b) of FOISA in his requirement for review or in his application to the Commissioner. The application of this exemption will therefore not be considered in this decision notice.

Commissioner's analysis and findings

10. The Commissioner has considered all of the submissions made to him by the Applicant and the Authority.
11. As stated in previous decisions, in [Scottish Ministers v Scottish Information Commissioner \[2006\] CSIH 8](#)¹, at paragraph [18], the Court of Session recognised that:

"... in giving reasons for his decision, [the Commissioner] is necessarily restrained by the need to avoid, deliberately or accidentally, disclosing information which ought not to be disclosed."

¹ https://www.bailii.org/scot/cases/ScotCS/2008/CSIH_08.html

12. In this decision notice, the Commissioner has endeavoured to give as full account of his reasoning as he can, but, by necessity, in this case the comments of the Court of Session are applicable to some aspects.

Section 32(1)(a)(i) – International relations

13. Section 32(1)(a)(i) states that information is exempt information if its disclosure under FOISA would, or would be likely to, prejudice substantially relations between the United Kingdom and any other state.
14. For the purposes of this exemption, the Commissioner accepts that Israel is a state other than the United Kingdom, in line with the definition in section 32(3) of FOISA.
15. For the exemption in section 32(1)(a)(i) of FOISA to apply, the harm caused or likely to be caused by disclosure requires to be at the level of substantial prejudice: it must be of real and demonstrable significance. For the substantial prejudice to be "likely", the Commissioner takes the view that there must be a significant probability that it will occur, in the near (certainly the foreseeable) future.
16. In his [guidance on section 32](#)² the Commissioner emphasises the need to justify the use of this exemption on a case by case, document by document basis. Authorities should be aware that the international relations of the whole of the United Kingdom must be engaged for the exemption to apply and should consider the potential impact of disclosure on the United Kingdom's particular relationship with the state in question rather than looking solely at the nature, content and/or sensitivity of the information. The other state's attitude to freedom of information may be relevant.
17. Even if a negative reaction is anticipated from the release of information, an assessment will have to be made as to whether this reaction would, or would be likely to, prejudice the relationship in question substantially. There may be circumstances where the release of information may cause diplomatic annoyance or irritation, but would not necessarily result in significant, long-term harm to relations with the state in question. The timing of release may also be an issue, and the risk of substantial prejudice may well diminish as time passes.

The Authority's comments on section 32(1)(a)(i)

18. The Authority stated that disclosure of the information would be likely to prejudice substantially relations between the UK (including Scotland) and the state of Israel. It argued that the information concerned the arrangements for a meeting that covered a range of devolved interests (community relations, trade, climate change, diaspora) as well as being an opportunity to present Scotland's position on the crisis in the Middle East, done with the full knowledge of the UK Government.
19. The Authority submitted that as foreign relations were reserved to the UK Government, it considered that UK interests were as directly involved as any distinctly Scottish interests and indeed that they were inextricably linked.
20. The Authority explained that, in line with best practice, once the FOI request was received, the case handler sought the views of those with a material interest in the information, which included the Israeli Government. In its comments, the Israeli Government stated that any disclosure against its wishes would be substantially prejudicial not only to its relationship with Scotland but also to its diplomatic relationship with the UK as a whole.

² https://www.foi.scot/sites/default/files/2023-05/BriefingSection32InternationalRelations_25.5.23.pdf

21. The Authority also sought the view of the Foreign, Commonwealth and Development Office (FCDO) of the UK Government to understand more fully the views of the UK Government in regard to this relationship. The FCDO view was that releasing the information against the wishes of the Israeli Embassy was highly likely to see a negative response, and that disclosure could prejudice substantially relations between the UK and Israel.
22. The Authority submitted that diplomatic communications were generally made in terms of inferred or assumed confidentiality and argued that the Israeli Government had a history of requesting that the Authority did not release information with respect to their correspondence. It therefore argued that there was an expectation of confidentiality by the state of Israel with the Scottish Government, based on precedent which demonstrated a less open approach to disclosure. It also argued that the Israeli Government made its official view in relation to the expectation of confidentiality clear on both 6 and 16 of August 2024 (that is, both before and after the meeting).
23. The Authority argued that the views expressed, together with existing diplomatic sensitivities, had led it to conclude that if the information were to be disclosed, this would result in a greater risk of substantial prejudice.

UK relations with Israel

24. In terms of UK relations with Israel, the Authority argued that the effective conduct of international relations depended upon maintaining trust and confidence between the UK Government and other states. It submitted that, in this case, the meeting with the Scottish Government occurred on the understanding that it would be treated as being in confidence. It stated that, given Israel's clear view that diplomatic meetings were confidential (which had been its position for a number of years), the Authority felt strongly that the release of such information would substantially prejudice UK relations with the Israeli Government relations.
25. The Authority argued that its view was confirmed by the UK Government's view, which was that releasing information against Israel's wishes was highly likely to result in a negative response from Israel which would substantially prejudice their relations.
26. It submitted that this this impact could take a number of forms, given that Israel had a multifaceted relationship with the UK where it sought to engage across the country, including with devolved governments and across multiple themes of engagement, including in relation to trade, investment, security, culture and education. The Authority stated that several of these themes of were discussed in the meeting to which the request related.
27. Given the devolved settlement, the Authority argued that Israel looked to discuss these issues with devolved governments, such as Scotland, on the confidential terms it had specified, and that limiting the ability to do this would by its very nature prejudice UK relations. This prejudice included partnerships where the UK would expect Scotland to fulfil international obligations, such as within security relations, or trade partnerships. The UK also depended on the ability to engage at a sovereign level on Israel's international and domestic affairs, seeking resolution to the Middle East crisis, and to do so on terms that Israel requested.
28. The Authority submitted that Israel was involved in conflict across the Middle East, with highly sensitive negotiations on peace deals on-going, negotiations on arms trade, and an International Criminal Court ruling which could compel the UK to arrest "the President of Israel" should he visit the UK [The Commissioner understands that when the Authority referred to the "President", it meant the Israeli Prime Minister]. The Authority went on to

argue that, given the extreme delicacy of this relationship, prejudicing the exchange of views between Israel and UK had the strong potential to have a substantial impact, beyond the borders of the UK.

29. Moreover, the Authority stated that disclosure would impact on the Jewish community, and its relationship with the only Jewish state in the world, an area of significant discussion and engagement. The Authority argued that breaching diplomatic confidentiality limited the ability of the UK and Scottish governments to engage at a Ministerial or official level, and in turn the ability to engage on complex community issues.
30. The Authority argued that (as the United Kingdom Government stated), a negative response could be anticipated which could affect any of the areas discussed above and would in the UK Government's view substantially prejudice relations. It stated that Israel was prone to take significant and serious diplomatic responses when provoked and gave the example of Israel's decision in December 2024 to close its diplomatic mission in Dublin, making accusations against the Irish Government, which the Irish Government rejected. The Authority argued that this type of international behaviour was highly unusual and pointed to the unpredictable potential for response from the state of Israel.

Relations with other countries

31. The Authority submitted that while some countries did not object to information such as meeting minutes being released, others did. It argued that disclosure in this case would receive widespread media attention and would lead other foreign governments to consider the nature and substance of their contact with the Scottish Government, if they believed it likely that information which they expected to be kept confidential would subsequently be released. It would also create immediate concern that information which had been historically shared in confidence could now be released which would create significant diplomatic pressure for both the United Kingdom and Scotland, damaging relationships.
32. While acknowledging that this case was unique to Israel, the Authority stated that disclosure would have far-reaching consequences for Scotland's ability to maintain and build relationships with other governments, as well as the UK's, and indirectly impact on critical aspects of engagement including trade, investment and education.

Scotland's international obligations

33. The Authority stated that, whilst international relations were reserved in terms of the Scotland Act 1998, there was an exemption to that reservation insofar as observing and implementing international obligations was not reserved. It argued that in not disclosing information, it was observing the Vienna Convention (1961) which specified under Article 41 that states should respect the confidentiality of diplomatic communications. It argued that if Ministers were not to observe international obligations, then the UK Government could compel them to so in terms of section 58 of the Scotland Act 1998. The Authority further stated that ignoring Israel's wish to respect the confidentiality of diplomatic communications could leave the Authority open to this action and UK may feel pressure to take such action.
34. The Authority also clarified that it was routine to seek the views of another government when considering what information can be released in response to Freedom of Information requests about diplomatic engagements and that Israel had been treated no differently in this circumstance.
35. In undertaking the assessment set out in the Commissioner's guidance on section 32 of FOISA, the Authority considered that disclosure of this information would undermine the trust

between the UK (including Scotland) and the Israeli Government and inhibit the free flow of information at a crucial point given the ongoing crisis in the Middle East. It would also inhibit such discussions in the future because the Israeli Government may be reluctant to engage in future candid discussions if they believe that those views are likely to be made public.

36. In response to the Commissioner's guidance on section 32 of FOISA, the Authority confirmed that it had carried out an assessment on whether disclosure of the withheld information would, or would be likely to, prejudice substantially international relations. It submitted it would, for the reasons set out above which it said applied to the interests of the UK as a whole – an assessment it said was consistent with that provided by FCDO.
37. The Authority also argued that disclosure of the withheld information could potentially lead individual member states and other foreign governments to consider the nature and substance of their contact with the Scottish Government if they believed it likely that information which they would reasonably expect to be exchanged on a confidential basis would subsequently be released. In this respect, the Authority noted that the act of release could substantially prejudice UK interests internationally if it was seen that material relating to private meetings was likely to be released. Disclosure therefore could have far-reaching consequences for the Authority's ability to maintain and build relationships with other governments.

The Applicant's comments on section 32(1)(a)(i)

38. The Applicant stated that the Authority was not responsible for UK foreign policy and that the meeting concerned devolved engagement on matters such as diaspora engagement and cultural links. He therefore considered the application of the exemption in section 32(1)(a)(i) to be "speculative and overly cautious". He noted that the Commissioner's guidance on the exemption required the public authority to demonstrate a real and significant risk of prejudice – "not just assert it".
39. The Applicant considered that the information the Authority had disclosed – relating to the Gaza war and Israel/Palestine – arguably involved far more "sensitive and politically charged content". As the Authority deemed it appropriate to disclose these references, he found it difficult to see how disclosure of references to renewable energy cooperation, cultural issues, or diaspora engagement would be more prejudicial to international relations.
40. Furthermore, the Applicant submitted that the Authority's application of the exemption in section 32(1)(a)(i) of FOISA implied that disclosure of the information could prejudice substantially relations between the UK and another state. However, he commented that much of what was withheld concerned Scotland's devolved interactions – on policy areas that did not fall within UK reserved foreign affairs – and therefore must meet a high bar for the exemption to apply. He noted that the Commissioner's guidance made it clear that the test for substantial prejudice was high, and it should be applied narrowly and based on concrete evidence, not general speculation.
41. The Applicant considered that the Authority's pattern of redaction gave the impression of "selective disclosure". He believed that the Authority had disclosed information that supported its public messaging – that the meeting was used to raise human rights concerns, not to signal of a normalisation of relations with Israel – but that other information that might suggest otherwise had been withheld.

The Commissioner's view on section 32(1)(a)

42. The Commissioner has carefully considered all the submissions from the Applicant and the Authority and the nature of the withheld information. On balance, he is not persuaded that releasing the information would, or would be likely to, result in the substantial prejudice required for the exemption to be engaged.
43. The Commissioner notes the Authority's position in relation to the international situation. While he considers that there may be circumstances where the disclosure of certain information could be relevant to considerations of international security, neither the circumstances nor the withheld information makes that the case here.
44. The Commissioner does not consider that the Authority has connected the substantial prejudice it sets out to the specific terms of the withheld information, the content of which he does not view as particularly sensitive. While he must be careful not to reveal the specific content of the withheld information, he considers the views of both parties as expressed in the withheld information to be communicated in general and moderate terms. In the circumstances, and given the subject matter of the meeting, he does not consider that disclosure of this information would reveal anything new or unexpected regarding the respective positions of either party.
45. The Commissioner considers that there is a significant difference between taking account of the particular sensitivities of other countries and accepting objections presented without sufficient reasoning to back them up.
46. The Commissioner notes the view of the Israeli Government, but his view is that in the circumstances of this particular case, and given the specific withheld information, the likelihood of harm or risk to relations here is insufficient to engage the exemption in section 32(1)(a) of FOISA. He also considers that, had a sufficient likelihood of harm or risk existed, he may have taken a different approach, as set out in [paragraph 10 of his guidance on section 32 of FOISA](#)³. This makes clear that this section of FOISA (in common with all sections) needs to be considered on a case by case and document by document basis.
47. Further to the above, the Commissioner has reached varying conclusions at different times in the past with regard to the application of section 32(1)(a) of FOISA, or the equivalent exception of the EIRs, demonstrating the case-by-case approach taken by his office.
48. It is clear that the meeting was between the Scottish Government and the Israeli deputy ambassador. It is equally clear (in general terms, from the withheld information and from information already in the public domain at the time of the review outcome) that the meeting was intended to address matters viewed specifically from a Scottish perspective (as opposed to the UK as a whole).
49. Even if the Israeli government was to take extreme exception to the information being released (and the Commissioner, given the nature of the information, does not expect this to be the case) it would be clear that the information was released as a result of FOISA and not as a result of any action by the UK Government (or the Scottish Government). Consequently, the Commissioner believes disclosure in these particular circumstances would be highly unlikely to significantly prejudice relations between the two governments.

³ https://www.foi.scot/sites/default/files/2023-05/BriefingSection32InternationalRelations_25.5.23.pdf

50. Overall, the Commissioner does not agree that disclosure would, or would be likely to, prejudice substantially relations between the UK and the state of Israel. For the reasons set out above, the Commissioner does not uphold the Ministers' reliance on the exemption in section 32(1)(a) of FOISA in respect of this information.
51. As the Commissioner is not satisfied that the exemption in section 32(1)(a)(i) is applicable to the information, he is not required – in relation to this exemption – to go on to consider the application of the public interest test in section 2(1)(b) of FOISA.
52. The Authority also applied the exemption in section 30(c) of FOISA to withhold the same information to which it applied the exemption in section 32(1)(a)(i). The Commissioner will now go on to consider whether the exemption in section 30(c) of FOISA applies to the withheld information.

Section 30(c) – Prejudice to effective conduct of public affairs

53. Section 30(c) of FOISA exempts information if its disclosure “would otherwise prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs”. This exemption is subject to the public interest test in section 2(1)(b) of FOISA.
54. The use of the word “otherwise” distinguishes the harm required from that envisaged by the exemptions in sections 30(a) and (b) of FOISA. This is a broad exemption, and the Commissioner expects any public authority citing it to show what specific harm would (or would be likely to) be caused to the conduct of public affairs by disclosure of the information, and how that harm would be expected to follow from disclosure.
55. The standard to be met in applying the tests contained in section 30(c) of FOISA is high: the prejudice in question must be substantial and therefore of real and demonstrable significance. The Commissioner expects authorities to demonstrate a real risk or likelihood of substantial prejudice at some time in the near (certainly foreseeable) future, not simply that such prejudice is a remote or hypothetical possibility. Each request should be considered on a case-by-case basis, taking into consideration the content of the information and all other relevant circumstances (which may include the timing of the request).

The Authority's comments on section 30(c)

56. The Authority contended that the exemption applied because disclosure would be likely to inhibit future candid and robust discussions between the Scottish Government and the Israeli Government in relation to devolved policy interests and it would hinder the ability to conduct business effectively as the draft statement and the lines redacted were removed or altered in the final release and therefore did not reflect the settled position of the Authority.
57. The Authority said that the effective conduct of public affairs depended upon maintaining trust and confidence between it and other states, governments and other international actors. It reiterated its arguments made, above, in relation to section 32(1)(a)(i) of FOISA and Israel's position that the meeting occurred on the understanding that it would be confidential and that this was a long-standing position held by Israel.
58. The Authority submitted that it felt strongly that the release of such information would substantially prejudice the Scottish Government's relations with the Israeli Government which would have a substantial chilling effect on any future discussion of this nature. It considered that it was important to protect the integrity and confidentiality of sensitive exchanges with Israel and other international contacts as this was critical for maintaining its capacity to be trusted by its interlocutors and thus protect and promote Scottish interests internationally.

59. The Authority added that, while Scottish Ministers had stated they would not engage again at Ministerial level with Israel until such time as progress was made against a ceasefire in Gaza, this was not a permanent position and could become an area of active policy consideration. It added that official engagements would also continue, on an as-needed basis, and argued that release of the information would jeopardise both current and future relations. The Authority stated that, prior to the meeting, Scotland and Israel had an existing relationship on various fronts such as culture, trade and education. The Authority argued that release of this information could have a fundamental and long-lasting impact on these links, making Israel and other countries much more reluctant to engage with Scotland.
60. The Authority contended that disclosing this information would be likely to substantially harm Scotland's relationship with Israel but would also have a wider, negative impact on Scotland's international standing, where other countries would feel less confident engaging with Scotland on devolved matters in case such discussions were made public.
61. Furthermore, the Authority argued that concern over the effect of releasing this information could lead both Scottish Government and international officials to understate or set aside legitimate and important concerns about the matters under discussion which in turn would impact on the overall effectiveness of diplomatic engagements.
62. The Authority submitted that disclosure of unrefined lines would negatively affect the Scottish Government's ability to go through the drafting process effectively. The space in which Ministers and policy officials deliberate and come to a final version of a statement must be protected, as the discussion points may be viewed differently between officials and Ministers. It argued that it was vital to protect this private space to allow officials to robustly deliberate and provide considered advice to Ministers. This private space allows for all options to be properly considered, so that good decisions can be taken to reflect the outcome of the meeting that took place.
63. Furthermore, the Authority argued that it was important that Ministers and officials have the ability to work from draft statements in which they are free to make changes to as and when required in a private space, with the knowledge that their previous drafts will not be disclosed at any time in the near future.

The Applicant's comments on section 30(c)

64. The Applicant noted that the exemption in section 30(c) of FOISA was intended to protect the effective conduct of public affairs but said that it should not be used to "conceal information that merely proves politically inconvenient or embarrassing". He considered that the exemption required evidence that disclosure would lead to substantial prejudice, which set a high bar.
65. The Applicant said that it was unclear how disclosure of further details of a diplomatic meeting on devolved topics such as cultural exchange or renewable energy could meaningfully disrupt the conduct of public affairs, especially when the Authority had already publicly commented on the meeting's purpose and content.
66. The Commissioner has also considered the submissions the Applicant provided in relation to the exemption in section 32(1)(a)(i) of FOISA to the extent that they are relevant to the application of the exemption in section 30(c).

The Commissioner's view on section 30(c)

67. The Commissioner has taken into account all the submissions made by the Applicant and the Authority. While he accepts that in some circumstances the withholding of sensitive information would be necessary to maintain the effective conduct of public affairs, he does not believe that is the case here. As described above, he does not believe that the withheld information is particularly sensitive nor that there is a risk of significant prejudice.
68. The Commissioner notes some of the very similar (albeit not identical) arguments employed by the Authority in relation to this exemption as to section 32(1)(a)(i) of FOISA. As he stated above in relation to the exemption in section 32(1)(a)(i) of FOISA, he considers that there is a significant difference between taking account of the particular sensitivities of other countries and accepting objections presented without sufficient reasoning to back them up.
69. As he also stated above, the Commissioner considers the views of both parties as expressed in the withheld information to be communicated in general and moderate terms. In the circumstances, and given the subject matter of the meeting, he does not consider that disclosure of this information would reveal anything new or unexpected regarding the respective positions of either party.
70. In this respect, the Commissioner does not consider that disclosure of the withheld information would, or would be likely to, result in the substantial prejudice required for the exemption in section 30(c) of FOISA to be engaged.
71. The Commissioner has previously recognised, in the context of considering the application of the exemptions in section 30(b) of FOISA, that public authorities generally benefit from a private space in which to prepare and draft documents.
72. While the Commissioner must be careful not to reveal the specific content of the withheld information, he would note that the content of the draft minutes is substantially similar to the content of the final minutes. In these circumstances, he considers the likelihood of harm resulting from disclosure of the withheld information within these draft minutes to be remote and minimal.
73. In the circumstances, the Commissioner considers the Authority's submissions regarding the need for a private space (at paragraphs 62 and 63) to be matters more appropriately dealt with by the exemption in section 30(b)(ii), provided its particular requirements can be met.
74. As stated above, the use of the word "otherwise" in section 30(c) of FOISA distinguishes the harm required from that envisaged by the exemptions in sections 30 (b) of FOISA. In other words, section 30(c) cannot be used to withhold information where disclosure would, or would be likely to, inhibit the free and frank exchange of advice or views; in these cases, section 30(b) should be applied instead.
75. The Commissioner would stress that he must reach a conclusion in relation to the withheld information based on the exemptions in FOISA actually applied by the Authority. It is not for the Commissioner to make the case on the Authority's behalf.
76. The Commissioner would also stress that it is important for public authorities to treat each request for information on a case-by-case basis. That information is disclosed in one case should not be taken to imply that information of a particular type will be routinely disclosed in future. The circumstances of each case, including the content of the specific information under consideration, must be taken into consideration and (where required) the public interest in each case assessed on its own merits.

77. In all of the circumstances, the Commissioner therefore finds that the Authority was not entitled to apply the exemption in section 30(c) of FOISA to the withheld information.
78. As the Commissioner is not satisfied that the exemption in section 30(c) is applicable to the information, he is not required to go on to consider the application of the public interest test in section 2(1)(b) of FOISA.
79. As he has found that neither of the exemptions in sections 30(c) and 32(a)(i) of FOISA apply, the Commissioner requires the Authority to disclose the withheld information to the Applicant.

Decision

The Commissioner finds that the Authority failed to comply with Part 1 of the Freedom of Information (Scotland) Act 2002 (FOISA) in responding to the information request made by the Applicant.

Specifically, the Commissioner finds that by wrongly applying the exemptions in sections 30(c) and 32(1)(a)(i) to withhold the information requested, the Authority failed to comply with section 1(1) of FOISA.

The Commissioner requires the Authority to disclose the wrongly withheld information, by **15 June 2026**.

Appeal

Should either the Applicant or the Authority wish to appeal against this decision, they have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of this decision.

Enforcement

If the Authority fails to comply with this decision, the Commissioner has the right to certify to the Court of Session that the Authority has failed to comply. The Court has the right to inquire into the matter and may deal with the Authority as if it had committed a contempt of court.

David Hamilton

Scottish Information Commissioner

29 April 2026