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Dear Norman,

15 March 2010

I am writing in response to the question you asked on 9 March regarding the restrictions on disclosure of information relating to the Dunblane tragedy of 13 March 1996.

In 1997 a decision was taken to lodge all of the papers of the Cullen Inquiry into the Dunblane tragedy with the Scottish Record Office (now the National Archives of Scotland). At that time the depositing department, the Crown Office and Procurator Fiscal Service (COPFS) decided that the records should be closed for a period of 100 years because many of the documents contained personal information and referred to people who were children at the time. This decision took into account the views of a number of bodies, including those expressed by the Inquiry.

Access to information and public records are transferred matters, meaning that since devolution they have been the responsibility of the Scottish Government.

Following a detailed review of all of the papers, on 3 October 2005 the then Lord Advocate Colin Boyd ordered that the restrictions applying to some of the information relating to the inquiry be lifted, saying that "it is clear that there remains considerable public interest in the evidence that was provided to Lord Cullen's inquiry". Redacted versions of the Inquiry papers were made available for the public to inspect at the NAS in Edinburgh. Some files, however, remain subject to a closure order. This is in recognition of the fact that, as the Lord Advocate said at the time, "even in an edited form, [the files] contain material which is sensitive in nature and could cause further anguish to the families of victims".

Some Government departments are also likely to hold information relating to the Dunblane tragedy. For example the Home Office holds firearms files, Inspectorate of Constabulary files, police liaison files and Violent Crime Section files which are likely to contain relevant information. Any information held by Government departments can be requested under the Freedom of Information Act and would be considered on

a case by case basis. Notwithstanding the closure order, any information in the National Archives of Scotland may be requested under the Freedom of Information (Scotland) Act. The consideration of such a request would involve looking at whether the information should be exempt from disclosure under that Act's provisions.

Yours Gr.

Willy,

WILLY BACH
