



Scottish Information
Commissioner

Decision 040/2007 – Ms Sue Watson of “The Digger” and the Scottish Court Service
<i>Correspondence about Mr James Cruickshank and his status as a journalist</i>

Applicant: Ms Sue Watson of “The Digger”

Authority: Scottish Court Service

Case No: 200600175

Decision Date: 06 March 2007

**Kevin Dunion
Scottish Information Commissioner**

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS



Decision 040/2007 – Ms Sue Watson of “The Digger” and the Scottish Court Service

Correspondence on the subject of Mr James Cruickshank and his status as a journalist – scope of request - section 30(b) and 30(c) (effective conduct of public affairs) and section 36(1) (confidentiality) of the Freedom of Information (Scotland) Act 2002 (FOISA)

Relevant Statutory Provisions and other Sources

Freedom of Information (Scotland) Act 2002 section 1(1) (General entitlement); section 2(1) (Effect of exemptions); section 30 (Prejudice to effective conduct of public affairs) and section 36(1) (Confidentiality).

The full text of each of these provisions is reproduced in Appendix 1 to this decision. Appendix 1 forms part of this decision.

Facts

Ms Watson of “The Digger” publication asked the Scottish Court Service (the SCS) to provide her with all communications between the SCS and Glasgow Sheriff Court and the High Court of Justiciary concerning Mr James Cruickshank and his status as a journalist.

The SCS withheld this information on the grounds that part of the information was exempt under section 36(1) of the Freedom of Information (Scotland) Act 2002 (FOISA) since it contained confidential exchanges with its legal advisers, and the remainder was exempt since disclosure would, in terms of section 30(b) of FOISA, inhibit substantially the free and frank provision of advice and exchange of views for the purposes of deliberation. The SCS also argued that some of the information withheld was exempt under section 30(c) of FOISA, in that release would prejudice substantially the effective conduct of public affairs and that some of the information which was initially withheld from Ms Watson did not fall within the request.

Following an investigation, the Commissioner found that the SCS had partly failed to comply with FOISA in responding to Ms Watson’s request.



Background

1. On 11 August 2005, Ms Watson asked the SCS to provide her with all communications between it and Glasgow Sheriff Court and the High Court of Justiciary concerning Mr James Cruickshank and his status as a journalist.
2. On 6 September 2005, the SCS issued a refusal notice on the ground that the information requested was exempt under section 38 (personal information) of FOISA, on the basis that to disclose the personal data of Mr Cruickshank would result in a breach of the data protection principles set down in the Data Protection Act 1998.
3. By letter of 13 September 2005, Ms Watson asked the SCS to review its refusal notice. In that letter, Ms Watson clarified that Mr Cruickshank had instructed her to make the information request and Ms Watson included a signed request by Mr Cruickshank, editor of "The Digger" publication, in which he consented to information which could constitute his personal data being released.
4. The SCS carried out a review and, on 16 December 2005, communicated the findings of its review to Ms Watson. The review had noted that the initial request was endorsed by Mr Cruickshank, but held that much of the information requested was in any event exempt in terms of section 36(1) of FOISA since the information included confidential exchanges between the SCS and its legal advisers. The SCS also stated that disclosure of other elements of the information would be likely, in terms of section 30(b) of FOISA, to inhibit substantially the free and frank provision of advice and exchange of views for the purposes of deliberation.
5. On 21 January 2006, Ms Watson applied to me for a decision as to whether the SCS had dealt with her information request in accordance with Part 1 of FOISA. This appeal was validated by establishing that Ms Watson had made a valid information request to a Scottish public authority and had appealed to me only after asking the public authority to review its response to her request. The case was allocated to an investigating officer.



The Investigation

6. The investigating officer formally contacted the SCS on 1 February 2006 in terms of section 49(3)(a) of FOISA asking for its comments on the application and asking it to provide a copy of the information which had been withheld from Ms Watson.
7. The SCS is an agency of the Scottish Executive (“the Executive”) and, in line with agreed procedures, the Executive responded on 9 March 2006 on behalf of the SCS with the information withheld and with comments on the application of the exemptions. Further comments were also made by the Executive in a letter of 2 November 2006.
8. The Executive supplied on 9 March 2006:
 - Document 1 - Letter from the then Sheriff Principal of Glasgow and Strathkelvin, Sheriff Principal Edward F Bowen QC to the Chief Executive of the SCS;
 - Document 2 – Letter from the Chief Executive of the SCS to Sheriff Principal Bowen;
 - Document 3 – Email from the SCS to Sheriff Principal Bowen;
 - Document 4 - Email from Sheriff Principal Bowen to the SCS;
 - Document 5 – Email from the SCS to Sheriff Principal Bowen;
 - Document 5A - Email exchange between Sheriff Principal Bowen and the SCS;
 - Document 6 - Letter from Sheriff Principal Bowen to the SCS (with enclosures);
 - Document 7 – Email from the SCS to the Sheriff Principal;
 - Document 8 – Email from a Sheriff Clerk to the SCS (with enclosures).
9. The information requested by Ms Watson related to an incident reported in the media which had occurred at Glasgow Sheriff Court in June 2005 when the then Sheriff Principal of Glasgow and Strathkelvin, Sheriff Principal Bowen withdrew from Mr James Cruickshank the right to use the press facilities of the court.

Submissions on behalf of the SCS



10. The Executive explained that although SCS is responsible for the administration of the courts, the judicial personnel of the courts is wholly independent of the SCS and the Executive. The Executive therefore contended that documents 1, 2, 5A and 6 did not fall within the scope of Ms Watson's request, on the basis that communications from Sheriff Principal Bowen did not fall within the definition of ("communications between the Scottish Court Service and Glasgow Sheriff Court") since the Sheriff Principal is legally independent of the SCS and has a separate legal *persona*. This meant, according to the Executive, that a reference to "Glasgow Sheriff Court" or "Scottish Court Service" should not be taken as referring to the Sheriff Principal. Glasgow Sheriff Court, the Executive explained, is not a separate *persona* but is understood as a building where business is conducted and the SCS supports the operations of the court and the delivery of justice.
11. The Executive also submitted that, were I to decide that Documents 1 and 2 fell within the scope of the request, they would be exempt under sections 30(b)(i) and (ii) of FOISA since their disclosure would inhibit substantially both the free and frank provision of advice and the free and frank exchange of views for the purposes of deliberation. Also, were I to decide that Document 6 fell within the scope of the request, then the Executive submitted the information would be exempt under section 30(c) of FOISA in that the release of the information would otherwise prejudice substantially the effective conduct of public affairs.
12. The Executive said that it regarded documents 3, 4, 5, 5A, 7 and 8 as confidential exchanges between the SCS and its legal advisors and therefore exempt under section 36(1) of FOISA. However, the Executive admitted that it now saw no reason to withhold the two letters which were the enclosures to document 8.
13. The Executive considered that there were no special or unique circumstances applying to these communications which would allow the SCS to waive the confidentiality privilege that exists between a legal adviser and their client.
14. The public interest arguments put forward by the Executive in respect of all the three exemptions relied on in section 30 were short. The Executive argued that the public interest in the efficient running of the court system, which required assurance that certain exchanges would not be disclosed, outweighed the public interest arguments - such as transparency of decision making - in favour of disclosure. The Executive stated that the letters were written and supplied with the intention that they not be made available and that disclosure would have hampered the settlement between Mr Cruickshank and the SCS in respect of the restoration of press facilities.

Submissions from the applicant

15. Ms Watson took the view that the SCS had not properly considered the public interest test since it was in the public interest that decisions about the administration of the Courts, and in particular about press access to court, be transparent to ensure that the dispensation of justice was done and seen to be done.



The Commissioner's Analysis and Findings

16. I am required to consider firstly whether part of the information withheld falls within Ms Watson's request. I shall only then consider whether the exemptions within sections 36(1), 30(b)(i) and (ii) and 30(c) of FOISA apply to any information that falls within the scope of the request. Only if I find that an exemption applies to the information will I go on to consider the public interest in respect of that exemption.

The scope of the request

17. As noted above, the Executive argued that documents 1, 2, 5A and 6 do not fall within the scope Ms Watson's request because the Sheriff Principal is not legally "Glasgow Sheriff Court" or the "Scottish Court Service", to which the request refers.

18. The request was for:

"all communications between the Scottish Court Service and Glasgow Sheriff Court and the High Court of Justiciary concerning James Cruickshank and his status as a journalist."

I understand that the SCS does not hold any communications on this subject between it and the High Court of Justiciary.

19. Documents 1, 2, 5A and 6 have as their subject Mr Cruickshank and his presence in Glasgow Sheriff Court in the capacity of journalist. These documents are exchanges between employees of the SCS and the then Sheriff Principal.
20. Section 1(1) of FOISA is the general entitlement to information: a person who requests information from a public authority which holds it is entitled to be given it by the authority. Section 8(1) of FOISA describes what constitutes a request, including the requirement, in section 8(1)(c), that the request must describe the information requested. However, FOISA does not go on to state what is required in order that the information be said to be "described".
21. In making such a request I consider it reasonable to expect a request, which refers to correspondence from Glasgow Sheriff Court, to encompass correspondence from the Sheriff Principal. The Sheriff Principal has his chambers within Glasgow Sheriff Court. Whilst the Executive is correct to say that the SCS has a *persona* distinct from the judicial personnel, it did state that Glasgow Sheriff Court is not seen generally as a legal person, and certainly not in the context of FOISA.



22. In referring to “Glasgow Sheriff Court” I would accept in the context of this particular application that this could be a reference to the judicial personnel of that court, and would include the Sheriff Principal of Glasgow Sheriff Court, although the judicial personnel are not themselves subject to FOISA.
23. In respect of Document 6, a letter from the Sheriff Principal to the SCS in which relevant papers are contained, I am satisfied that the letter itself is covered by the request. However, I must also consider whether the attached correspondence also comes within the definition of correspondence. While the attachments are correspondence, they are not correspondence between the SCS and Glasgow Sheriff Court (or the High Court of Justiciary).
24. In a previous decision, Decision 140/2006 Mr Calum Cashley and the Scottish Executive, I concluded (at paragraph 22) that the attachments to an email fell within the scope of the request. The purpose of the letter was to send the enclosures which related to the subject of the letter. Following that reasoning, I also conclude here that the enclosures with Document 6 fall within the scope of Ms Watson’s request.
25. Documents 1, 2, 5A and 6 fall within the scope of the request inasmuch as they are communications between an employee of the SCS and the then Sheriff Principal of Glasgow Sheriff Court on the subject of Mr Cruickshank.

Application of section 30(b)(i) and (ii)

26. The information withheld from Ms Watson under sections 30(b)(i) and (ii) is found in documents 1 and 2, which together constitute an exchange about the exclusion of Mr Cruickshank from Glasgow Sheriff Court. If the information falls within the categories identified in section 30(b)(i) and (ii), the authority must demonstrate that disclosure of the information under FOISA would, or would be likely, to inhibit substantially the free and frank provision of advice or exchange of views for the purposes of deliberation.
27. In assessing any inhibiting effect of disclosure, I would suggest that authorities should consider:
 - a) the subject matter of the advice or opinion;
 - b) the content of the advice and opinion itself;
 - c) the manner in which the advice or opinion is expressed; and
 - d) whether the timing of release would have any bearing (releasing advice or opinion whilst a decision was being considered, and for which further views were still being sought, might be more substantially inhibiting than once a decision has been taken).



28. As I have said in a previous decision, Decision 003/2007 Mr Allan McLeod and the Northern Joint Police Board (at paragraph 102), in applying these exemptions the chief consideration should not be whether the information constitutes advice or opinion, but whether the release of the information would or would be likely to have the effect set out in the statute – i.e. to inhibit substantially the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation. Before discussing this question, I would like it to be noted that the disclosure of information in one case should not be taken to mean that information in a similar case would require to be disclosed. As I have made clear in other decision notices, each case must be considered separately.
29. I shall consider whether section 30(b) applies to documents 1 and 2. Should I find that any document is covered by this exemption, I will consider the public interest in respect of that document.

Document 1

30. Document 1 is a letter from then Sheriff Principal to the Chief Executive of the SCS about the exclusion of Mr Cruickshank. For the most part I accept the Executive's submissions that the Sheriff Principal would be inhibited substantially from seeking advice or expressing his views in the way in which he has done were parts of document 1 to be disclosed.
31. However, I do not consider that disclosure of all of document 1 would, or would be likely to, inhibit substantially the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation. Having taken account of the subject and the context of the information and the manner in which the view is expressed, I do not accept that paragraphs 7 and 8 of Document 1 ("I am" to "recognised practice?") are exempt in terms of Section 30(b)(i) or (ii).

Document 2

32. Document 2 is a reply to document 1 from the Chief Executive of the SCS to the then Sheriff Principal. As with document 1, I accept that section 30(b) applies to part of the document. However, paragraph 4 of this letter ("I have" to "that approach") contains factual information about the position of journalists and, from the information provided to me by the Executive, I am not satisfied that the release of the information contained in this paragraph would, or would be likely to, inhibit substantially the free and frank provision of advice or deliberation.

Public Interest



33. I must now consider whether in this case the public interest in maintaining the exemptions in section 30(b)(i) and (ii) outweighs the public interest in disclosing the information as both are subject to the public interest test required by section 2(1)(b) of FOISA. For sake of clarity, I am only required to consider the public interest in respect of those parts of document 1 and 2 to which I have decided that the exemptions in section 30(b)(i) and (ii) applies.
34. In respect of factors against disclosure, I have considered the Executive's submissions that the efficient running of the court system, which required assurance that certain exchanges would not be disclosed, outweighed the public interest arguments in favour of disclosure and that those involved in the court system must be able freely to exchange views or seek advice on issues that affect the administration of justice.
35. In respect of factors in favour of disclosure, I have also considered the point raised by Ms Watson that it is in the public interest that there be open access to the reasoning in decisions which affect the administration of justice, especially in relation to the reporting of administration of justice. I agree that the administration of justice will require, from time to time, that judicial personnel and employees of the SCS express views or provide advice on a matter (which may be of some sensitivity) in a forthright, or free and frank, manner.
36. In this instance, facilities were restored to Mr Cruickshank. Whilst it might be of interest to view any discussions which related to the decision to restore these facilities, I find in the circumstances of this case that the public interest in withholding the information outweighs the public interest in the release of the information.

Application of section 36(1)

37. As noted above, the Executive claimed that Documents 3, 4, 5, 5A, 7 and 8 consisted of legal advice between a legal adviser and client and were therefore exempt in terms of section 36(1) of FOISA. In respect of the public interest, there was nothing, the Executive argued, to show that disclosure outweighed the confidentiality privilege. However, the Executive admitted that it saw no reason to withhold two letters (within document 8).
38. Section 36(1) of FOISA provides that information in respect of which a claim to confidentiality of communications could be maintained in legal proceedings is exempt information. One type of communication covered by this exemption is communications between a legal adviser and client. For the exemption to apply to this particular type of communication, certain conditions must be



fulfilled. For example, the information being withheld must relate to communications with a legal adviser. The legal adviser must be acting in a professional capacity and the communications must occur in the context of a professional relationship with the client.

39. In this case, legal advice has been sought by the Sheriff Principal from the Office of the Solicitor to the Scottish Executive (OSSE). The Executive has explained that OSSE provides in-house legal advice to the Executive, and to judicial office holders where they require legal advice in relation to solely administrative matters. This advice is usually provided through the SCS. In this case, therefore, it is not legal advice to the SCS which is being withheld. It is legal advice to the Sheriff Principal, who, as I noted earlier in the decision, is a separate legal persona from the SCS. However, the exemption in section 36(1) does not require that the claim to confidentiality of communications be maintained by the public authority to which the information request was made, although the fact that an authority holds legal advice which has been given to another person may raise the question of whether the confidentiality has been waived by the recipient.
40. Section 36(1) is an exemption which applies by reason of the information in question being of a specified type or class. The proper approach is therefore to consider the defined class and then ascertain whether relevant information falls within it.

Document 3 – email

41. Document 3 is an email from a SCS employee to the Sheriff Principal which conveys the advice received from OSSE, in line with the practice noted above.
42. For the exemption in section 36(1) to apply, the information must consist of communications with a legal adviser. I accept that an in-house solicitor offering legal advice comes within the terms of section 36(1). Document 3 contains legal advice from OSSE to the Sheriff Principal, which has been communicated via the SCS. I therefore accept that the email in Document 3 contains information in respect of which a claim to confidentiality of communications could be maintained in legal proceedings.

Document 4 – email exchange

43. Document 4 is an email exchange consisting of two emails dated 14 June 2005 and timed at 12:29 and 12:44. The Executive's arguments are similar to those in respect of Document 3.
44. I am satisfied that both of these emails are exempt in terms of section 36(1) of FOISA.



Document 5 – email

45. Document 5 is an email which provides an update to the Sheriff Principal Bowen of the ongoing situation. I accept that this email transmits legal advice from OSSE, and also describes what has been sought in terms of further advice. I accept that this document falls within section 36(1) of FOISA as information in respect of which a claim to confidentiality of communications could be maintained in legal proceedings.

Document 5A – email exchange

46. Document 5A is an email exchange between a member of the SCS and the Sheriff Principal. I am satisfied that both of these emails are exempt in terms of section 36(1) of FOISA.

Document 7 – email exchange

47. The emails in document 7 relate to the provision of legal advice and, again, I am satisfied that they are exempt in terms of section 36(1) of FOISA.

Document 8 – letter and email

48. Document 8 consists of two emails and two letters. I am satisfied that both emails relate to the obtaining of legal advice and are therefore exempt in terms of section 36(1) of FOISA.
49. As noted above, the Executive said that it now saw no good reason to withhold the two letters accompanying the emails.

Public Interest test

50. Section 36(1) of FOISA is a qualified exemption and is subject to the public interest test required by section 2(1)(b). Where an authority considers the information to be exempt it must still consider whether, in all the circumstances of the case, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption. If it is, the information should be released.
51. I will now consider whether the public interest would be better served by the information which I have found to be exempt in terms of section 36(1) being disclosed or by the exemption being maintained. I have considered each



document individually, but I shall deal with them collectively here since they all relate to legal advice on the same subject. The public interest arguments for section 36(1) from both the Executive and Ms Watson necessarily overlap with those given for sections 30(b) and 30(c).

52. As case law attests, there is a strong public interest in maintaining the right to confidentiality of communications between legal adviser and client. Consequently, whilst I will consider each case individually, I am likely only to order the release of such communications in highly compelling cases.
53. The public interest arguments in favour of disclosing these documents include the increase in scrutiny of the actions of a public body. This argument is similar to that made by Ms Watson: that disclosure will allow the public to see the reasoning behind the conduct of the SCS and the then Sheriff Principal.
54. In favour of maintaining the exemption is the general public interest in a public authority being able to communicate its position to its legal advisers fully and frankly in confidence, in order to obtain comprehensive legal advice. By doing so, the authority can act with the greatest knowledge of the legality of its actions.
55. Having considered all submissions in this matter, I am of the view that, in this case, the public interest would be better served by the exemption in section 36(1) being maintained. I recognise that there are reasons which might justify disclosure to Ms Watson. However, I do not feel that they are so highly compelling as to outweigh the public interest in the confidentiality of legal communications. I note also that the situation to which the legal advice related has been resolved.

Application of section 30(c)

56. The Executive submitted that document 6 did not fall within the scope of Ms Watson's request, but that were it to be seen to fall within the scope of the request, it would then be covered by the exemption in section 30(c) of FOISA. As noted above, I have already decided that it falls within the scope of the Ms Watson's request.
57. Section 30(c) of FOISA provides that information is exempt if its disclosure under FOISA would otherwise prejudice substantially, or would be likely to prejudice substantially, the effective conduct of public affairs. In order to



decide whether the information requested should be disclosed, I must first consider whether it falls under section 30(c). Should it fall under section 30(c) of FOISA, I am then obliged to consider whether the public interest would be better served by the information being disclosed or the exemption being maintained.

Document 6

58. The information in question here is a letter from the Sheriff Principal to the SCS, enclosing correspondence which the Sheriff Principal has had with other bodies. The subject of the correspondence is Mr Cruickshank and his publication.
59. The Executive has argued that the Sheriff Principal would not have released this information to the SCS had he believed that it would be disclosed, and that the “smooth running and efficient running of the courts” depended upon the free and frank exchange of views for the purposes of deliberation between the judiciary and the SCS.
60. Firstly, I accept the operation of the court system falls within what can be considered “public affairs” for the purposes of section 30(c). I also accept that the effective conduct of the court system demands the exchange of information between the judiciary and SCS personnel.
61. My first consideration is whether disclosure of the information in document 6 would prejudice substantially, or would be likely to prejudice substantially, the effective conduct of public affairs, in this case efficient running of the court.
62. It is my view that, in this case, the release of the information into the public domain which relates specifically to an exchange between judicial personnel in respect of the administration of justice would have a detrimental impact on the quality of the administration of justice. I accept the Executive’s submission that the functioning of the court system requires the various personnel – judiciary, administrative personnel, etc – to communicate information fully and candidly that relates to the functioning of the courts. This enables decisions to be taken, problematic areas identified, in the most effective way. The Executive argued on behalf of the SCS that release of the information communicated would result in the inhibited communication between those involved in the court system and a decrease in the effectiveness of the administration of the courts. In this case, I concur with the Executive that release of Document 6 would, or would be likely to, substantially prejudice the effective conduct of its public affairs.

Public interest test

63. I will now consider the public interest test required by section 2(1)(b) of FOISA in relation to document 6.



64. I acknowledge that there are general public interest arguments in favour of release to be made in terms of ensuring that decisions taken in respect of the administration of justice are transparent. Ms Watson argued on the public interest in being able to view the decision making process in respect to the functioning of the court system to ensure that this process is fair and impartial. Whilst I agree that there is a considerable public interest in respect of this transparency of decision making, I am of the opinion that any such considerations are, in this case, significantly outweighed by those in ensuring that the effective administration of justice – is maintained and that that process requires certain communications to be comprehensive and candid.
65. It should also be noted that, in this instance, the issue of dispute in respect of Mr Cruickshank's access rights was resolved by his solicitors. I conclude that the public interest in the release of the information is outweighed by that in maintaining the exemption.

Decision

I find that the Scottish Court Service (the SCS) mostly complied with Part 1 of the Freedom of Information (Scotland) Act 2002 (FOISA) in the manner in which it dealt with Ms Watson's information request.

However, I find that by refusing to release parts of documents 1 and 2, the SCS failed to comply with the requirements of section 1(1) of FOISA and, in doing so, failed to comply with Part 1 of FOISA. I now require the SCS to release those parts of documents 1 and 2 to Ms Watson as specified in the attached Appendix.

I am obliged to give the SCS at least 42 calendar days in which to supply Ms Watson with the information as set out above. In this case, I require the SCS to take these steps within 45 calendar days of the date of receipt of this notice.



Appeal

Should either the SCS or Ms Watson wish to appeal against this decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days of receipt of this notice.

Kevin Dunion
Scottish Information Commissioner
06 March 2007



APPENDIX 1

Relevant statutory provisions

Freedom of Information (Scotland) Act 2002

1 General entitlement

- (1) A person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority.

2 Effect of exemptions

- (1) To information which is exempt information by virtue of any provision of Part 2, section 1 applies only to the extent that -
 - (a) the provision does not confer absolute exemption; and
 - (b) in all the circumstances of the case, the public interest in disclosing the information is not outweighed by that in maintaining the exemption.

30 Prejudice to effective conduct of public affairs

Information is exempt information if its disclosure under this Act-

- (a) would, or would be likely to, prejudice substantially the maintenance of the convention of the collective responsibility of the Scottish Ministers;
- (b) would, or would be likely to, inhibit substantially-
 - (i) the free and frank provision of advice; or
 - (ii) the free and frank exchange of views for the purposes of deliberation; or
- (c) would otherwise prejudice substantially, or be likely to prejudice substantially, the effective conduct of public affairs.

36 Confidentiality

- (1) Information in respect of which a claim to confidentiality of communications could be maintained in legal proceedings is exempt information.



APPENDIX 2

Doc No.	Document title	Exemptions cited by the SCS	Upheld	Public interest in favour of disclosure	Release or withhold	Details of release (where applicable)
1	Letter from the then Sheriff Principal to the Chief Executive of the SCS	30(b)(i) 30(b)(ii)	Partially Partially	No No	Partial Partial	Paragraphs 7 and 8
2	Letter from the Chief Executive of the SCS to Sheriff Principal Bowen	30(b)(i) 30(b)(ii)	Partially Partially	No No	Partial Partial	Paragraph 4
3	Email from the SCS to Sheriff Principal Bowen	36(1)	Yes	No	Withhold	n/a
4	Email from Sheriff Principal Bowen to the SCS	36(1)	Yes	No	Withhold	n/a
5	Email from SCS to Sheriff Principal Bowen	36(1)	Yes	No	Withhold	n/a
5A	Email exchange between Sheriff Principal Bowen and the SCS	36(1)	Yes	No	Withhold	n/a
6	Letter from Sheriff Principal Bowen to the SCS (with enclosures);	30(c)	Yes	No	Withhold	n/a
7	Email exchange between the SCS and the Sheriff Principal	36(1)	Yes	No	Withhold	n/a
8	Email from a Sheriff Clerk to the SCS (with enclosures)	36(1)	Yes	No	Withhold	n/a

