| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-0350Responded to: 28 February 2025 |
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Your recent request for information is replicated below, together with our response.

**I am writing to request information under the Freedom of Information (Scotland) Act 2002 regarding the car accident that occurred on the M8 near Newhouse, Lanarkshire, on June 14, 2008. Specifically, I am seeking:**

**Any investigation findings or police reports regarding the cause of the accident.**

**Information on whether a Fatal Accident Inquiry (FAI) was conducted and any related findings.**

**I understand that personal or sensitive details may need to be redacted, but I would appreciate access to any available information.**

As regards any Fatal Accident Inquiry (FAI) first of all, Police Scotland hold no information that would suggest an FAI was conducted, and section 17 of the Act therefore applies.
You may however wish to contact the Scottish Courts Service for information.

As regards all other information held by Police Scotland in relation to this Road Traffic Collision, you should note that FOI is a *public disclosure* and so it is not usually possible to disclose information about particular individuals or related investigations.

Information is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the following exemptions apply:

Section 34(2)(b) - Investigations

Information is exempt information if held for the purposes of an investigation being carried out for the purpose of making a report to the Crown Office and Procurator Fiscal Service (COPFS) as regards the cause of death of a person.

Section 39(1) - Health & Safety

Information is exempt information if its disclosure under this Act would, or would be likely to, endanger the physical or mental health or the safety of an individual.

Public Interest Test

Whilst I appreciate the reasons why you might wish this information; I must consider the wider implications of the release of such information under this Act as a release of sensitive information into the public domain.

I acknowledge that public awareness may favour disclosure and contributes towards public debate and the police handling of any enquiry.

Nevertheless, public interest also lies in protecting individuals’ right to privacy and honouring their expectation of confidentiality - even in death.

Disclosure may bring unwanted attention to bereaved families who may also suffer harm if sensitive or upsetting detail is disclosed publicly.

Information about investigations will only ever be disclosed by Police Scotland where there are overwhelming public interest considerations favouring disclosure.

I can find no corresponding argument supporting the disclosure of the requested details in the public domain within this response.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.