| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1565  Responded to: 02 June 2025 |
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Your recent request for information is replicated below, together with our response.

## After school and on the day she was murdered, Jodi Jones used a phone to text Luke Mitchell. Can you confirm whether efforts were indeed made to recover messages from this device.

I can confirm that significant efforts were made to recover all telephone interactions between the accused and the deceased on the day of the murder.

## when these efforts were made and whether recovery was successful.

In relation to dates and outcomes of these efforts, the information sought 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(1)(b) - Investigations**  
Information is exempt information if it has at any time been held by Police Scotland for the purposes of an investigation which may lead to a decision to make a report to the Procurator Fiscal to enable it to be determined whether criminal proceedings should be instituted.

**Section 35(1)(a)&(b) - Law Enforcement**

Disclosure would prejudice substantially the prevention or detection of crime and the apprehension or prosecution of offenders.

Public awareness would favour a disclosure as it would contribute to the public debate surrounding murder investigations and the police handling of such enquiries.

Nevertheless, it cannot be in the public interest to release information that would prejudice law enforcement.   
I appreciate that there is a public interest in relation to police investigations and, in particular, murder investigations. That said, it is essential that neither investigations nor the potential for proceedings to be brought against an individual are put at risk.

Accordingly, in this case it is assessed that the public interest lies firmly in refusing disclosure.

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.