| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-2779Responded to: 08 September 2025 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## Please provide the following information held in relation to a fatal road-traffic named accident:

## Postmortem report for individual.

Any FOI response is a public disclosureand so it is not usually possible to disclose information about particular individuals or related investigations.

In terms of section 18 of the Act, I am refusing to confirm or deny whether the information sought is held by Police Scotland. The public interest overwhelmingly lies in protecting individuals’ right to privacy and honouring their expectation of confidentiality - even in death.

Furthermore, any information held for the purpose of an investigation, carried out with the aim of making a report to the Crown Office and Procurator Fiscal Service (COPFS) as respects the cause of death of a person, is exempt from disclosure in terms of section 34(2)(b) of the Act.

If it applies to your circumstances, COPFS have procedures in place to provide bereaved families with information about the death of their loved one and details can be found in their [Family Liaison Charter](https://www.copfs.gov.uk/resources/publications/the-family-liaison-charter/) and [Guide for Bereaved Families](https://www.copfs.gov.uk/services/bereavement-support/guide-for-bereaved-family-members/).

You can contact them as follows: \_enquirypoint@copfs.gov.uk

COPFS, 25 Chambers Street, Edinburgh, EH1 1LA

## Whether vehicle was taken without consent. Was this investigated?

## Details on whether toxicology was completed for the passenger in our vehicle.

## Police Scotland’s investigation documentation outlining what steps were taken by the Police to investigate what happened in the accident and where the occupants of the vehicle were on lead up to the accident.

I am refusing to confirm or deny whether the personal information sought exists or is held by Police Scotland in terms of section 18 of the Act. Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.
Whilst we accept that you may have a particular personal interest in being informed as to whether the information sought is held, the overwhelming public interest lies in protecting individuals’ right to privacy and their expectation of confidence as regards their information.
* If the information was held, it would be exempt from disclosure. In this instance, sections 38(1)(b) and 38(1)(2A) of the Act apply insofar as you have requested *third party* personal data, the disclosure of which would contravene the data protection principles set out in the Act.

Further, if any information was held in relation to your request, it would be considered exempt under Section 34(1)(b) Investigations – information is exempt if it has at any time been held by for the purposes of an investigation which may lead to a report to the procuration fiscal to determine if criminal proceedings should be instituted.

This should not be taken to mean that any information is or is not held.

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.