

Case Study



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Historian uses FOI to access information on a 100 year old murder case.

Mr Edmund Raphael-Beldowski requested information from Tayside police relating to an unsolved murder which took place in Broughty Ferry in 1912. Mr Raphael-Beldowski is researching a book on the history of the area.

This case was the first time that the Commissioner concluded that information contained within a police investigation report should be released.

The Commissioner found that the information Mr Raphael-Beldowski sought was indeed covered by the FOI exemption which applies to information held for the purposes of an investigation. This exemption is designed to prevent investigations being prejudiced through the release of information, while also ensuring that witnesses are not inhibited from co-operating in future investigations.

In around 40 cases considered previously where the applicant had sought investigation information, the Commissioner has concluded that relevant information has been appropriately withheld. In this particular case, however, the Commissioner decided that the public interest favoured release of the information. The Commissioner found that the effect of the passage of time, combined with the extremely low likelihood of the case being reopened, were factors which contributed to his decision that the public interest favouring release in this case.

Relevant information has since been released by Tayside Police to Mr Raphael-Beldowski, who is using it in his ongoing research.

Download full decision here:

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For more information please contact the Policy & Information Team on 01334 464610.