

Case Study



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Local fishermen use FOI in fight for compensation following sewage spill.

Mr Hughes, on behalf of the Fisherman's Mutual Association (Pittenweem) Ltd (hereafter the FMA), requested copies of a report into the Forth sewage spill of April 2007 from Scottish Water.

As a result of the spill, an estimated 120 million litres of screened sewage effluent was discharged into the Forth Estuary.

The FMA's request was made as part of efforts to secure compensation for local fishermen who, it is claimed, suffered financial losses as a result of the spill.

The report was withheld by Scottish Water, which argued that the freedom of information legislation permitted it to withhold the information.

The FMA applied to the Scottish Information Commissioner in November 2007 following Scottish Water's refusal to provide the report in question.

The information was released to the FMA by Scottish Water in February 2008. This followed a case heard by Edinburgh Sheriff Court during which Veolia Water Outsourcing Ltd was fined £13,500 for causing or permitting Scottish Water to discharge the sewage.

The FMA's application to the Commissioner was subsequently withdrawn, as the information had been provided and therefore no decision was required.

The FMA are continuing their efforts to seek compensation for those local fishermen who claim to have suffered losses as a result of the spill. The FMA believe that freedom of information has so far been an important tool in helping them to work towards this goal.

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