| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-2501Responded to: 03 October 2024 |
| --- | --- |

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

**Can you clarify the type of charge that someone has been charged with, i.e., carless or dangerous driving.**

**It is in relation to the incident and charge regards the crash, which involved a car and a HGV, happened on the A91 between the Bannockburn Interchange and the Greencornhills Roundabout on Sunday, 17 March, 2024.**

[Man charged following fatal crash, Stirling - Police Scotland](https://www.scotland.police.uk/what-s-happening/news/2024/october/man-charged-following-fatal-crash-stirling/)

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 exemptions detailed below apply.

The withheld information amounts to the personal data of the person involved and disclosure would therefore contravene the data protection principles as defined in the Act. The exemption outlined at section 38(1)(b) of the Act therefore applies.

The exemptions outlined at sections 34(1)(b) and 35(1)(a)&(b) of the Act also apply on the basis that any information held would be held for the purpose of an investigation, and disclosure would prejudice the law enforcement functions of the force.

The public interest overwhelmingly lies in protecting individuals’ right to privacy and honouring their expectation of confidentiality, as well as ensuring that investigations and any subsequent prosecutions are not prejudiced.

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.