| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-2407Responded to: xx October 2024 |
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Your recent request for information is replicated below, together with our response.

**Please provide me with the location where the ashes of serial killer Peter Tobin were scattered. It was previously only reported that they were scattered "at sea".**

**Please also provide any internal or external correspondence, including any attachments, WhatsApp messages, text messages, instant messaging, memos, OneNotes, minutes, agendas, appendixes or other correspondence, relating to the disposal of these ashes.**

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 exemption applies:

* Section 39(1) – Health, safety and the environment

Information is exempt information if its disclosure under this Act would, or would be likely to, endanger the physical or mental health or the safety of an individual.

Whilst I appreciate the reasons why you might be interested in the information I also have to consider the wider implications of releasing such sensitive information into the public domain.

This is a non-absolute exemption and requires the application of the public interest test.

I must also clarify that although discussions took place with the police service regarding the cremation and dispersal of the ashes, the disposal was undertaken by the City of Edinburgh Council on 13th October 2022, in accordance with the requirements of Section 87 of the Burials and Cremation (Scotland) Act 2016.

You may argue that disclosure of the requested information would provide accountability and satisfaction to the public in that the disposal of the remains was conducted properly.

I would however contend that public disclosure of such details would result in further distress and potential harm to the mental health and wellbeing of the families of the victims, in whatever capacity such details would become publicly known.

Any requested information that would have a detrimental effect on the well-being to any of the victim’s families or indeed the wider public is vigorously protected.

Whilst we accept that there may be a public interest in better informing the public that must be balanced with the need to support the families of the victims – and this continues in perpetuity.

Disclosure would not significantly add to public awareness of the subject matter, but it would undoubtedly lead to further distress for bereaved individuals who have already suffered enormously. On that basis, disclosure cannot be in the public interest.

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.