



Freedom of Information Response

Our reference: FOI 25-0098

Responded to: 22 January 2025

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

We are having difficulty finding proof that Shetland is part of Scotland.

According to The Laws of Scotland, Stair Memorial Encyclopaedia, Vol.18(42), "The Crown's sovereignty over Scotland and its dominium eminens, its ultimate tenurial superiority, are the same thing, are identical concepts".

At Volume 18(47) it states that "The dominium eminens or ultimate superiority of the Crown is allodial, because not held of a higher lord, except of God".

We want to know:

- 1) Do you accept The Laws of Scotland, Stair Memorial Encyclopaedia as a binding authority in Scotland? and**
- 2) Are we correct in thinking that the Crown's sovereignty in Scotland is the same as its allodial ownership?**
- 3) Are we correct in thinking that, for the Crown to have sovereignty in Shetland, it must have allodial ownership of Shetland?**
- 4) If we are correct at 2) and 3) above, do you have proof that the Crown holds the allodial title of Shetland?**

I am **refusing to respond** to your request on the basis that I consider it to be 'vexatious' in terms of section 14(1) of the Act.

'Vexatious' is not defined in the Act, but I would refer to the following factors as set out in the Commissioner's guidance:

- It would impose a significant burden on the public authority.
- It does not have a serious purpose or value.
- It is designed to cause disruption or annoyance to the public authority.
- It has the effect of harassing the public authority.

OFFICIAL

- It would otherwise, in the opinion of a reasonable person, be considered manifestly unreasonable or disproportionate.

Furthermore, an authority can reasonably conclude that a particular request represents the continuation of a pattern of behaviour. It might, in those circumstances, decide the request can be refused as the continuation of the pattern of behaviour makes the latest request vexatious.

This may arise, for example, where a requester has an on-going grievance against a public authority or could reasonably be described as conducting an extended campaign to the point that their behaviour can be described as obsessive.

The purpose of FOI is to provide a right of access to recorded information, and we respond to thousands of requests each year that seek to exercise that right.

We are committed to the principles of openness and accountability and that means focusing on those requests whereby individuals are genuinely motivated by accessing the information we hold.

It is my assessment overall that your request has no serious purpose or value, and it also has the effect of placing unnecessary burden on finite Police Scotland resources which might be better used elsewhere.

However to be of assistance you wish to visit [Shetland Island - Police Scotland](#)

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, Dalarnock, 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](#), 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](#) 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.

OFFICIAL

scotland.police.uk

 @PoliceScotland

 PoliceScotland

OFFICIAL