

The exemptions that apply in this instance are:

Section 38(1)(b) – Personal data

Some information has been withheld as an exemption under section 38(1)(b) (personal data) of FOISA applies to that information, this is because it is personal data of a third party and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in Section 34(1) of the Data Protection Act 2018. This exemption is not subject to the ‘public interest test’, so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

Section 39(1) – Health and Safety

Some information has been withheld as an exemption under section 39(1) (health and safety) of FOISA applies to that information, this is because disclosure would, or would be likely to, endanger the physical or mental health or safety of an individual.

This exemption is subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest test in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is some public interest in the events hosted by the First Minister at Bute House and in the documents associated with them. However, there is a greater public interest in ensuring the safety of the First Minister. Providing information that could reveal floor plans or other sensitive details of government buildings would compromise the security of the First Minister and the personnel associated with Bute House.

Information contained within documents held by the Scottish Government relating to retirement function events or otherwise for the retiring of Lord President Lord Carloway and Lord Justice Clerk Lady Dorrian:

Document 1

Event & location	Dinner with newly retired Lord President and Lord Justice Clerk Bute House		
Date & time	28.2.25 1800-2030hrs		
Format	First Minister hosting dinner for judiciary members.		
Key contacts	<Redacted – Section 38(1)(b)>. <Redacted – Section 38(1)(b)>. <Redacted – Section 38(1)(b)>.		
Dress code	Business attire		
Attendees	John Swinney	First Minister	N/A
	<Redacted – Section 38(1)(b)>	<Redacted – Section 38(1)(b)>	Redacted
	<Redacted – Section 38(1)(b)>	<Redacted – Section 38(1)(b)>	N/A
	Angela Constance	Cabinet Secretary for Justice	N/A
	Ruth Charteris	Solicitor General	N/A
	Colin Sutherland	Lord Carloway(Former Lord President)	N/A
	Leeona Dorrian	Lady Dorrian (Former Lord Justice Clerk)	N/A
	Paul Cullen	Lord President	N/A
	Joyce Cullen	Lady Pentland	N/A
	Lord Beckett	Lord Justice Clerk	Gluten Free
	Catherine Smith KC	Advocate General for Scotland	N/A
	<Redacted – Section 38(1)(b)>		N/A
Programme outline	<p><Redacted – Section 38(1)(b)> from catering will host. <Redacted – Section 38(1)(b)> to liaise with FM and make any timing adjustments known to <Redacted – Section 38(1)(b)>.</p> <p><Redacted – Section 39(1)(health and safety)</p> <p>18:00</p>		

	<p>Guests arrive and are escorted to the drawing room for refreshments.</p> <p>18:05 First Minister joins guests in the drawing room.</p> <p>18:25 First Minister and guests are invited to move to the dining room to take their seats for dinner.</p> <p>18:30 3 course dinner service commences – see menu below</p> <p>20:30 Event ends and guests depart.</p>
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DINING ROOM - SEATING PLAN

<Redacted – Section 39(1)(Health and Safety)>

SEAT 1 = LORD JUSTICE CLERK

SEAT 2 = JOYCE CULLEN

SEAT 3 = <Redacted – Section 38(1)(b)>

SEAT 4 = LORD PRESIDENT

SEAT 5 = SOLICITOR GENERAL

SEAT 6 = CANCELLED ROD M

SEAT 7 = <Redacted – Section 38(1)(b)>

SEAT 8 = <Redacted – Section 38(1)(b)>

SEAT 9 = LORD CARLOWAY

SEAT 10 = FIRST MINISTER

SEAT 11 = LADY DORRIAN

SEAT 12 = CABINET SECRETARY FOR JUSTICE

SEAT 13 = ADVOCATE GENERAL FOR SCOTLAND

NOW seating for 12 -Please adjust

<Redacted – Section 38(1)(b)> opposite FM

Main menu



To Start

Smoked chicken, Ayrshire ham and sultana terrine, Scottish Arran red onion jam, micro herb salad, tomato coulis.

Main

Oven roasted dill scented Scottish North Sea halibut, lemon Edinburgh butter Ayrshire Earlie potatoes, winter baby vegetables, Edinburgh gin cream sauce.

Dessert

Highland park Scotch whisky crème brulee, Scarlett's Scottish Perthshire rhubarb compote, Buttery shortbread, Scottish Mossgiel organic cream.

Tea & Coffee

Special Menus <Redacted – Section 38(1)(b)>, <Redacted – Section 38(1)(b)> and Lord Beckett



To Start

Beetroot, cod and crisp apple salad, Citrus gel, inhouse dried tomato, Micro herb salad.

Main

Vegan cheddar bound wild mushrooms, charred cauliflower, poached baby leeks, layer pastry, basil oil.

Dessert

Vegan meringue filled with seasonal fruits and Berry sorbet, lemon balm

Tea & Coffee

To Start

Smoked chicken, Ayrshire ham and sultana terrine, Scottish Arran red onion jam, micro herb salad, tomato coulis.

Main

Oven roasted dill scented Scottish North Sea halibut, lemon Edinburgh butter Ayrshire Earlie potatoes, winter baby vegetables, cream sauce.

Dessert

Crème brulee, Scarlett's Scottish Perthshire rhubarb compote, Buttery shortbread, Scottish Mossgiel organic cream.

Tea & Coffee

To Start

Smoked chicken, Ayrshire ham and sultana terrine, Scottish Arran red onion jam, micro herb salad, tomato coulis.

Main

Oven roasted dill scented Scottish North Sea halibut, lemon Edinburgh butter Ayrshire Earlie potatoes, winter baby vegetables, Edinburgh gin cream sauce.

Dessert

Highland park Scotch whisky crème brulee, Scarlett's Scottish Perthshire rhubarb compote, Buttery shortbread, Scottish Mossgiel organic cream.

Tea & Coffee

Document 2

Extract from Excel Spreadsheet:

<i>Bute House 28th February 2025</i>					
<i>Menu Item</i>	<i>Price</i>	<i>Person Count</i>	<i>Total Cost</i>		
<i>Dinner</i>	<i>£70.00</i>	<i>14</i>	<i>£980.00</i>		
<i>Red Wine **</i>	<i>£19.70</i>	<i>1</i>	<i>£19.70</i>		
<i>White Wine **</i>	<i>£19.70</i>	<i>5</i>	<i>£98.50</i>	<i>Team member</i>	<i>Hours charged</i>
<i>Spirits/Mixers</i>	<i>£149.97</i>	<i>1</i>	<i>£149.97</i>	<Redacted – Section 38(1)(b)>	<i>5.5</i>
<i>Non Alcohol Wine**</i>	<i>£16.70</i>		<i>£0.00</i>	<Redacted – Section 38(1)(b)>	<i>6</i>
<i>Soft Drinks **</i>	<i>£12.60</i>	<i>1</i>	<i>£12.60</i>	<Redacted – Section 38(1)(b)>	<i>5.5</i>

<i>Sparkling Water</i> <i>**</i>	<i>£3.40</i>	<i>4</i>	<i>£13.60</i>		<Redacted – Section 38(1)(b)>	<i>5.5</i>
<i>Fresh Orange/Apple Juice**</i>	<i>£4.40</i>		<i>£0.00</i>		<Redacted – Section 38(1)(b)>	<i>6</i>
<i>Tea/Coffee</i>	<i>£3.90</i>	<i>12</i>	<i>£46.80</i>			
<i>Transport & Equipment</i>	<i>£98.20</i>	<i>1</i>	<i>£98.20</i>			
<i>Standard Prep Cost</i>	<i>£96.40</i>	<i>1</i>	<i>£96.40</i>			
<i>Staffing Costs</i>	<i>£878.13</i>	<i>1</i>	<i>£878.13</i>			
<i>Total Cost</i>			<i>£2,393.90</i>			
<i>** charged as per consumption</i>						