



Crown Office and
Procurator Fiscal
Service

Information Governance and
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Our Ref: R-17626-26

24 March 2026

"I refer to your emails received 24 February 2026 in which you requested the following information.

Please provide the following information for the most recent five completed financial years:

1. The number of indictments in solemn proceedings where Moorov doctrine was explicitly relied upon as a basis for corroboration.
2. A breakdown of those indictments by broad offence category (e.g., sexual offences, domestic abuse, violent offences).
3. The number of appeals (High Court of Justiciary) in which Moorov reasoning was raised as a ground of appeal.
4. The number of those appeals which resulted in conviction being quashed or reduced on grounds materially relating to Moorov reasoning."

This request will be managed by The Crown Office and Procurator Fiscal Service under the Freedom of Information (Scotland) Act 2002 (FOISA).

We endeavour to provide information whenever possible. However, in this instance the costs of locating, retrieving, and providing the information requested would exceed the FOISA upper cost limit of £600. Under Section 12 of FOISA a public authority is not required to comply with a request where it estimates that the cost of doing so would exceed this limit, as set by the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004.

The Crown Office & Procurator Fiscal Service's case management database is a live, operating system designed to support the processing of criminal cases, and the information within it is structured accordingly. There is no overarching or searchable category for cases where *Moorov* doctrine was relied upon, nor is there a structured field in which this legal reasoning is routinely recorded. Any such references would typically appear only within case papers, minutes, or Crown Counsel instructions.

Identifying such information would therefore require manual examination of individual case files.

For context, there were approximately 700 subjects in sexual offence cases indicted to the High Court in 2024–25. To identify the information you are seeking, COPFS staff would be required to undertake detailed manual review of each subject's case materials to determine whether *Moorov* reasoning was relevant. With respect to appeals, each Note of Appeal, including those rejected, would also require review. We estimate that this would require around 20 minutes per case, meaning that the overall cost of locating and retrieving the information would significantly exceed the £600 limit.

We also considered whether the scope of your request could reasonably be reduced to bring it within the cost limit. However, even restricting the request to only one financial year would still exceed the upper limit, due to the volume of cases and the level of manual review required.

If you are dissatisfied with the COPFS response to your FOI request, you have the right to ask us to review it. Your review request should be made within 40 working days of receipt of this letter; please e-mail foi@copfs.gov.uk and we will reply within 20 working days of receipt.

The review will be undertaken by a member of the COPFS FOI unit who was not involved in the original consideration of your request.

Under section 47(1) of FOISA if you remain dissatisfied with the response following a review you have the right to appeal to the Scottish Information Commissioner within six months of receiving the review.

Under section 48(c) of FOISA that right of appeal might be limited as it can be subject to what information is requested. It is for the Scottish Information Commissioner to decide if he will accept your appeal on a case-by-case basis.

Yours sincerely

AS
Information Governance and Security Assurance Unit
Corporate Services Group
COPFS