

Crown Office and Procurator Fiscal Service

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA
Response and Information Unit



PRIVATE AND CONFIDENTIAL

Mr Peter Geoghegan

By email:



Tel: 0131 226 2626 or
01389 739 557
RNID Typetalk prefix: 18001

Our ref: R011985

19 January 2016

Dear Mr Geoghegan

Thank you for your e-mail of 16 December 2015 in which you requested the following information under the Freedom of Information (Scotland) Act 2002 (FOISA):

"how many prosecutions have there been for paying below the National Minimum Wage in Scotland in each of the last five years.

please give details of any prosecutions including the date, the location, the number of people involved, and the company.

Please can you provide this information in electronic form."

COPFS are only able to consider taking court proceedings in relation to reports we receive. I can advise that there have been no charges of this type reported to COPFS in the last five years.

I hope you find this information helpful.

If you are dissatisfied with the way in which your request has been handled, you do have the right to ask us to review it. Your request should be made within 40 working days of receipt of this letter and we will reply within 20 working days of receipt. If you require a review of our decision to be carried out, please e-mail foi@copfs.gsi.gov.uk.

The review will be undertaken by staff not involved in the original decision making process.

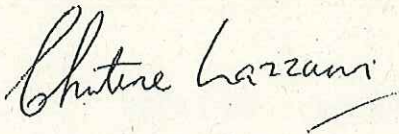
If our decision is unchanged following a review and you remain dissatisfied with this, please note that although generally under section 47(1) of FOISA there is a right of appeal to the Scottish Information Commissioner, where the information requested is held by the Lord Advocate as head of the systems of criminal prosecution and investigation of deaths in Scotland, under section 48(c) no application can be made as



respects a request for review made to the Lord Advocate. The information you have requested appears to fall into that category, although ultimately it would be for the Commissioner to decide whether that was the case should you refer the matter to her.

In circumstances where section 48(c) does not apply and the Commissioner accepts an appeal, should you subsequently wish to appeal against that decision, there is a right of appeal to the Court of Session on a point of law only.

Yours sincerely



Christine Lazzarin
Response and Information Unit

