



LETTER SENT BY EMAIL ONLY

13 January 2025

FOI Ref 2024/25-097

Request

Your request for information dated 9 January 2025 is copied below.

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?

Response

The Scottish Police Authority has considered your request under the Freedom of Information (Scotland) Act (FOISA).

The Authority does not hold the information requested.¹

However, as part of our duty to assist, the Authority can confirm that the Shetland Islands are considered a part of Scotland for the role and responsibilities discharged by the Scottish Police Authority, and by association Police Scotland who police the Island.

Right to Review

If you are dissatisfied with the outcome of your request you can ask for a review within 40 working days. You must specify the reason for your dissatisfaction and submit your request by email to foi@spa.police.uk or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied after review, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to enquiries@foi.scot or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

This response will be posted to our [Disclosure Log](#) after seven days.

Yours faithfully

Scottish Police Authority

¹ This represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 - Information not held.