

The Sovereign Nation of Shetland
request-1223301-64215e1b@whatdotheyknow.com

Our Reference: 202500449544

6 February 2025

Dear The Sovereign Nation of Shetland,

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 9 January 2025 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

'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? and
- 2) Are we correct in thinking that the Crown's sovereignty 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 to your request

FOISA gives you the right to request recorded information held by the Scottish Government at the time when you make your request. After conducting searches of our records, we have not identified any information involving Scottish Government Ministers or civil servants discussing or setting out opinions on the specific questions which you have raised. This is a formal notice under S.17(1) of FOISA that the Scottish Government **does not have the information** you have requested.

You may also find it helpful to note that the Scottish Information Commissioner's website advises against making requests under FOISA to ask for an opinion or view on an issue, as this is often unlikely to be recorded. Please see the link below for further details:

[How do I ask for information? | Scottish Information Commissioner](#)

In addition to this, Shetland being part of Scotland is recognised by the courts and shown by the ability of both the Scottish and UK parliaments to legislate for Shetland, see for example the [Local Government etc. \(Scotland\) Act 1994](#). 

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to:

Dominic Munro,
Director of Constitution,
Freedom of Information Unit,
St Andrew's House,
Regent Road,
Edinburgh,
EH1 3DG
or email: FOI@gov.scot

Your review request should explain why you are dissatisfied with this response and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Yours sincerely

Briefing Officer
Constitutional Briefing Unit

St Andrew's House, Regent Road, Edinburgh EH1
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