

Subject: Request for access to prison records (SC36/56/197), (HH21/70/83) and (HH21/26/5).

FOI reference: 202200284926

Date received: 02 March 2022

Date responded: 15 March 2022

Information requested:

Request for access to prison records.

NRS Response:

National Records of Scotland (NRS) holds several records which contain information relating to the interested case:

- NRS Reference: SC36/56/197 Glasgow Sheriff Court – Record of criminal trials, 3 Jul-28 Dec 1950
- NRS Reference: HH21/70/83 Barlinnie Prison, Glasgow – Register of Criminal Prisoners and their Religious Persuasions, 1950
- NRS Reference: HH21/26/5 Peterhead Prison – Admission Book, Nov 1945-Aug 1974

NRS does hold some images of prisoners, these mainly originate from the 19th century. We do not have this type of record for the individual requested.

Based on the information provided, we initially checked the Barlinnie Prison registers for December 1950 (HH21/70/83). We found a relevant entry, which gave the sentencing date. This meant that we could find an entry for his case in the Glasgow Sheriff Court records (SC36/56/197). However, the Barlinnie Prison entry also contained information suggesting that he had been transferred to Peterhead Prison at some point during his sentence. We checked the admission book for Peterhead Prison (HH21/26/5) and found another relevant entry.

These records were transferred to NRS by the Scottish Courts and Tribunals Service (SCTS) (court record) and the Scottish Prison Service (SPS) (prison records), who remain the data controllers and make all decisions on access. They have carried out a sensitivity review of the information contained in the entries and have decided that they can be released to you.

We have provided a transcription of the entries in the annexes to this letter.

Transcription from record of criminal trials

The following is an accurate transcription of an entry in the Glasgow Sheriff Court record of criminal trials, 3 Jul-28 Dec 1950 (NRS ref. SC36/56/197), as well as the associated indictment. Explanatory notes are included in square brackets.

Court of the Sheriffdom of Lanark held at Glasgow on the Eighteenth day of December, Nineteen Hundred and Fifty years by William Jardine Dobie, Esquire, Sheriff Substitute of Lanarkshire.

[...]

Intran. Richard Henry Smith, Prisoner in the Prison of Barlinnie, Glasgow, accused at the instance of His Majesty's Advocate of Theft, conform to Indictment, a copy of which is hereto appended and marked no.167, and who was cited in terms of Section 31 of the Criminal Procedure (Scotland) Act 1887.

For the Prosecution

Mr Robert MacDonald,
Assistant Procurator Fiscal
Glasgow.

For the Panel *[accused]*

Mr W.A. Brown,
Solicitor
Glasgow.

The Panel having been called on to plead to the Indictment pleaded guilty as libelled.

R.H.S. R.H. Smith *[signature]*

W Ardvue[?] Brown[?] *[signature]*

The following previous convictions were admitted in evidence against the Panel by the Court, viz.:

<u>Date</u>	<u>Place</u>	<u>Court</u>	<u>Offence</u>	<u>Sentence</u>
4th November 1914	Winchester, Hants.	Assizes	Burglary + Larceny	3 and 3 years Borstal detention, concurrently.
8th September 1915	London	Central Criminal	Burglary + Larceny	18 and 18 months Hard Labour, concurrently.
7th October 1915	Portsmouth	Sessions	Burglary + Larceny (3 cases)	3, 3 and 3 years Penal Servitude, concurrently with above.
9th April 1918	Bodmin	Sessions	Burglary + Larceny (3 cases)	3, 3 and 3 years Penal Servitude, concurrently and Licence forfeited.
26th November 1921	Leeds	Assizes	Burglary + Larceny	7 years Penal Servitude and Licence forfeited.
29th January 1929	London	Central Criminal	Housebreaking + Receiving	6 years Penal Servitude.
6th December 1942	Glasgow	High	Bigamy + Reset	3 years Penal Servitude.

The Sheriff sentenced the Panel to Two years' imprisonment and ordered that for a period of Twelve months next following his release from prison the Panel shall be subject to an Order under Section 22 of the Criminal Justice (Scotland) Act 1949.

J.M.Donochy *[signature]*
 Sheriff Clerk Depute

[...]

GLASGOW, 18th December, 1950.

INDICTMENT

against

RICHARD HENRY SMITH

Theft

167

RICHARD HENRY SMITH, Prisoner in the Prison of Barlinnie, Glasgow, you are indicted at the instance of The Right Honourable JOHN WHEATLEY, His Majesty's Advocate, and the charge against you is that you did, on 14th or 15th October, 1950, in the house occupied by Samuel Jay at 247 West Princes Street, Glasgow, steal a cigarette case and £450 of money.

By Authority of His Majesty's Advocate,

(Signed) JAMES ADAIR,

Procurator Fiscal.

Transcriptions from prison records

The following is an accurate transcription of two entries in prison records, namely the Barlinnie Prison Register of Criminal Prisoners and their Religious Persuasions, 1950 (NRS ref. HH21/70/83), and the Peterhead Prison Admission Book, Nov 1945-Aug 1974 (NRS ref. HH21/26/5). Explanatory notes are included in square brackets.

Barlinnie:

Reg. no. and sex – X 734/44 6320
Date of admission – Dec 7 1950
Committing magistrate or court – Glasgow Sh. *[sheriff]*
Previous imprisonments in any prison – // *[none – this is obviously incorrect]*
Name – Richard Henry Smith
Age – 52
Height – 5ft 8in
Education – RW
Where born – London
Nationality – E *[English]*
Prisoner's home – 11 Gray St., Glas. *[Glasgow]*
Occupation – B/smith *[blacksmith]*
Religion – C.E. *[Church of England]*
Health as reported by Medical Officer – H
Offence – Theft + pos.[?] *[possession?]*
Particulars of trial – Dec 18, sh. s31 *[sheriff, under section 31 of the Criminal Procedure (Scotland) Act 1887]*, Glasgow
Sentence if convicted – 2 yrs + ordered to be subject to sec. 22 of Crim. Just. (Scot) Act 1949 *[section 22 of the Criminal Justice (Scotland) Act 1949]*
Liberated or removed – April 2 FROM P'Head 18.452 SE *[sentence ended]*
Remarks – 5/44 1952 Jan 5. To Hpl *[perhaps went to hospital 5 Jan 1952?]* 4272

Peterhead:

R/No. *[registration number]* – 5/51
Date of admission – 8.1.51
Name – Richard H. Smith
Age – 52
P.Cs. *[previous convictions]* – 5
Rel. *[religion]* – CofE *[Church of England]*
Loc. *[perhaps location – where held within the prison?]* – A 1/
Pty. – 5
Home address – 11, Gray St. Glasgow

Offence – Theft

Date of sentence – 18.12.50

Sentence – 2 years

Date of liberation – 4.52 [*April 1952*]

Trade – Blacksmith

Where born – London