

Subject: Request for access to court and prison records (HH21/71/43) (SC39/68/45) (SC39/68/55) (SC39/68/57).

FOI reference: 202200285360

Date received: 04 March 2022

Date responded: 07 April 2022

Information requested:

Request for access to court and prison records.

NRS Response:

National Records of Scotland (NRS) holds a range of records from Edinburgh Sheriff Court. Records mentioning Elaine were searched from 1963-1968, and a total of five relevant entries spread across the following volumes were found. These are:

- NRS Reference: SC39/68/45 Edinburgh Sheriff Court – Criminal and quasi-criminal roll book, 26 Feb 1964-15 Jun 1964
- NRS Reference: SC39/68/55 Edinburgh Sheriff Court – Criminal and quasi-criminal roll book, 16 Mar 1967-26 Jun 1967
- NRS Reference: SC39/68/57 Edinburgh Sheriff Court – Criminal and quasi-criminal roll book, 13 Oct 1967-31 Jan 1968

Since these cases took place at Edinburgh Sheriff Court, it is possible she may have been held in a prison in Edinburgh before being transferred to Greenock. A search was conducted of the prison registers for females from Edinburgh (Saughton) Prison for this time period and a total of three relevant entries were found. They are contained in the following volume:

- NRS Reference: HH21/71/43 Edinburgh (Saughton) Prison – Register of Criminal Prisoners and their Religious Persuasions (Female), 1964-Nov 1976

These records were transferred to NRS by the Scottish Courts and Tribunals Service (SCTS) (court records) and the Scottish Prison Service (SPS) (prison record), 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..

NRS has provided a transcription of the prison register entries in the annex to this letter, along with a transcription of the sheriff court entries in the Excel document sent alongside this letter. The information has been provided in the form of transcriptions as other people's personal information appears on the same page as these entries. This other information is exempt from release under section 38(1)(b) of FOISA (personal information), because it is personal data of potentially

living third parties and disclosing it would contravene the General Data Protection Regulation and Data Protection Act 2018.

This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

Looking at these prison register entries, you will note that on each occasion, she was held in Edinburgh Prison prior to appearing in court, after which she was transferred to Greenock to serve her sentence. Greenock was the main women's prison at the time. The first sentence, when she was 18, is listed as borstal training – she would have been held in Greenock Borstal, for younger inmates, rather than the full adult section of the prison. More information about borstals can be found here: [Borstal Institutions \(childrenshomes.org.uk\)](http://childrenshomes.org.uk). You will also see that in this first prison register entry, it mentions that Elaine had previously been sent to an approved school. These were for under 18s who had either committed an offence or were considered to need to be sent somewhere for their own care or protection. More information about approved schools can be found here: [All About Approved Schools \(childrenshomes.org.uk\)](http://childrenshomes.org.uk).

While there are five sheriff court entries and only three prison register entries, you will note from the court entries that one of her appearances resulted in a fine rather than a custodial sentence, and two entries (3979 and 4230) relate to the same offence.

Transcriptions from prison records

The following is an accurate transcription of three entries in a prison record, namely the Edinburgh (Saughton) Prison Register of Criminal Prisoners and their Religious Persuasions (Female), 1964-Nov 1976 (NRS ref. HH21/71/43). Explanatory notes are included in square brackets and italics.

Reg. no. – 126
Date – 30.5.64
Court of committal – Sh. *[sheriff]*
Previous impts. *[imprisonments]* in any prison – 1 app. sch. *[approved school]*
Name – SIMPSON Elaine Margaret
Age – 18
Height – 5ft. 6in.
Education – 2
Where born – Edin. *[Edinburgh]*
Nationality – 1
Prisoner's home – 27, Broomhouse Loan, Edin. *[Edinburgh]*
Occupation – Factory worker
Rel. *[Religion]* – P *[Protestant]*
P.R.C. No. – 1086
Offence – Theft
Particulars of trial – 15.6.64, Sh. Sy. *[sheriff summary]*, Edin. *[Edinburgh]*
Sentence if convicted – BORSTAL TRAINING
Liberated or removed – 19.6.64 To Greenock

Reg. no. – 79
Date – 12 5/67 *[12 May 1967]*
Court of committal – Edinburgh Sh. *[sheriff]*
Previous impts. *[imprisonments]* in any prison – / / *[none – this is either incorrect, or they did not consider the borstal/approved school sentences to be relevant now she was an adult]*
Name – SIMPSON Elaine Margaret
Age – 21
Height – 5ft. 6½in.
Education – 2
Where born – Edinburgh
Nationality – 1
Prisoner's home – 71 St Stephens Street
Occupation – Waitress
Rel. *[Religion]* – P *[Protestant]*

P.R.C. No. – 937

Offence – Theft (12 chgs) *[charges]*

Particulars of trial – 2.6.67, Sh. Sy. *[sheriff summary]*, Edinburgh

Sentence if convicted – 4 months

Liberated or removed – 2.6.67, Greenock

Remarks – U R+

Reg. no. – 18

Date – 1 2/68 *[1 February 1968]*

Court of committal – Edinburgh Sh. *[sheriff]*

Previous impts. *[imprisonments]* in any prison – 1 – 79/67 *[her registration number last time she was in this prison]*

Name – SIMPSON Elaine Margaret

Age – 22

Height – 5ft. 6½in.

Education – 2

Where born – Edinburgh

Nationality – 1

Prisoner's home – A1 *[or 41?]* Glenalmond Court, Sighthill Edinburgh 11

Occupation – Domestic

Rel. *[Religion]* – P *[Protestant]*

P.R.C. No. – 174

Offence – Theft

Particulars of trial – 1.2.68, Sh. Sy. *[sheriff summary]*, Edinburgh

Sentence if convicted – 3 months

Liberated or removed – 6 2/68 *[6 February 1968]* to Greenock