

Subject: Request for access to prison records (HH21/71/47).

FOI reference: 202200293798

Date received: 08 April 2022

Date responded: 27 April 2022

Information requested:

-Request for access to prison records.

NRS Response:

National Records of Scotland (NRS) holds a range of prison records. A relevant entry has been found in the following volume:

- NRS Reference: **HH21/71/47** Edinburgh (Calton/Saughton) Prison – Register of Civil Prisoners, 1879-1990

As you will note, he was imprisoned in Edinburgh rather than Saughton (Glasgow).

This record was transferred to NRS by the Scottish Prison Service (SPS), who remain the data controllers and make all decisions on access. They have carried out a sensitivity review of the information contained in the entry and have decided that it can be released to you.

Regarding your specific question of incarceration dates, you will see that Cunningham was held from 28 June 1937 until 9 August 1937.

We have provided a transcription of the prison register entry in the annex to this letter. The information has been provided in the form of a transcription as other people's personal information appears on the same page. 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.

Transcription from prison record

The following is an accurate transcription of an entry in a prison record, namely the Edinburgh (Calton/Saughton) Prison Register of Civil Prisoners, 1879-1990 (NRS ref. HH21/71/47). Explanatory notes are included in square brackets and italics.

[blank] – Male

Current number – 8

Date of committal to prison – June 28 1937

Nature of diligence – Decrees of the Sheriff of Lothian + Peebles at Linlithgow

Name of debtor – James Potter Cunningham

Name of creditor – Norman Stewart Main, Collector of rates, Burgh of Linlithgow

Amount of debt - £69-14-3 of rates and [illegible]

Aliment – Consigned – On admission – 10/- [*ten shillings*]

Aliment – Cosigned – After award – 9¹- 10, 29¹- 10

Amount disbursed – 42 @ 9d [*42 days at nine pence*] = 31/6d

Date of liberation – Augt. 9 [*1937*]

How liberated – Time expired