

Subject: Request for access to closed court and prison records held under references SC37/51/4, HH21/70/77 and HH21/71/5.

FOI reference: FOI/20/00006

Date received: 3/01/2020

Date responded: 21/01/2020

Information requested:

Access to closed court and prison records held under references SC37/51/4, HH21/70/77 and HH21/71/5.

NRS Response:

National Records of Scotland (NRS) holds the following records:

SC37/51/4 – Hamilton Sheriff Court criminal and quasi-criminal roll book

HH21/70/77 – Barlinnie Prison register

HH21/71/5 – Edinburgh (Saughton) Prison register

We asked the Scottish Courts and Tribunals Service (STCS) to undertake a sensitivity review of the information relating to the trial recorded in the court record (SC37/51/4). As a result of this, they have decided to make available all of the information. This has been provided as an extract in Annex to this letter.

SCTS permitted this record to be released in full as the individual has been confirmed as deceased (the statutory death certificate was traced as a result of this request). However, the roll book contains on the same page the personal information of many other individuals who are presumed to be living and this information is exempt from release.

Personal data of third parties is exempt from release under section 38(1)(b) of FOISA because disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018.

Please note that the case was dealt with by Summary Proceeding (meaning that his case was heard in front of a sheriff only) and the only surviving record of the action is this court roll book entry.

A sensitivity review has been undertaken of the prison registers (HH21/70/77: Barlinnie Prison register; HH21/71/5 – Edinburgh (Saughton) Prison register) by the Scottish Prison Service (SPS). The information has been released in full, and extract transcriptions of the entries in both records are also provided in the Annex.

Again, extracts have been produced as the information requested is contained in registers which contain, on the same page, many other people's personal information which is exempt from release under section 38(1)(b) of FOISA.

It would appear that Mr. Goldie was moved to Edinburgh (Saughton) Prison in April the same year to continue his sentence.

Transcriptions from criminal roll book and prison registers

The following is an accurate transcription from the Criminal and Quasi Criminal Roll book for Hamilton Sheriff Court for the dates 24 Nov 1942-14 Feb 1947 (NRS ref. SC37/51/4):

No.: 405
Summary S. or Jury J.: S
Date of first warrant: March 20
To Apprehend or Cite: A
Prosecutor or Complainer: PF.
Name of Accused or Respondent: William Goldie
Crime, Contravention or Offence: National Service Act 1941
Previous Convictions: [left blank]
Date of Declaration or First Calling: Mch 22
Plea: G
Date assigned for further procedure: [left blank]
Date of Sentence: Mch 22
Sheriff: D
Sentence of Fine or Imprisonment - Fine: [left blank]
Expenses: [left blank]
Term of Imprisonment: 6 months
Sentence of Caution for good behaviour, admonition or otherwise: [left blank]
Time allowed for payment: [left blank]
Instalment [sic]: [left blank]
Date of Means Enquiry Court: [left blank]
Disposal at Means Enquiry Court: [left blank]
Remarks: [left blank]

The following is an accurate transcription from the Barlinnie Prison register (NRS ref. HH21/70/77):

Registration No. and Sex: 1233 M
Date of Admission: March 20 [1944]
Committing Magistrate or Court: Hamilton
Previous Imprisonments in any prison: [column struck through]
Name: William Goldie
Age: 18
Height: 5 foot, 6 ½ inches
Education: R.
Where Born: Cambuslang
Nationality: S

Prisoner's Home: 14 Welfare Avenue, Halfway, Cambuslang

Occupation: Nail Maker

Religion: RC

Health as reported by Medical Officer: Good ['T' written in this column in red crayon]

Offence: Natl. Serv (A.F) Act 1941 Sec 4(2) (failing to submit for med. Exam)

Particulars of Trial – Date: 22 March, Court: Sh. S., Where: Hamilton

Sentence if Convicted: 6 months

Liberated or Removed – Date: Apr 19, By whose authority: Edinburgh Pn, To what place: Yes

Remarks: [struck through]

The following is an accurate transcription from the Edinburgh (Saughton) Prison register (NRS ref. HH21/71/5):

Registration No. and Sex: 455 M Barlinnie

Date of Admission: April 19 [1944]

Committing Magistrate or Court: [left blank]

Previous Imprisonments in any prison: [left blank apart from a tick]

Name: William Goldie

Age: 25

Height: 5 foot, 6 ½ inches

Education: R.W.

Where Born: Cambuslang

Nationality: S

Prisoner's Home: 14 Welfare Avenue, Cambuslang

Occupation: Mill Worker

Religion: RC

Health as reported by Medical Officer: [left blank]

Offence: Con Nat Service Act 1941 (failing to submit for medical examination)

Particulars of Trial – Date: 22 March, Court: Sh. S., Where: Hamilton

Sentence if Convicted: 6 months

Liberated or Removed – Date: July 22, By whose authority: 8E, To what place: [left blank]

Remarks: [left blank]