

**Subject:** Access to Glasgow Sheriff Court records from 1928 (SC36/5/27) and Barlinnie Prison Registers from 1902 (HH21/70/29)

**FOI reference:** FOI/18/01729

**Date received:** 18 June 2018

**Date responded:** 19 July 2018

**Information requested:**

Access to Glasgow Sheriff Court records from 1928 (SC36/5/27) and Barlinnie Prison Registers from 1902 (HH21/70/29)

**NRS Response:**

A paternity case has been recorded in Glasgow Sheriff Court, Register of Ordinary Actions (NRS ref. SC36/5/27 page 18). The court process papers relating to this case were not preserved.

A sensitivity review has been undertaken on SC36/5/27 page 18 by the Scottish Courts and Tribunals Service. The information relevant to the request was released following this review and is made accessible by producing an extract of the entry (see Annex 1 below). The extract has been produced as the information requested is contained in a register which contains, on the same page, personal data relating to a third party and remain exempt under s.38(1)(b) of FOISA (personal data relating to a third party). Disclosing personal data relating to a third party 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.

The court process papers relating to a criminal case of child neglect in 1902 were not preserved. We did, however, find an entry in the Barlinnie Prison Registers (NRS ref. HH21/70/29, page 36).

A sensitivity review has been undertaken on HH21/70/29, page 36 by the Scottish Prison Service. The information relevant to the request was released following this review and is made accessible by producing an extract of the entry (see Annex 2 below). The extract has been produced as the information requested is contained in a register which contains, on the same page, personal data relating to a third party and remain exempt under s.38(1)(b) of FOISA (personal data relating to a third party). Disclosing personal data relating to a third party 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.

## Annex 1

Extract transcribed from Glasgow Sheriff Court, Register of Ordinary Actions. NRS ref. SC36/5/27 page 18:

No. :388

Date of First Deliverance: Fe[bruar]y 15

Pursuer: (Poor) Mrs Annie Leinster Campbell

Defender: James Gallen

Sheriff: Blair

Nature of Action: Filiation & Aliment

Sum Sued for, if pecuniary conclusion: 11 pounds [written underneath '11' the number '2'], 14 shillings [written underneath '2'] Pence [left blank] (the amount probably awarded by the court was 2 pounds, 2 shillings)

Borrowing Receipt for Petition, by Petitioner or Agent, on Date or First Deliverance:

For Peter C Stephen, E Forrester

Agents Act.: Stephen. Alt.: Smith

Date of Diet in Summary Cause: [left blank]

Date of Lodging Notice of Appearance, Reporting Note, or First Paper for Defender of Compearer; or of Attendance to State Defence.: Feb. 20 [struck through in blue crayon]

Date of Closing Record: Mar 23 [struck through in blue crayon]

Date when Proof held: May 30 [struck through in blue crayon and number 5/fd written above date]

Decree - Date: [left blank], Name and Extent: [left blank]

Date of Appeal – To Sheriff [left blank], To Court of Session: [left blank]

Date of Extracting Decree: July 24 1928

## Annex 2

Extract taken from: Barlinnie Prison, Glasgow. NRS ref. HH21/70/29, page 36  
Admission number: 3625  
Admission: March 10, 1902  
Committing Magistrate or Court: Glasgow  
Previous Imprisonments in any prison: [column left blank]  
Name: Joseph Leinster  
Age: 25  
Height: 5'7 and a half  
Where born: Ireland  
Prisoner's Home: 15 Ja[me]s Terrace  
Occupation: Carter  
Religion: CS [Church of Scotland]  
Health as reported by Med[ical] Off[icer]: Says Fits  
Offence: Cruelty to children  
Particulars of Trial - Date: 10/03/1902, Court: Sh [Sheriff Court], Where: Glasgow  
Sentence of convicted: 3 months  
Liberated – Date: June 10  
By whose authority: S G  
To what place: [left blank]  
Remarks: [a tick has been written in this column]