

Subject: Request for access to closed court and prison records (SC45/38/10 and HH21/33/25)

FOI reference: FOI/19/02393

Date received: 18/10/2019

Date responded: 22/11/2019

Information requested:

Access to closed court and prison records (SC45/38/10 and HH21/33/25)

NRS Response:

These records are held by National Records of Scotland under reference numbers SC45/38/10 (Dundee Sheriff Court criminal roll book entry for 13 June 1941) and HH21/33/25 (Greenock Prison & Borstal admission register).

A sensitivity review has been undertaken on the Dundee Sheriff Court criminal roll book entry by the Scottish Courts and Tribunals Service. As a result of this, the requested information has been released in full as a transcription. This transcription can be found in the Annex to this response.

A sensitivity review has been undertaken on the Greenock Prison & Borstal Admission Register entry by the Scottish Prisons Service. As a result of this, the requested information has been released in full also as a transcription, which can be found in the Annex to this letter.

An extract has been produced from both the court roll book and the Borstal Admission Register as the information requested is contained in a volume which contains, on the same page, many other people's sensitive data and therefore an extract is more appropriate than a heavily redacted copy.

Personal data of third parties is exempt from release under section 38(1)(b) of FOISA as 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.

Under section 25(1) of FOISA, we do not have to provide information if it is already reasonably accessible by inspection or copying, even if a payment has to be made for it.

Information requested released as transcriptions

The following is an accurate transcription from the Criminal and Quasi Criminal Roll book for Dundee Sheriff Court (NRS ref. SC45/38/10):

No.: 2452
Summary S. or Jury J.: S
Date of first warrant: June 13 1941
To Apprehend or Cite: Apprehend
Prosecutor or Complainer: Procurator Fiscal
Name of Accused or Respondent: Irene Millar
Crime, Contravention or Offence: (1) National Registration Act 1939 Sec. 6 (2) Theft
Previous Convictions: none
Date of Declaration or First Calling: June 12
Plea: Guilty
Date assigned for further procedure: June 13, June 20, June 27
Date of Sentence: June 27
Sheriff: R.C.M
Sentence of Fine or Imprisonment - Fine: [struck through]
Expenses: [left blank]
Term of Imprisonment: [left blank]
Sentence of Caution for good behaviour, admonition or otherwise: [left blank]
Time allowed for payment: [left blank]
Date of Payment: [left blank]
Non-Exchequer Fine Recovered: [left blank]
Date of Extract: [left blank]
Remarks: Sent to Borstal, Greenock for 3 years from 27/6/41

The following is an accurate transcription from the Greenock Prison & Borstal register (NRS ref. HH21/33/25 page 144):

Registration No. and Sex: 179 F
Date of Admission: July 3 1941
Committing Magistrate or Court: Duke St. Prison
Previous Imprisonments in any prison: 1 Prob. 1
Name: Irene Millar
Age: 19 4/ [19 years and 4 months?]
Height: 5 foot -
Education: R.
Where Born: Montreal, Canada
Nationality: S
Prisoner's Home: 11 Springhill, Dundee
Occupation: None
Religion: C.S.
Health as reported by Medical Officer: [left blank]
Offence: (1) Theft by HB (2) Theft by

Particulars of Trial – Date: c. 7-5-41, cs 13-5-41 Court: ShSy [Sheriff Summary]
Where: Dundee
Sentence if Convicted: 3 years Borstal
Liberated or Removed – Date: 28 May 1943, By whose authority: Licence, To what
place: Humber
Remarks: [a tick]