

Criminal courts in England and Wales from 1972

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1. Introduction

This research guide covers records of the Crown and Magistrates' courts that replaced the assizes and quarter sessions following their abolition in 1971. It does not cover civil records such as the tribunals service (for example, child support, social security), county courts (civil litigation) or the civil division of the High Court and the Court of Appeal.

2. Abolition of the assize and quarter sessions

The 'Report of the Royal Commission on Assizes and Quarter Sessions' (Sessional Papers, House of Commons, Cmnd 4153, 1966-69, XXVIII, 433) was published in 1969. Chaired by Lord Beeching, the three year investigation identified many problems with the existing criminal justice system. To improve efficiency the report recommended its replacement with a nationally administered court and the Courts Act 1971 incorporated most of the recommendations. As a result, a higher criminal court known as the Crown Court of the Supreme Court of Judicature replaced the assizes and quarter sessions in 1972.

3. Records not yet transferred to The National Archives

All indictments (with the exception of the Central Criminal Court) and some case files have not yet been transferred to The National Archives (see table below). They remain in the custody of the Court Service. For information about these records contact: Departmental Record Officer, HM Court Service, 1st Floor, 1.37, 102 Petty France, London SW1H 9AJ.

4. Crown court records held by The National Archives

Crown courts hear serious indictable offences such as robbery, rape and murder. A judge has overall responsibility for the court with a jury of twelve people providing the verdict. They also hear

referrals for sentencing and appeals from lower courts.

For most of the Crown courts, The National Archives mainly holds case files. The majority of case files are closed for 30 years although under the Freedom of Information Act 2001, a request can be made via email, or in writing, for a review of closed files. More information about **Freedom of Information** can be found on our website.

Liverpool and Manchester Crown courts are anomalies. They were established in 1956 following recommendations that they would combat a rise in crime in these areas. These new courts took responsibility for the quarter sessions work as well as criminal assize work for south Lancashire. The assizes work for the west Derby area was assigned to Liverpool and the assizes work of Salford was assigned to Manchester. Liverpool and Manchester Crown Courts also have stopping up orders in **J 108** and **J 109**. To find criminal court records prior to 1956 for Liverpool and Manchester, see the research guide **Assizes: key to series for English criminal trials, 1559-1971**.

Not all of the documents in the record series below have been transferred to The National Archives because each Crown court transfers documents at a different rate. Researchers are strongly advised to check whether the Crown court records you are seeking are held by The National Archives, or are still retained by the court service. You can check if the records you are seeking are held by The National Archives by consulting the **Catalogue**.

Crown Court	Case Files	Indictments	Other
England			
Acton	J 238	J 239	
Aylesbury	J 240	J 241	
Beverley	J 224	J 225	
Birmingham	J 190	J 191	
Bodmin	J 305	J 306	
Bolton	J 208	J 209	
Bournemouth	J 307	J 308	
Bradford	J 226	J 227	
Bristol	J 309	J 310	
Burnley	J 236	J 237	
Cambridge	J 242	J 243	
Canterbury	J 244	J 245	
Carlisle	J 289	J 290	
Central Criminal Court	J 267	J 268, J 336 index	J 164
Chelmsford	J 265	J 266	
Chester	J 301	J 302	
Chichester	J 246	J 247	
Coventry	J 192	J 193	
Croydon	J 248	J 249	
Derby	J 194	J 195	
Doncaster	J 228	J 229	
Dudley	J 254	J 174	
Durham	J 230	J 231	
Exeter	J 311	J 312	
Gloucester	J 313	J 314	
Grimsby	J 259	J 260	
Guildford	J 250	J 251	
Harrow	J 263	J 264	
Inner London Crown Court	J 269	J 270	
Ipswich	J 261	J 262	
Isleworth	J 252	J 253	
Kingston-upon-Hull	J 220	J 221	
Kingston-upon-Thames	J 279	J 280	
Knightsbridge	J 216	J 217	
Leeds	J 291	J 292	

Leicester	J 196	J 197	
Lewes	J 277	J 278	
Lincoln	J 234	J 235	
Liverpool	J 222	J 223	J 108
Luton	J 218	J 219	
Maidstone	J 206	J 207	
Manchester	J 287	J 288	J 109
Merthyr Tydfil	J 303	J 304	
Middlesex Guildhall	J 275	J 276	
Newcastle upon Tyne	J 212	J 213	
Newport (Isle of Wight)	J 315	J 316	
Northampton	J 257	J 258	
Norwich	J 273	J 274	
Nottingham	J 188	J 189	
Oxford	J 186	J 187	
Peterborough	J 184	J 185	
Plymouth	J 319	J 320	
Portsmouth	J 317	J 318	
Preston	J 285	J 286	
Reading	J 202	J 203	
Salisbury	J 329	J 330	
Sheffield	J 214	J 215	
Shrewsbury	J 182	J 183	
Snaresbrook	J 200	J 201	
Southampton	J 327	J 328	
Southwark	J 204	J 205	
St Albans	J 271	J 272	
Stafford	J 180	J 181	
Stoke-on-Trent	J 178	J 179	
Swindon	J 325	J 326	
Taunton	J 323	J 324	
Teesside	J 283	J 284	
Truro	J 321	J 322	
Wakefield	J 281	J 282	
Warrington	J 333	J 334	
Warwick	J 176	J 177	
Weymouth	J 295	J 296	
Winchester	J 297	J 298	
Wolverhampton	J 173	J 175	
Wood Green	J 198	J 199	
Woolwich	J 210	J 211	
Worcester	J 255	J 256	
York	J 232	J 233	
Wales			
Cardiff	J 299	J 300	
Newport (Gwent)	J 293	J 294	
Swansea	J 331	J 332	

Contact details for the Crown Courts can be found from the **Courts Service website**.

5. Types of records

5.1 Indictments

The indictment is an important document and contains key information about the progress of the trial, outcome and appeal (if relevant). The indictment was formally annotated during the trial thereby providing a concise account of the events and decisions that occurred. If the case went to appeal, the indictment will record the outcome.

Information contained on the indictment includes:

- defendant's name, sex and date of birth
- whether bail or custody was granted
- date committed for trial, conviction and sentence date
- trial dates (from/to) added upon completion of the trial
- the identity of the firm of shorthand writers
- name of the Crown court who will hear the case
- judge's name
- defence counsel names of barristers and solicitors
- prosecution counsel names of barristers and solicitors
- offences charged to the defendant listed as separate 'counts'
- defendant's plea to the charges
- jury's verdict
- sentence or order
- appeal details - date of appeal and whether grounds for appeal granted or refused

A copy indictment, the larger of the two documents, is usually attached to the indictment and includes a list of witnesses called to trial, along with repeating much of the information contained within the initial indictment.

The case number is recorded on each indictment and will look similar to '721717'. The '72' denotes the year, in this case 1972, and the 1717 denotes the 1717th case heard by the Crown court that year. Some indictments are closed for longer periods, for example, indictments that identify minors.

5.2 Case files

Not all individual case files are kept permanently. Selection is based on files that record more serious crimes, cases that attracted public interest, or were of significance (either legally or historically), or where the accused was eminent or infamous or if the case generated widespread public concern. Files have also been selected to represent the wide variety of cases heard by the Crown courts.

Information contained within a case file varies from one file to another but can include: committal proceedings, court logs, police statements, copy indictment, evidence for the prosecution, list of witnesses with their statements and depositions, list of exhibits produced in court, photographs of the crime scene, sentence, and detail of appeal.

To find a case file go to the **catalogue search screen**. In the 'word or phrase' box, type in the name (surname followed by a comma and then first name), for example 'Smith, John'. To narrow your search, in the 'department or series code' box type in the record series, if the name of the Crown court is known (e.g. Isleworth is **J 252**). The naming of a defendant within the catalogue does not imply guilt.

6. Transcripts

Court stenographers recorded the proceedings in short hand known as computer aided transcription notes. These were filed separately from the case file and not kept permanently. However, if the defendant lodged an appeal within five years of the conviction then long hand notes were recreated from the original computer aided transcription notes for the appeal and may be found on the criminal appeal case file (see Appeals below).

7. Appeals

The Court of Appeal (criminal division) was established in 1966 and replaced the system of

petitioning the Secretary of State for Home Affairs. The records of the Court of Appeal (criminal division) and its predecessors are in **J 81**: Registers (1908-1990) and **J 82**: Case Papers (1945-1993). For further information see the research guide **Supreme Court: Appeal cases after 1875**. Appeals from the Crown courts can be made to the House of Lords, but as they are not public records they are not held by The National Archives. Further advice can be found from **Parliamentary Archives**, Houses of Parliament, London SW1A 0PW.

8. Magistrates' courts

Magistrates' courts deal with the majority of all civil and criminal cases, estimated at 95%, which are the less serious, or 'summary' offences, some of which can carry a six month prison sentence (12 months for consecutive sentences). Defendants are tried by a single magistrate or a panel of magistrates rather than a jury.

Examples of the types of cases heard are drunk and disorderly, criminal damage, and common assault. Contact details for Magistrates' courts can be found from the **Courts Service website**.

9. Records of Magistrates' courts

Records of Magistrates' courts are not held by The National Archives. Preserved records of Magistrates courts are held locally. The types of records that may be found include:

- court registers (including juvenile and youth courts)
- pardons
- bail registers

You can search the whereabouts of Magistrates' court records on the **National Register of Archives**. In the 'corporate name' box, type in either the name of the Magistrate's court or just the search term 'Magistrates'.

Further details of what is available locally can be found searching **Access to Archives** which aims to bring records held at record offices, libraries and universities together in a single database. Contact details of local county record offices can be found using **ARCHON**, an online list of archives and repositories in the United Kingdom.

10. Further reading

The following recommended publications are available in the **The National Archives' Library**.

Richard Beeching, *Royal Commission on Assizes and Quarter Sessions 1966-69: Report* (London, 1969)

Patrick Polden, *A History of the County Court 1846-1971* (Cambridge, 1999)

Michael Zander, *Cases and Materials on the English Legal System* (London, 1996)

Guide reference: *Legal Records Information 35*

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<http://www.national-archives.gov.uk/records/research-guides/criminal-courts-from-1972.htm>