

Library of Birmingham Archives & Collections

Court and Criminal Records

This guide is intended as an introduction to some of the main archive sources for research in court and criminal records. It is a starting point rather than an exhaustive list of collections and further sources will be found by checking the online catalogues, the Wolfson Centre paper catalogues and card indexes. Printed sources (e.g. annual reports of institutions and charities) will also be found in the local studies catalogue.

Before the nineteenth century criminal and civil cases were dealt with by either the church or central and county courts. Records of the judicial process for the medieval and early modern periods through to the 1800's are generally to be found at the National Archives (where government and state papers are held) or at county record offices (for Birmingham this is usually Warwickshire, Worcestershire or Staffordshire). There are some records included at parish level, for example constables accounts, which deal with civil and criminal matters.

From the nineteenth century onwards a series of institutions developed in Birmingham to manage and dispense justice.

Points to remember – most records relating to the judicial system have closure periods of between 75 and 100 years.

To access the Archives & Heritage online catalogue and information about our services go to <http://www.libraryofbirmingham.com> or access the printed paper catalogues in the Wolfson Research Centre. The printed catalogues are easier to use as you can see the overview and structure of the whole collection.

Police records

The police force in its modern sense emerged in Birmingham the early nineteenth century. The City authorities established a Watch Committee in 1842 to administer the police force. Birmingham City police was incorporated into the West Midlands Police in 1974.

- Watch Committee, 1842-1974 BCC
Incomplete series of minute books dealing with police matters. Function changed over time and different matters are discussed in them.

Records held here are largely administrative in character so do not include detailed lists of serving officers or of offences and offenders. However because they contain details of offenders, including juveniles, they are closed for 100 years

- West Midlands Police Authority, 1974-2005
Administrative records relating to the

Records relating to police officers and the administration of justice are still held by the police at the West Midlands Police Museum.

Court Records

Different courts developed at different times to administer different kinds of legal issues.

- ▶ **Closure periods:** records relating to courts **100 years**.
- ▶ To enquire about access to closed records – consult Duty Archivist.

This is a list for those courts for which we have records:

Magistrate's Court

PB and PS

Also known as the Petty Sessions or the Police Court

- Birmingham magistrates court was established in 1839 although the court registers only survive from 1899-1983 PB
- Sutton Coldfield magistrate's court 1866-1966 PS

The Magistrates court deals with all offences and either refers the case or issues a fine or sentence. They also dealt with a variety of other issues including:

- Alcohol and music licences (these records are open)
- Marital breakdown and affiliation orders, bastardy claims (child maintenance)
- Sectioning under the Mental Health Act (and other legislation relating to mental health).
- Adoption

Points to note – magistrate's courts heard hundreds of cases a year sitting in several courts at the same time. Finding entries is very difficult as records are not indexed and entries are usually very brief. Using newspaper sources is often a better way of finding information.

Quarter Sessions Court

QS

Established in Birmingham in 1839 and abolished in 1972

More serious cases would be referred here by magistrate but not the most serious offences (usually those which were capital offences) which were tried at the Assizes.

Assize Courts

Established in 1859 and abolished in 1972

They tried the most serious cases which carried a capital or life sentence.

We do not hold any registers from this court – any surviving are held at the National Archives.

We also hold a set of Calendars of Prisoners which is the daily list of prisoners awaiting trial at the Quarter and Assize sessions. These are useful as they are easy to search and give instances of previous convictions etc.

Prisons

There are very few no surviving records of Winson Green prison which was established in Birmingham in 1848

- HMP Birmingham (Winson Green) MS 1815
Records cover 1894-1983 but include no registers. Some further records are to be found at the National Archives.
- Gaol Sessions Minutes, 1859-1964 QS/B/23
- Gaol General Orders, 1859-1853 QS/B/24HMP
- Birmingham Visiting Committee, 1878-1963 PS/B 4/5/
- Birmingham City Council Gaol Committee, 1856-1857 BCC

Coroner's Courts

Birmingham has had a Coroner from 1839 – prior to this date there was a Coroner for each county. Coroner's duties revolve largely round the investigation of sudden death and other duties relating to treasure troves. The coroner investigates sudden deaths and where necessary conducts an inquest to determine the cause of death.

Coroner inquests file vary enormously in size and content. They may include witness statements, post mortem reports, drawings, photographs and objects presented as evidence. When viewing a coroner inquest file, be prepared for distressing and graphic material which was not intended for public viewing at the time.

Inquest files are arranged chronologically so you will need to know the date of the inquest. This is given on the death certificate or in a newspaper report.

- Pre-1875 – no surviving inquest reports. Before 1875 inquests are reported in local newspapers found in the Heritage Research area.
- Coroners Court Roll – records brief details of inquests from 1839 onwards. A microfilm of this roll is available in the Heritage Research Area. We do not have the original.
- For inquest reports before 1839 you should contact the relevant County Record Office.

- ▶ **Closure periods:** records relating to courts **75 years**.
 - ▶ To view records less than 75 years old contact the Birmingham Coroner – see below.

The Coroners Court
50 Newton Street
BIRMINGHAM
B4 6NE
0121 303 3920
coroner_cotter@birmingham.gov.uk

Other sources

Newscuttings

There are a number of newscutting volumes relating to inquests and some trials.

The newscutting volumes are indexed by name making it possible to search for inquests or murder trials. These volumes are available on request.

Newspapers

Newspapers are the most useful sources for information about trials and court proceedings. From 1741 reports from the Assizes can be found reported in Aris's Birmingham Gazette (available online via the British Library for a fee or on microfilm in the Heritage Research area).

Newspapers reports on most court cases including magistrate, quarter sessions, assizes, county and crown court cases as well as coroner's inquests. They are the best source of information about a trial as records of the court proceedings themselves usually only include a one line entry relating to a case recording the defendant, charge, outcome and sometimes details of the plaintiff or victim. Magistrate's court records are particularly lacking in detail.

Coroner's inquests on the other hand include lots of detail about the circumstances of the death and details about the deceased – these can include surprisingly detailed descriptions relating to the deceased's day-to-day life and situation. The newspaper reports can add background which may not be available in the report.

There are no access restrictions on the newspapers.

Details of the newspapers held by Archives, Heritage and Photography as well as newspapers available digitally are on the library's website.