

Court Records

Background

In England, until 1971, there were 3 levels of courts: the Assize Court, the Quarter Sessions and the Magistrate's court. Minor or "petty" crimes were usually dealt with by the Magistrate (or Petty Sessions), capital offences, such as murder, were dealt with by the Assizes and everything in between was dealt with by the Quarter Sessions. In 1971 the Courts were revised to 2 levels: Magistrates Courts (formerly known as Petty Sessions) and Crown Courts (which replaced the Assize and Quarter Sessions Courts).

Another type of court is the County Court, which began in 1846. These courts deal with small civil claims, such as defamation, debt, bankruptcy or personal injury cases. County Courts have a judge but no jury.

What records are there and what information will they contain?

Key Types of Records

Indictments – formal, written accusations that a crime has been committed

Depositions - statements from witnesses and/or defendants sworn to one or more justices out of court to be used in hearings.

Order Books – record the decisions and orders of the court for reference.

Minute Books - clerk or deputy's rough notes made during the court sitting.

Assize Court

Assize courts were held twice a year in the county. The Gloucestershire Court was part of the Oxford Circuit. **Records of the Gloucestershire Assize Court are held at the National Archives at Kew.** They are held under the following references:

<u>Crown & Gaol Books</u>		<u>Indictments</u>		<u>Depositions</u>		<u>Other</u>
1657-1971 1847-1951	ASSI 2 ASSI 3	1662-1971	ASSI 5	1719-1971	ASSI 6	ASSI 4, ASSI 9, ASSI 10, ASSI 93

Quarter Sessions (Ref: Q)

As the name suggests, the Quarter Sessions met four times a year (at Epiphany, Easter, Trinity and Michaelmas). They dealt with criminal and civil cases, such as highway repair. The following records contain information about criminal trials:

- Indictments 1728-1836, 1931-1971, (Ref: **Q/Sia**)
- Indictment Books 1660-1910 (Ref: **Q/Sib**)
- Depositions 1728-1971, (Ref: **Q/SD**)
- Order books 1681-1868, (Ref: **Q/SO**)
- Minute books 1781-1977, (Ref: **Q/SM**)

For more information about the Quarter Sessions and their responsibilities, please see the '*Quarter Sessions' Research Guide*.

Gloucester City Quarter Sessions (Ref: GBR/G3)

As Gloucester was a 'County Borough' it had its own Quarter Sessions, including a criminal court and a separate gaol (see the *Gaol Records Research Guide*):

- Indictment books 1638-1685, (Ref: **GBR/G3/Sib**)
- Sessions minutes 1773-1952, (Ref: **GBR/G3/SM**)
- Order Books 1608-1812, (Ref: **GBR/G3/SO**)

Magistrates Court (Petty Sessions)

Petty Sessions Courts, now known as Magistrates Courts, dealt with minor criminal cases. Although they existed in the 1600s, no records before the 1800s have survived. The main criminal court records which have survived are:

- Minute Books, (Ref: **PS/**/M**)
- Court registers before 1879, (Ref: **PS/**/RA**)
- Registers of Court Summary Jurisdiction after 1879, (Ref: **PS/**/RM1**)
- Court Registers, (Ref: **PS/**/RM2**) and Registers of the Juvenile Court, (Ref: **PS/**/RM7**)

The ** should be replaced by the district code. For a full list of districts and their codes, and more information about Petty Sessions, please see the '*Petty Sessions' Research Guide*.

Crown Court Records (after 1971)

Most of the post 1971 records are still held by the Court Service. For more information, please contact Gloucester Crown Court (Email: enquiries@gloucester.crowncourt.gsi.gov.uk).

Some records are held at the National Archives, including some case papers 1970-1980 (**TNA Ref: J 313** – indexed by name) and some indictments 1972-1974 (**TNA Ref: J 314**)

County Courts

Gloucestershire Archives holds the records of the following County Courts:

- Cheltenham (**D5781/CH**)
- Gloucester (**D7867 & GBR/G7**)
- Northleach (**D5781/NO & D4084**)
- Cirencester (**D5781/CI**)
- Tewkesbury (**D5781/TW**)
- Winchcombe (**D5781/WI**)
- Stow (**D5781/ST & D4084**)
- Dursley & Stroud (**D5742**)
- Newent (**D7867**)
- Newnham (**D7867**)

These collections include minute books, registers and case files. Some other related material might be held in solicitors' and personal collections.

Newspapers

Local newspapers are often the **best and easiest source** to use when looking for information about a crime or trial. They may also give local opinion about the crime as well as more detail than the actual trial records. To find out more please see our *Research Guide on 'Newspapers'*.

How to Find the Records

To view a list of records in these collections please use our online catalogue, which can be found on our website at: www.gloucestershire.gov.uk/archives. Enter the references given above in the Quick Search as your search term. You can refine or sort your search, for example by date. To view the records themselves, you will need to visit us in person. Details of how to do this can be found on the visit us page of the website <https://www.gloucestershire.gov.uk/archives/plan-your-visit/about-us/>.

Please note that most of these records are not indexed by name.

For further guidance on using our online catalogue please see the Help page and FAQs. You can also watch our YouTube tutorial.

Further Reading

Related Gloucestershire Archives *Research Guides*:

- ***Quarter Sessions***
- ***Petty Sessions***
- ***Gaol Records***
- ***Newspapers***
- ***Bankruptcy and Debtors***
- ***Transportation of Criminals***

The National Archives Online Research Guides on:

- **Assize Records** - [Civil court cases: assize courts 1656-1971 - The National Archives](#) & [Criminal court cases: assize courts 1559-1971 - The National Archives](#)
- **Crown Court since 1972** - [Criminal court cases: Crown courts since 1972 - The National Archives](#)