



HISTORIC SCOTLAND  
ALBA AOSMHOR

# Scottish Courts

Preliminary Report



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Front cover: Court of Session, Edinburgh, 1807-1810. © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)

# SCOPING OVERVIEW

## Project Summary

Following the listing of Glasgow Sheriff Court in 2013, Historic Scotland and the Scottish Court Service (SCS) wanted to explore ways of working together more effectively. This also coincided with the Scottish Court Service's own estate review which identified a number of courts for closure. It was agreed that a review of the SCS estate, both listed and unlisted buildings, would be beneficial and provide SCS with up to date information about the relative interest of their buildings at this time of change. A number of former courts which are no longer in SCS ownership and are already listed will also be reviewed as part of the project. This preliminary report summarises the data on listed and unlisted court buildings in Scotland and also provides a narrative summary of the building type to inform the listing review which will take place during 2014–15. An updated report will be published online at the end of the project in 2015.

## Methodology

Scoping work began with a search of our listed building record database using keywords such as 'law courts, court houses' etc.<sup>1</sup> This was cross-referenced with a list of estate holdings supplied by SCS. Site visits are planned for all court buildings where possible and assessments against the criteria for listing will inform decisions about any changes to existing listings or any proposed new listings. We will consult with SCS and local authorities about these proposals.

## Data

This project report summarises the information and data on listing and unlisted court buildings in Scotland as currently known at October 2014. Listing statistics will be updated at the end of the review period in 2015.

Scottish Court Service Estate	Listed and unlisted buildings	Number	% Total
	Buildings Listed	43	76.8
	Not Listed	13	23.2
<b>Total</b>		<b>56</b>	

Scottish Court Service Estate	Statistic	Number	% Total
	Category A Listed	12	27.9
	Category B Listed	30	69.8

<sup>1</sup> See <http://data.historic-scotland.gov.uk/> to search all listed buildings in Scotland.

Category C Listed	1	2.3
<b>Total Listed</b>	<b>43</b>	

## Scottish Court Closures

Reforms announced in April 2013 proposed the closure of 10 of the existing 49 sheriff courts in Scotland, including nine co-located justice of the peace courts. The court service also proposed to close seven stand-alone justice of the peace courts.<sup>2</sup> The following is the list of court closures published by the Scottish Court Service in April 2014.

### *Sheriff Courts*

Court	Closure Date
Arbroath	May 2014
Cupar	May 2014
Dingwall	Jan 2015
Dornoch	Nov 2013
Duns	Jan 2015
Haddington	Jan 2015
Kirkcudbright	Nov 2015
Peebles	Jan 2015
Rothesay	Nov 2013
Stonehaven	May 2014

### *Justice of the Peace Courts*

Court	Closure Date
Annan	Nov 2013
Irvine	Nov 2013
Motherwell	Nov 2013
Cumbernauld	Nov 2013

<sup>2</sup> [www.bbc.co.uk/news/uk-scotland-22215741](http://www.bbc.co.uk/news/uk-scotland-22215741)

## STRUCTURE OF SCOTTISH COURT SYSTEM

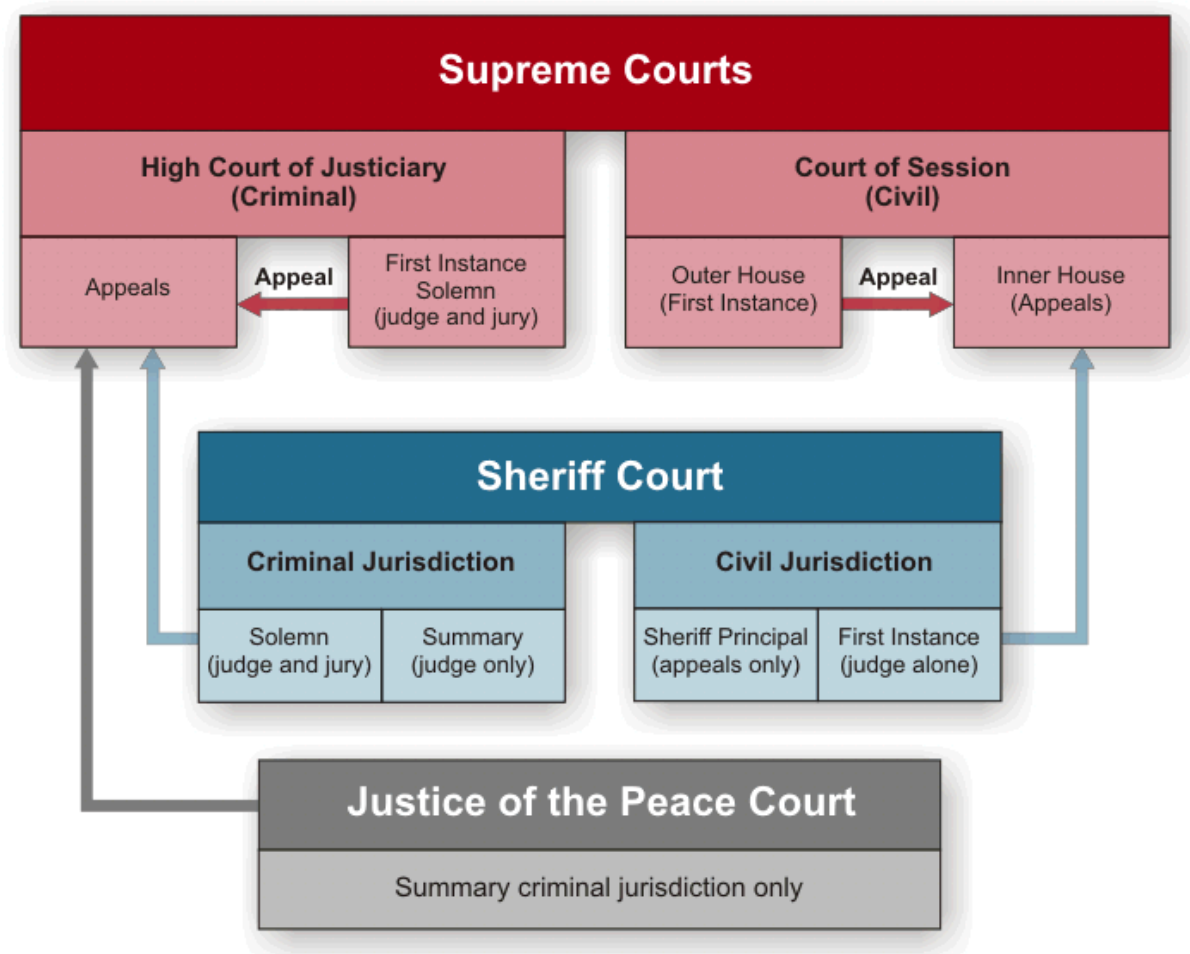


Fig 1. Diagram of the present Scottish Court Structure  
 © <http://www.scotland-judiciary.org.uk/16/0/Court-Structure>

The Scottish Courts estate is comprised of:

- **The Court of Session**

The Court of Session is Scotland's highest or supreme court for civil cases and is comprised of the Outer House (which hears cases at first instance) and the Inner House (which hears appeals). This court sits permanently at Parliament Square, Edinburgh.

- **The High Court of Justiciary**

This is Scotland's Supreme Court for criminal cases. When sitting at first instance as a trial court, it hears the most serious criminal cases, such as murder. These cases are tried under solemn procedure which involves a single judge and a jury of 15 people.

When hearing cases at first instance, the High Court of Justiciary sits in cities and larger towns around Scotland and has a permanent base in Edinburgh (Lawnmarket), Glasgow (Saltmarket) and Aberdeen (Mercatgate).

The High Court also sits periodically in eight circuit courts: Dundee, Dunfermline, Dumbarton, Inverness, Kilmarnock, Livingston, Paisley and Perth, with regular sittings at Edinburgh Sheriff Court.

When hearing appeal cases the High Court sits only in Edinburgh (Lawnmarket).

- **Sheriff Courts**

Scotland is divided into six sheriffdoms and it is sheriff courts that hear the majority of legal cases.

Criminal cases are heard by a sheriff and a jury (under solemn procedure), but can be heard by a sheriff alone (summary procedure).

Civil matters are also heard by a sheriff sitting alone.<sup>3</sup>

- **Justice of the Peace Courts**

Justice of the Peace Courts deal with less serious summary crimes, such as speeding and breach of the peace. A Justice of the Peace is a lay magistrate, appointed from within the local community and trained in criminal law and when hearing cases sits either alone, or in a bench of three.<sup>4</sup>

The difference in functions of the courts, in hearing civil cases or criminal cases under solemn or summary procedure is likely to affect the layout of the courtroom in the extent of space given to any judges, jury members and witnesses.

## **DEVELOPMENT OF SCOTTISH COURT BUILDINGS**

The development of the 'court house' as a building type (specifically designed for a judicial purpose) follows the history of the Scottish legal system and wider government reforms.

The majority of court houses in Scotland were built during the nineteenth century. An initial overview of the scoping results suggests that there were two notable periods of construction of this building type, the first roughly spanning c. 1800–30 and the second c. 1860–90. Many courthouses built in the first period were altered in the later period.

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<sup>3</sup> [www.scotcourts.gov.uk/the-courts/sheriff-court/about-sheriff-courts](http://www.scotcourts.gov.uk/the-courts/sheriff-court/about-sheriff-courts)

<sup>4</sup> [www.scotcourts.gov.uk/the-courts/jp-court/about-jp-courts](http://www.scotcourts.gov.uk/the-courts/jp-court/about-jp-courts)

The nineteenth century encompassed a number of significant reforms relating to municipal governance, the jurisdiction of the Scottish legal system and also prisons.

Some court houses were also built in the twentieth century. Two of these in the Scottish Court Service estate are listed: Edinburgh High Court, 1934-1937 (category B) and Glasgow Sheriff Court, 1972-1986 which was listed at category B in 2013.

A further court (formerly a sheriff court) no longer in the SCS estate, 29 Ward Road, Dundee, court was built in 1927 and is listed at category B.

## **Eighteenth century and Earlier**

Prior to the developments of the early nineteenth century, burgh judicial functions, as well as civic, administrative and penal, were commonly housed in a single building – the tolbooth or town-house.<sup>5</sup>

In Stonehaven for example, a storehouse at the quayside was converted for use as a tolbooth *circa* 1600 when Stonehaven became the centre of justice for Kincardineshire. The tolbooth functioned as a sheriff court, prison and as a meeting place for country gentlemen until 1767 when these functions were transferred to a new county building on Dunnotar Avenue.<sup>6</sup>

An Act of Parliament in 1506 had declared that the king had power to create sheriffdoms. By 1700 sheriffs heard most of the civil and criminal cases in Scotland, yet 21 out of 33 sheriffdoms were held on a hereditary basis. In 1747 this heredity jurisdiction was abolished and salaried sheriff deputes, who were qualified advocates, were placed in charge of sheriff courts.<sup>7</sup>

The growth of the Scottish population in the nineteenth century meant growing pressures on the Court of Session, Scotland's supreme civil court, which led to new legal and administrative responsibilities being given over to sheriff courts.<sup>8</sup>

These developments in the legal system were also set in the context of the beginnings of the prison reform movement. Investigators such as John Howard who published his study of *The State of Prisons in England and Wales* in 1777 exposed the squalid, ineffective and corrupt condition of gaols, jails and tolbooths, including those in Scotland. The word tolbooth had increasingly negative connotations and in the late eighteenth century, even before the Parliamentary Acts of the nineteenth century had laid down directions for judicial accommodation, new county buildings and town houses were planned and constructed in some Scottish towns and cities.

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<sup>5</sup> RCAHMS, *Tolbooths and Townhouses*, p. 1.

<sup>6</sup> RCAHMS, p. 190.

<sup>7</sup> [www.nas.gov.uk/guides/sheriffCourt.asp](http://www.nas.gov.uk/guides/sheriffCourt.asp)

<sup>8</sup> [www.nas.gov.uk/guides/sheriffCourt.asp](http://www.nas.gov.uk/guides/sheriffCourt.asp)

## Nineteenth Century Court Buildings

The first third of the nineteenth century saw an increasing separation of functions in civic and institutional buildings and a proliferation of new building types designed to accommodate specific activities.<sup>9</sup>

Court houses, with their attached prison accommodation, began to be separated from the business of day to day administration carried on in town hall buildings. Criticism of the provision made for jail cells in the town house at Inveraray led to the building of a new court house and jail in 1816–20, designed by James Gillespie Graham.<sup>10</sup> At Selkirk a new court house was built in 1803-5 close to the site of the tolbooth and a purpose built prison was placed on the outskirts of the burgh.

The provision made for burgh functions within these county buildings varied. At Linlithgow a wing to house the county buildings was added in 1819–21 to the town house, which still contained the prison, whereas at Cupar, Edinburgh, Kinross and Perth the new county buildings were independent. These county buildings often contained halls for the use of county officials as well as purpose built judicial accommodation including courtrooms and offices.

It was also during this period that Scotland's premiere court complex, now called The Court of Session was rebuilt in Parliament Square in Edinburgh. These new national law courts designed by Robert Reid were built into, and around, the site of the old Parliament in 1807–10 with the Edinburgh tolbooth demolished in 1811.<sup>11</sup> From this point, high courts, functioning on a national level, became a specialised building type and after a fire, the south of Parliament Square was rebuilt in an austere Neo-classical style in 1836.

The Burgh Police (Scotland) Act of 1833 significantly altered local government in Scotland and marked the beginnings of democratically-elected councils. The period following the 1833 Act brought forward stricter financial control of Scottish burghs. Nevertheless, little new building or major alteration to town houses was carried out until the middle of the century. The main exception was in the remodelling of prisons, which from 1835 were subject to annual inspection and from 1839 came under the authority of the General and County Prison Boards.<sup>12</sup>

Courts constructed in the early nineteenth century include Arbroath, 1803 (category B); Ayr, 1818–22 (category A); High Court, Parliament House, Edinburgh, 1807–10 (category A); Glasgow High Court, 1807–14 (category A); Jedburgh, 1812, (category A); and Perth, 1818 (category A).

Acts of Parliament in 1819 and 1839 laid down directions for the financing of court houses, but it was the Sheriff Courthouses (Scotland) Act of 1860 which gave a

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<sup>9</sup> M. Glendinning, R. MacInnes and A. MacKechnie, *A History of Scottish Architecture*, p. 188.

<sup>10</sup> F. A. Walker, *The Buildings of Scotland: Argyll and Bute*, p. 81.

<sup>11</sup> M. Glendinning, *The Architecture of Scottish Government from Kingship to Parliamentary Democracy*, p. 206.

<sup>12</sup> RCAHMS, *Tolbooths and Townhouses*, p. 1.



major, countrywide impetus to the increase and improvement of accommodation provided for the dispensation of civil and criminal justice.<sup>13</sup>

### *Sheriff Court Houses (Scotland) Act 1860*

Under the Sheriff Court Houses (Scotland) Act of 1860, one half of the total cost of construction or alteration of court buildings were to be paid for by the Commissioners of His Majesty's Treasury with the other half paid for by assessment. Expenses would be considered where any existing court house or sheriff clerk's office was found inadequate for carrying out the court's functions or where it did not provide proper accommodation for the sheriff and his substitutes.<sup>14</sup>

This provision of central funding was followed by the most active period of sheriff court house construction in the history of the Scottish legal system. In the 1860s a significant number of court houses were built or altered or extended and include:

- Aberdeen, 1868-74 (category A)
- Alloa, 1863 (category B)
- Campbeltown, 1869-71 (category B)
- Dingwall, 1864 (altered) (category B)
- Dumbarton, 1865 (altered) (category B)
- Dumfries, 1863–7 (category B)
- Dundee, 1863 (altered) (category A)
- Elgin, 1864 (category B)
- Forfar, 1869–71 (category B)
- Greenock, 1867 (category B)
- Jedburgh (reworked) 1861 (category A)
- Portree, 1865–77 (category B)
- Selkirk, 1868–70 (category B)
- Stonehaven, 1863-65 (altered) (category B)
- Wick, 1862-63 (category B)

## **Prison Reform**

The functions of court houses and prisons are closely linked and penal reform movement in Scotland was also influential on the design of court and prison building complexes, especially during the period when the majority of court construction took place in nineteenth century.

The Prisons Act 1835 (which was UK wide) established the first requirement for prison inspection in Scotland. Following the Scotch Prison Act 1839 a national prison system was created which was run by the centralised prison board based at the General Prison at Perth. The cost of running local prisons continued to fall on counties and it was therefore more efficient to streamline the system and it proved more cost-effective to reduce the size of the prison estate. Over this period the

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<sup>13</sup> Walker, p. 81.

<sup>14</sup> *The Scotsman*, 30 April 1860, p. 4.

number of prisons in Scotland dramatically reduced from 178 prisons in 1839 to 57 by 1877.

Eventually, the Prisons Act of 1877 nationalised the prison system bringing all prisons in the UK under the control of Government with the burden of cost transferred from local communities to the state.

## FORM AND FUNCTION OF COURT BUILDINGS

The majority of court houses were purpose built for their function and were either included within county building complexes in the early nineteenth century or as standalone court houses from around the second half of the nineteenth century onwards. A small number of courts constructed in the nineteenth century however utilised, or were added to, existing buildings such as tolbooths. This incorporation of the fabric of older buildings can be seen at the sheriff courts of Jedburgh, Stonehaven and Tain.



Fig 2. Tain tolbooth tower, 1706-1733, court house 1848-9, A Maitland and Sons alterations and additions, 1873, (category A). © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)



Fig 3. Jedburgh Sheriff Court, 1812; David Rhind additions 1861, (category A). © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)

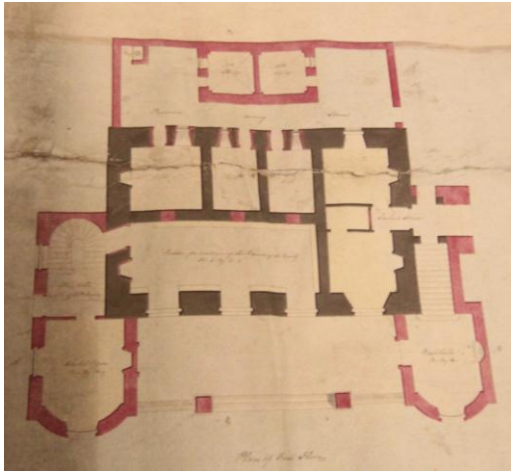


Fig 4. Plan of Alterations to Stonehaven County Buildings of 1817 showing 1746 interior fabric. Held at Stonehaven Sheriff Court.

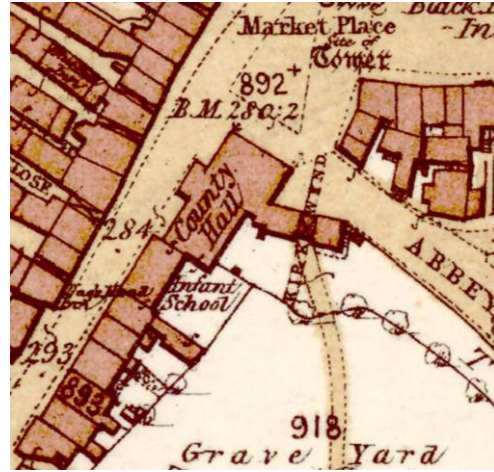


Fig 5. Jedburgh Sheriff Court attached to the Newgate. OS Town Map Roxburgh Sheet XXI.5 (Jedburgh) surveyed 1859. © Reproduced courtesy of the Trustees of the National Libraries of Scotland

## Plan Form

As extensive buildings commissioned at different times for jurisdictions of different sizes, the accommodation and form of Scottish court houses can vary quite considerably. However nineteenth century sheriff court houses and county buildings share a number of common components necessary for their judicial functions which define courthouses as a building type.

The layout of the early nineteenth century court buildings at Glasgow and Edinburgh, established the specialisation of courtroom functions and judicial architecture. The various stages and procedures of the High Court were given dedicated architectural space in different court rooms and libraries decorated in a grand Neo-classical style.

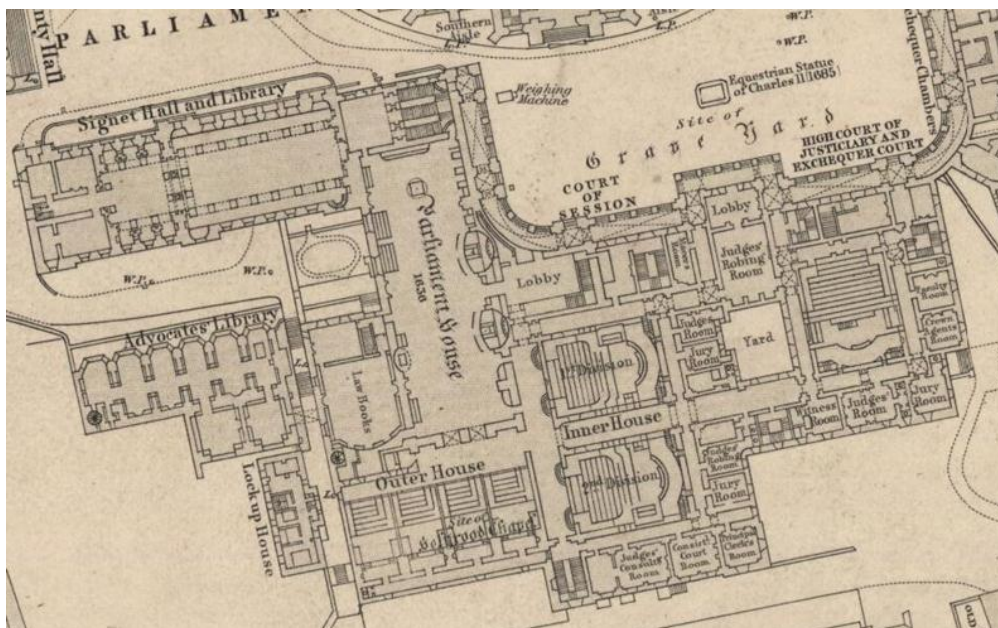


Fig 6. Court of Session, Edinburgh, Robert Reid, 1807-11; William Burn, 1829, (category A). (detail of) OS large scale Scottish town plans, 1847-1895, Edinburgh 1852 - Sheet 35. © Reproduced courtesy of the Trustees of the National Libraries of Scotland

After the Parliamentary Union of 1707 Parliament House became the preserve of Scots Law. The nineteenth century justice system consisted of two courts, the Sheriff Court and the High Court based at the Parliament house complex in Edinburgh.<sup>15</sup> With pressure on the courts growing Robert Reid had begun remodelling the complex of courts at Parliament Square from 1804 (now the Court of Session, Scotland's supreme civil court).

The sequence of extensive building works for the High Court that spanned the first four decades of the nineteenth century is described at length:

As early as 1804–11, the government architect Robert Reid had begun remodelling the Inner House, adding a new courtroom in 1808–9 following its split into two Divisions; he also built a new Exchequer Court, jail accommodation and library. From 1809 the Signet Library was begun with interiors by Stark. As part of this scheme, Parliament Square was rebuilt and refaced by Reid in a stolid Adam-like style in 1807-10 and the new Tolbooth was demolished in 1811.

In 1817–19, two new Outer House courts were built by Archibald Elliot outside Parliament Hall. From that point, the hall was increasingly used for public events and meetings. Following a second 'Great Fire' in 1824 ... The Parliament House complex was extended to the south and east with a curved façade completing Reid's scheme. New courtrooms were built in a severe Neo-classical style; each had arched windows, high compartmentalised ceiling, pew-like benches on a rectangular U-plan layout, and galleries all round; the judges' bench was arranged on the traditional curved plan. The new east range, completed in 1830, included civil courtrooms of the First and Second Division of the Court of Session (1830), obliterating the old Inner House, and the south range, completed in 1838, included the supreme criminal courtroom of the High Court of Justiciary (1835). After 1844, four further Outer House courtrooms were built to the south by government architect William Nixon, bringing to an end the regular use of Parliament Hall for court sittings and completing the transformation of the complex. From this point, high courts, with their national status, became a specialised building type, distinct from 'government' as such [...].<sup>16</sup>

## **Combined County and Court Buildings**

Sheriff Court accommodation of the early nineteenth century was often constructed within county buildings which comprised both judicial and regional governmental functions.

The plan forms of early nineteenth century county buildings at Perth, Ayr and Lanark show large county hall or county chambers in one wing with sheriff chambers or justiciary halls in the opposite wing. The plans of these buildings are usually symmetrical in form and show the separation of spaces purpose built for their county or judicial function. At Perth, for example, the civic functions of the county hall 'tea and card room' were located in the south wing of the 'E' plan, with the sheriff courts and offices in the north and a semi-circular justiciary court at the centre rear of the building.

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<sup>15</sup> <http://sites.scran.ac.uk/lamb/crime.htm>

<sup>16</sup> Glendinning, pp. 207–9.

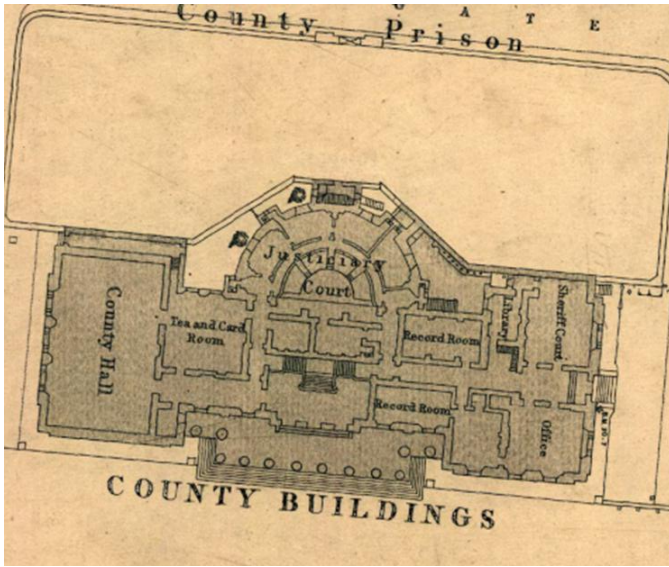


Fig 7. Perth County Buildings, Robert Smirke, 1819, (category A). OS Town Plans 1860, Town Plans.  
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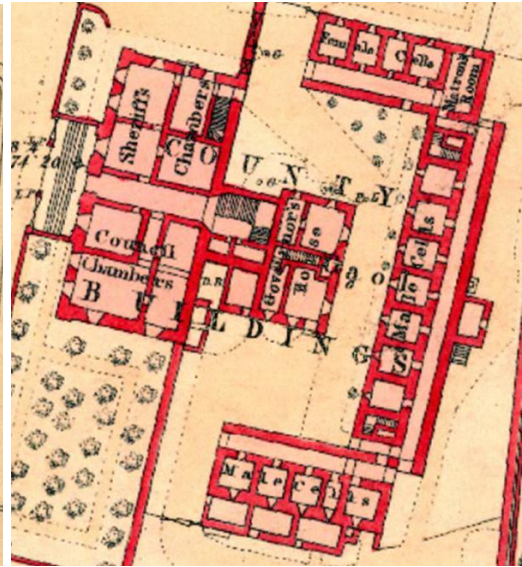


Fig 8. Lanark County Buildings, 1834-36, (category B). OS 1858.  
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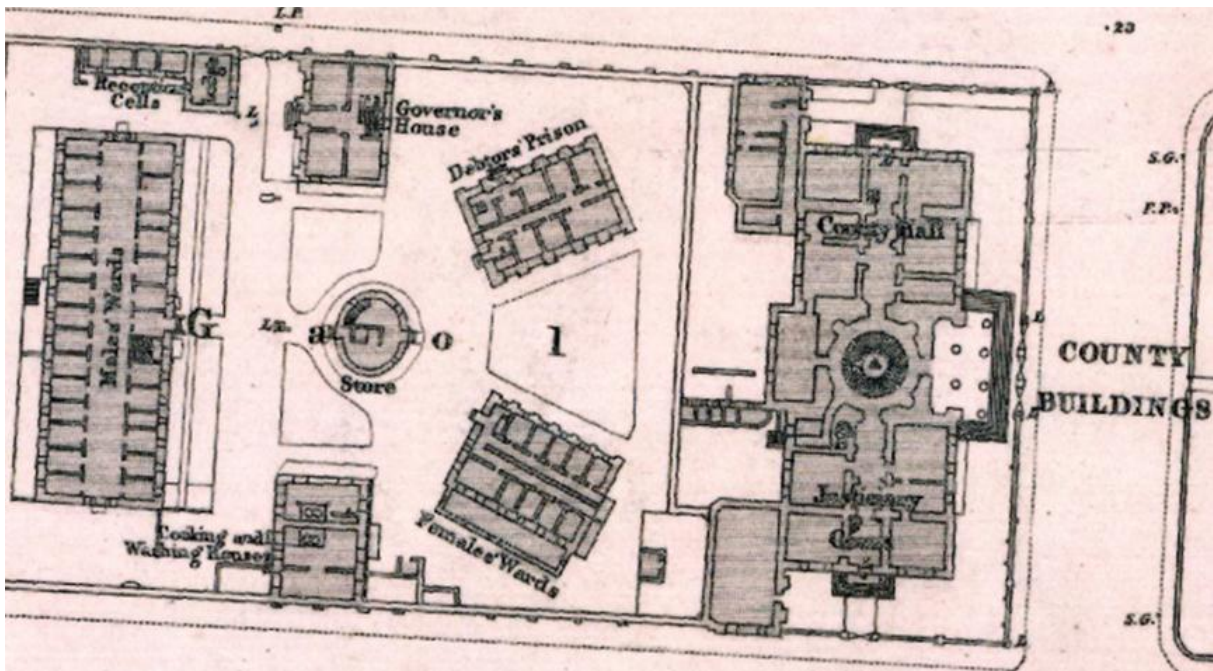


Fig 9. Ayr County Buildings, Robert Wallace, 1818-22, (category A). Town Plan Ayr 1855.  
 © Reproduced courtesy of the Trustees of the National Libraries of Scotland

## Common Court Components

### Early Nineteenth Century Courts

- **Principal Court Room** – A large court room commonly forms the greatest space of the first or second floor. This room is likely to be the most highly decorated with the layout in the form of public seats or pews facing a wooden judge's bench flanked on either side by witness stand and benches for the jury.

Whilst most court rooms were rectangular in plan with a curved judge's bench, semi-circular courtrooms were constructed in this period at Inveraray and Perth.

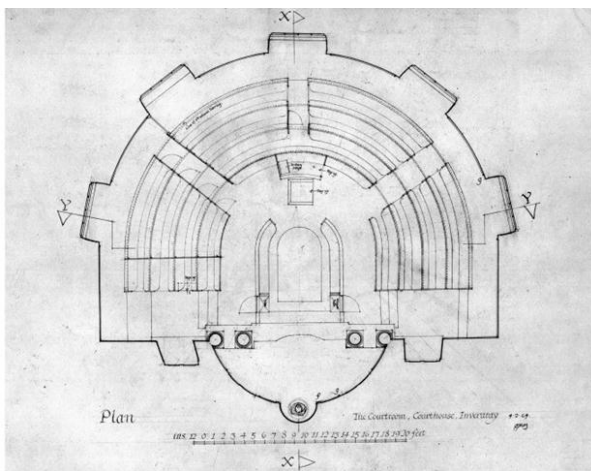


Fig 10. Inveraray court room, James Gillespie Graham, 1819, (category A).  
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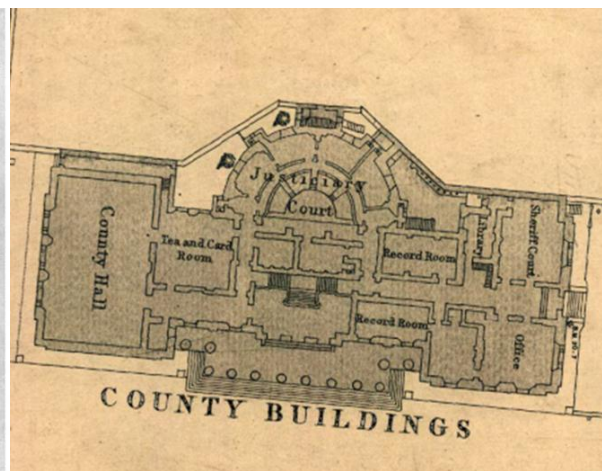


Fig 11. Perth County Buildings, Robert Smirke, 1819, (category A). OS Town Plans 1860, Town Plans. © Reproduced courtesy of the Trustees of the National Libraries of Scotland

- **Sheriff Court Room** – At large court houses there would often be a least one other court room to the principal court which would be of smaller, rectangular form. If the principal court was the judiciary court and sited at the centre of the building plan, the secondary court would be the sheriff court.
- **County Hall** – In the case of court houses constructed as multi-purpose civic buildings, the accommodation may also consist of grand spaces such as the county hall at Perth. This space, pictured below is now known as the ballroom. Further county accommodation provided at Perth included a public record room and coffee room or tea and card room.



Fig 12. Perth County Buildings, Robert Smirke, 1819, (category A). Image of ballroom, taken 1979.  
© RCAHMS. Licensor www.rcahms.gov.uk

- **Offices** – Offices for the judges, the sheriff and sheriff clerks were essential accommodation requirements and are commonly found adjacent to the court rooms in the building plan.
- **Library** – Courts at this period might also include a library or record room.
- **Jail Cells** – In constructing prisons of this period preference was given to the separation of prison accommodation from the court building as seen above, however, the court would be likely to contain holding cells for those awaiting trial commonly found on the ground floor or basement.

#### *Post-1860 Sheriff Court Act sheriff courts*

The Sheriff Court Houses Act 1860 stated that the decision of whether half funding would be provided by the Treasury was on the perceived inadequacy of the accommodation for the functions of the court and for the sheriff and sheriff clerks. The Act specified of the new court house designs that:

In such plans and specifications there shall be included Court rooms of sufficient dimensions and office chambers or apartments for the Sheriff and his Substitutes, and accommodation for the procurators, witnesses and other persons attending the Court, and proper and convenient offices and accommodation for the Sheriff-Clerk and the clerks employed in the sheriff court office.<sup>17</sup>

The new sheriff court buildings on George IV Bridge, Edinburgh (now demolished – see Fig 32) were described in the Scotsman as containing a criminal court room, jury room, judges retiring room, witness rooms, public and private rooms for the sheriff substitutes, the procurator fiscal his clerks on the first floor, a civil court room,

<sup>17</sup> *The Scotsman*, 20 April 1860, p. 4.

bankruptcy courtroom on the second floor, and at sunk floor level record rooms, summary court room, cells and waiting rooms for prisoners.<sup>18</sup>

The account of the accommodation provided in the new sheriff court at Edinburgh in 1865 shows how the court houses constructed after 1860 generally had a solely legal purpose. This is also evidenced by their plans. At Edinburgh Sheriff Court, the building forewent large spaces such as county halls and instead provided accommodation for the sheriff and clerks and for the numerous types of court. Similarly the plans by Peddie and Kinnear for the new sheriff court at Greenock show a series of office accommodation, prison cells and a principal courtroom with no space given over to county functions.

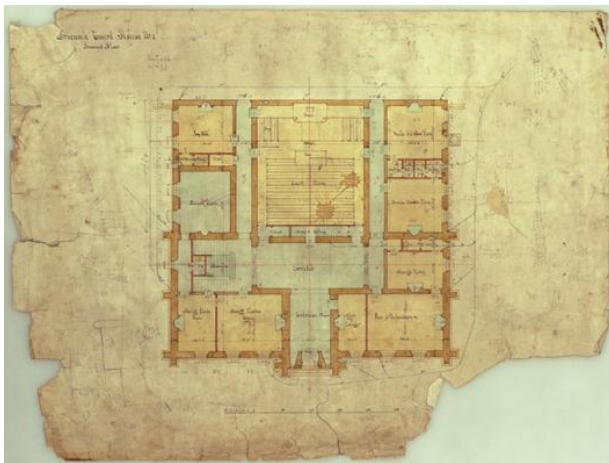


Fig 13. Greenock Sheriff Court, Peddie and Kinnear, 1867, (category B). Plan of ground floor.  
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Fig 14. Edinburgh Sheriff Court, David Bryce, 1867, (demolished), Town Plan 1877.  
© Reproduced courtesy of the Trustees of the National Libraries of Scotland

- **Court Rooms** – Courts constructed after 1860 continued to place the largest principle court room on the first floor of the building. This period however also sees an increase in the number of further smaller court room accommodation as different areas of legal dispute were given specialised space. Court rooms are typically double height with windows on the upper storey. The fixtures and furnishings of the court room may vary depending on whether the court hears civil or criminal cases.
- **Jail Cells** – Unlike early nineteen century courts, which sought to separate the functions of court and prison, court houses constructed after the 1860 Act commonly contain a number of jail or holding cells in the court basement. This can be seen in the plans of Greenock and Tobermory court houses. This development may be the consequence of a small jurisdiction or because there was large prison accommodation constructed elsewhere meaning only a small number of cells were required.

<sup>18</sup> *The Scotsman*, 12 August 1965.



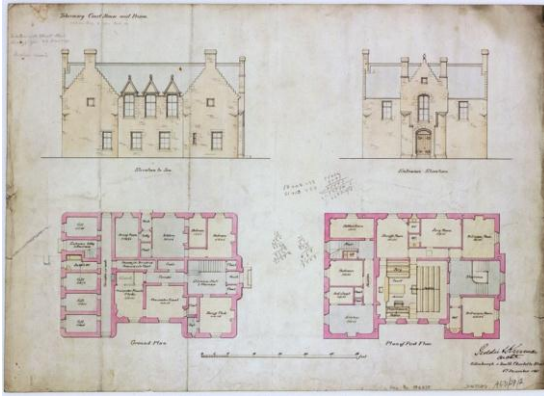


Fig 15. Tobermory Sheriff Court, Peddie and Kinnear, 1861–2, (category B).  
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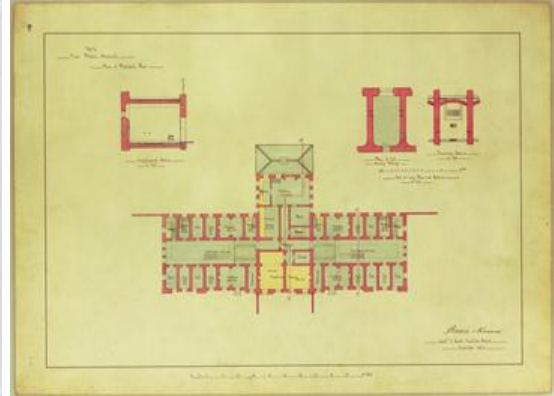


Fig 16. Greenock Sheriff Court, Peddie and Kinnear, 1867, (category B).  
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- **Offices** – As specified in the 1860 Act, funding was to be provided in order to provide adequate accommodation for the sheriff, judges and clerks. An increase office accommodation can be seen in court house of this period.
- **Police Station** – Accommodation for County Police was increasingly contained within court houses in the later nineteenth century. The General Police Act (Scotland) 1857 required each Scottish county and burgh to establish a police force, either its own or by uniting with a neighbouring county. At Linlithgow the new court house on the high street opened in 1865 including County Police Office.<sup>19</sup> At Stonehaven accommodation for police constable and cells was appears to have been included in the reworking of the County Building in 1863.

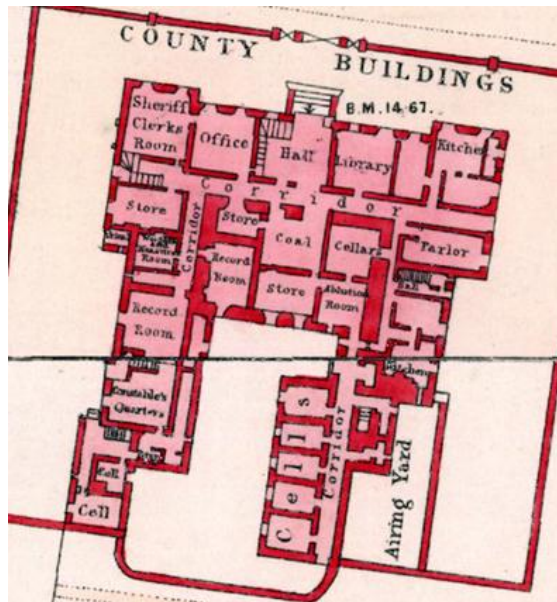


Fig 17. Stonehaven Sheriff Court, James Campbell Walker, 1863–5, (category B). OS Town Plans 1864. © Reproduced courtesy of the Trustees of the National Libraries of Scotland

<sup>19</sup> *The Scotsman*, 10 April 1865, p 3.

## ARCHITECTURAL DESIGN

The importance attributed to the architectural design of Scottish courts is reflected in the current listings statistics of the Scottish Court Service (SCS) estate. 42 of the 53 buildings in the SCS estate are already listed (79.2%). Notably 12 courts (28.6 % of those listed) in the estate have been recognised as nationally significant and are listed at category A.

A description of the architectural quality of English courthouses from English Heritage's *Law and Government Buildings Selection Guide, March 2007*, effectively summarises the distinctiveness of this building type and is equally applicable to the courts of the Scottish legal system:

The architectural vocabulary of the court attempts to convey function combined with a sense of state authority and civic pride... Because of the importance attached by government to the legal process, courts throughout the nineteenth century were designed to instil awe and reverence and are comparable in terms of pretention to contemporary town halls. Again, as with town halls, it was only in the later twentieth century that courts were designed to be less intimidating. Architectural impact was thus a key consideration.

The court houses or county buildings of the early nineteenth century appeared to be designed in a form that consciously distinguished them from the architecture of other established civic buildings. In contrast to town hall or tolbooth buildings which traditionally favoured a vertical emphasis with the addition of spires or steeples, courthouses were more often designed to a maximum of two storeys and horizontal design emphasis to a long street façade. The courts at Perth, Dundee, Ayr and Glasgow all demonstrate this preference.

This establishment of the court house building type is perhaps exemplified by the example of the civic and judicial buildings constructed in the towns of Banff and Haddington. Haddington Town Hall, with its prominent spire, was designed by William Adam and altered in 1830–1 by James Gillespie Graham. The county buildings in Haddington were designed by William Burn in 1833 and constructed on a site beside the high street taking the form of a two storey court in the Gothic or Tudor style, highly suitable for smaller burghs. The courts at Stornoway and Dingwall are also similarly conceived on a smaller scale. At Banff the old tolbooth and tower were contrasted with a two storey palazzo type Neo-classical building when a new sheriff court was built in 1871.

The preference for Neo-classical or Neo-Tudor compositions remained largely dominant until the second half of the nineteenth century. Following the 1860 Sheriff Court Houses (Scotland) Act, the austere classical designs were replaced with lively Italian Renaissance compositions. The counterpart to these Italianate designs during this period was the introduction of the Scots Baronial style to civic architecture on a monumental scale, Greenock Sheriff Court (1867, listed category B) and Aberdeen Town House and Sheriff Court by Peddie and Kinnear being the finest examples of this distinctly Scottish architectural phenomenon, adding towers, crow stepped gables and a greater vertical emphasis to court houses designs. The influence of Dutch civic architecture also had a bearing on the court buildings at this time.

## Early Nineteenth Century



Fig 18. Haddington Town Hall, William Adam, 1748 and James Gillespie Graham, 1830, (category A).

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Fig 19. Haddington Court house, William Burn, 1833, (category B).  
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20. Banff Tolbooth, John Adam (steeple), 1764–7, (category A).

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21. Banff Sheriff Court, James Matthews, 1870–71, (category B).

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The predominant architectural style found across the SCS estate is that of Neo-classicism. The large central porticos of the facades of the courts at Perth, Glasgow, Ayr and Dundee together form a recognisable architectural group of state buildings. The classical style, with its order and symmetry was chosen for its relationship to notions of democracy and stately authority.

The first court house building which established this style was the redevelopment of the supreme courts at Parliament Square, Edinburgh from 1804. The subsequent court houses built at Glasgow, Perth, and Ayr were all designed in a Neo-classical style with largely symmetrical plans and functional separation of spaces.



Fig 22. Parliament Square, Robert Reid, et. al., from 1804. © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)



Fig 23. Glasgow High Court, William Stark, 1807–14, (category A).  
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Fig 24. Perth, Tay Street, Sheriff Court, Sir Robert Smirke, 1819, (category A).  
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Fig 25. Ayr Sheriff Court, Robert Wallace, 1818–22, (category A). © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)



Fig 26. Hamilton Sheriff Court, William Murray, 1870, (category A). © The Scotsman Publications Ltd. Licensor [www.scran.ac.uk](http://www.scran.ac.uk)



Fig 27. Dundee Sheriff Court, George Angus, 1833; William Scott, 1863, (category A). © Scottish Court Service



Fig 28. Inverness Sheriff Court, William Burn, 1833, (category A).  
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Fig 29. Glasgow County Buildings, Clarke and Bell, 1844, (category B).  
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Fig 30. Stornoway Court, *circa* 1840, (category B).  
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Fig 31. Dingwall, Thomas Brown, 1842–5; Andrew Maitland, 1864, (category B)  
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## Post-1860

The austere Neo-classical building programme of the initial period of court construction in the early nineteenth century gradually gave to more decorated classical designs in the second half of the century. A number of court houses were influenced broadly by the Italian Renaissance including pilasters, balustrades (rather than pediments) porticos and channelled ashlar to the ground floor.

Court houses constructed post the 1860 Act that adopted this style include, Edinburgh Sheriff Court (demolished c. 1937), Banff, Stonehaven, Oban, Paisley and Elgin.



Fig 32. Edinburgh Sheriff Court, David Bryce, 1867, (demolished). © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)



Fig 33. Banff Sheriff Court, James Matthews, 1870–71, (category B).  
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Fig 34. Stonehaven Sheriff Court, James Campbell Walker, 1863–5, (category B).



Fig 35. Oban Sheriff Court, David MacKintosh, 1889, (category B). © RCAHMS. Licensor www.rcahms.gov.uk



Fig 36. Paisley Sheriff Court, Clarke and Bell 1885, (category A). © Scottish Court Service



Fig 37. Elgin, A and W Reid, 1864–6, (category B). © Scottish Court Service

By the time of the peak of sheriff court house construction in the later nineteenth century the choice of Scottish Baronial had overtaken Neo-classicism as the dominant style for court houses in Scotland:

Scotch Baronial began to spread into the field of mainstream urban public buildings, beginning with the series of courthouses built following the Sheriff Court houses Act of 1860, – a programme overseen largely by land-owning Commissioners of Supply who may have seen Baronial as a natural style to signify establishment authority.<sup>20</sup>

Architects Peddie and Kinnear designed court houses in this ‘national’ style for Aberdeen (1868–74, category A), Greenock (1864–7, category B) and Tobermory (1861–62, category B). David Rhind designed asymmetrical, rubble coursed court houses at Dumfries (1863–6, category B) and Selkirk (1869–70, category B).

<sup>20</sup> Glendinning, p. 284.





Fig 38. Aberdeen Sheriff Court, Peddie and Kinnear, 1868–74, (category A).  
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Fig 39. Greenock, Peddie and Kinnear, 1867,  
(category B).  
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Fig 40. Tobermory, Peddie and Kinnear, 1861–2,  
(category B).  
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Fig 41. Dumfries Court, David Rhind, 1863–6, (category B). © Scottish Court Service



Fig 42. Selkirk, David Rhind, 1869–70, (category B). © RCAHMS. Licensor [www.rcahms.gov.uk](http://www.rcahms.gov.uk)

A number of smaller court houses built from the 1860s through to the 1890s were faithful to Northern European civic building design. These buildings were typically gabled and crowstepped, and have been variously described from Franco-Scottish (Forfar), late Gothic and early Scots Renaissance (Stirling). These courts reflect changing tastes and attitudes across the nineteenth century in the search for an appropriate national language for architecture of law and authority.



Fig 43. Forfar, James Maitland Wardrop, 1869–71, (category B).  
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Fig 44. Kirkcaldy, James Gillespie, 1893, (category B).  
© Scottish Court Service



Fig 45. Alloa County Buildings, Brown and Wardrop, 1863, (category B).



Fig 46. Stirling Sheriff Court, Thomas Brown of Brown Wardrop, 1874 (category B).



Fig 47. Lerwick Sheriff Court David Rhind, 1874–5, (category B). © Scottish Court Service

## Twentieth Century

Twelve of the courts in the SCS estate were constructed in the twentieth century, eight of these appear to be of post 1970 date.

Three sheriff courts built during the twentieth century have already been recognised as architecturally significant. The High Court at Edinburgh Lawnmarket (1934-7) and Glasgow sheriff court 1972-1986 have both been listed at category B. The former courthouse at 29 Ward Road, Dundee, which was built in 1927 but is no longer in judicial use or part of the SCS estate, has also been listed at category B.

One of the largest court house developments of the twentieth century is the building of Edinburgh Sheriff Court on Chambers Street which opened in 1994. This large building has eight levels built up from the Cowgate with the public entrance located on the fourth level, accessed from Chambers Street. It houses 16 courtrooms, a cell area and administrative offices.<sup>21</sup>

<sup>21</sup> [www.scotcourts.gov.uk/coming-to-court/location-information](http://www.scotcourts.gov.uk/coming-to-court/location-information)

Court	Date	Listing
Peterhead	circa 1900	N/A
Dunoon	1902	N/A
Edinburgh High Court	1934–37	Category B
Edinburgh Sheriff Court	Opened 1994	N/A
Glasgow Sheriff Court	1972–88	Category B
Falkirk	1990	N/A
Dunfermline	1983	N/A
Airdrie	1975	N/A
Hamilton Justice of the Peace court	Post-1945	N/A
Hamilton Sheriff Court Civil building	2010	N/A
Kilmarnock	1986	N/A
Cumbernauld	Post-1945	N/A



Fig 48. Keppie Henderson and Partners, Glasgow Sheriff Court, 1972–86, (category B). © Scottish Court Service



Fig 49. Edinburgh Sheriff Court, John Kirkwood Wilson, 1994. © Architecture on Disc. Licensor www.scran.ac.uk

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Old Sheriff Court house, George IV Bridge, Edinburgh, David Bryce 1867 (Demolished *circa* 1937). Image taken *circa* 1885  
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