custody, n.

Pronunciation: Brit. /ˈkæstədi/, U.S. /ˈkæstədi/
Forms: ME (15 Sc.) custodi, ME–16 custody, ME–16 custodye, 15– custody, 16 costodie.
Frequency (in current use):

1. In the Franciscan order of friars: a subdivision of a province (PROVINCE n. 4b). Now chiefly hist.

2. The charge or care of something or someone; protection, defence; guardianship. Later also more generally: possession. Chiefly with of, specifying either the custodian, or the thing or person in his or her charge.

Compare Catalan custòdia, Spanish custodia (both 13th cent.), Portuguese custódia (early 14th cent.), Italian custodia (mid 13th cent.), and also Middle French custode (early 15th cent. in sense 'protection, guardianship'), Middle Low German custodie container, prison cell, subdivision of a province in the Franciscan order.
custody, n.: Oxford English Dictionary

3. The position or office of custodian; the duty or responsibility of a custodian. Now hist.

Sometimes difficult to distinguish from sense 2.

1463–5 Rolls of Parl.: Edward IV (Electronic ed.) Parl. Apr. 1463 §40. m. 15 Any graunte..made..to maister William Say..of the custodie or wardenship of the hous or hospitall of Seint Antony in oure cite of London.

1609 Bible (Douay) I. Num. viii. 26 Thus shalt thou dispose to the Levites in their custodies [L. in custoditis suis].

1611 J. Speed Hist. Great Brit. IX. ix. 516/2 Who gaue away..such Honours, Custodies, and Dignities, as were vacant.

1898 Cal. Close Rolls: Edward III III. 15 The king has heard that the constables and keepers of the said castles conduct themselves negligently in their custodies.

1918 J. C. Davies Baronial Opposition to Edward II I. xiv. 332 Weekly markets and fairs, the wardship of lands, the custody of manors were granted.


†4. A box, case, or container; (Christian Church) a vessel or box used for holding or carrying the consecrated bread of the Eucharist. Cf. CUSTODE n. ², CUSTODIAL n. Obs. rare.
custody, n. : Oxford English Dictionary

1483 CAXTON tr. J. de Voragine Golden Legende f. ccxl/1 His bookes whiche had [not] a custodye [L. nullum habentes conservatorium] fyl in the water.

1501 in J. B. Paul Accts. Treasurer Scotl. (1900) II. 64 For making of ane custodie to ane chalise.

5. The state of being detained by the police or other law enforcement officers; esp. confinement in a prison, police station, etc. Also: spec. arrest and imprisonment on the basis of suspected criminal activity, typically until trial. Frequently in to take (a person) into custody: to arrest and imprison (a person).

6. Legal responsibility for a child or children; spec. (a) Feudal Law the guardianship of a minor, any lands in his or her name, and any profits earned from them until he or she comes of age (obs.); (b) the guardianship of a child or children, esp. as granted to one of the parents after divorce or separation (cf. legal guardian n. at LEGAL adj. and n. Special uses).

In sense 6(b) a distinction is sometimes made between legal custody, the right to make decisions regarding a child's upbringing and welfare (such as on issues relating to his or her education or medical care), and physical custody, the responsibility for providing care for a child on a daily basis, a person with custody of this type typically being the person with whom the child lives.
custody, n. : Oxford English Dictionary

1540 Act 32 Henry VII c. 46 §28 in Statutes of Realm (1963) III. 806 Personnes to whome the Kinges Highnes shall graunte the Custody and wardeship of any of his Graces wardis.

1592 W. West Symboleeogr. (rev. ed.) II. §374. sig. R.v Our Soueraigne Ladie..do commit and graunt vnto the said G. W. the custodie, wardship, and marryage of T. H. her highnesse ward, sonne and heire of G. H. gentleman deceased.

1650 T. Ireland Exact Abridgm. Rep. Sir E. Coke III. 68 The Father onely shall have the custody of his sonne and heire apparent, within age, not the Mother, Grandfather, &c.

1700 Baron & Feme xxxiii. 352 The Court fined him 100 l. and Good behaviour for 5 years on Information for deceitful taking away out of her Mother's Custody Mrs. Gilburne, under 16 years old.

1722 G. Mackenzie Lives Writers Sc. Nation III. 235 Upon the Death of her Father, great Dissentions arose amongst the Nobility, concerning the Regency of the Kingdom during her Minority, and to whom the Custody of her Person should be committed.

1839 Law Mag. 21 145 The wife had obtained a divorce..on the ground of the husband's adultery; she petitioned..to have the custody of her daughter.

1891 Law Times 90 462/1 Where the court refuses a parent the custody of his child.

1954 Househ. Guide & Almanac (News of World) 169/2 The court may make an interim order giving the applicant custody of the child for a probationary period of up to two years.

1980 N.Y. Times (Nexis) 24 Oct. B3/1 The surviving daughters..will return to their mother's custody when she gets out of prison.

2007 Irish Times (Nexis) 4 July 1 The man..went to the High Court in London earlier this week to seek custody of the children under the terms of the Hague Convention.

COMPounds

C1.

a. General attrib., relating to the legal responsibility for, or guardianship of, a child or children (see sense 6), as custody case, custody dispute, custody order, etc.

1890 Liverpool Mercury 1 Jan. 3/6 If the guardian of the child is acquitted, the custody order will cease.

1949 Calif. Law Rev. 37 475 An unfavorable result does not prejudice the petitioner's rights in a..strict custody suit.

1976 Child Devel. 47 2 A recent Iowa case involved a custody dispute between a child's father and grandparents.

1993 Independent 26 Feb. 7/8 His lawyers had just told him that he had a good chance of gaining a residency order in the custody proceedings.

2008 Wall St. Jnl. 22 Apr. 82/3 Officials hope the samples will help sort out the confusing family relationships in a convoluted custody case.

2011 L. Daniels Cleaning Nabokov's House 294 We all stood and waited while the judge reviewed the original custody decision.

b.
custody arrangement n.

1903 *Westm. Budget* 25 Sept. 20/1 He compared the separation of Arthur Balfour and J. C. to a collusive divorce in which the custody of the child had been given to the wife... The Duke of Devonshire... had the highest authority and the clearest motive to prevent both the collusion and the singular custody arrangement.

1947 *Citizen* 24 Jan. 8/3 Eleven-year-old Delian Hall Bower has arrived in New York from London to spend six months with his mother, Mrs. Violet Fox, under a split custody arrangement.

2011 M. E. ADDIS *Invisible Men* viii. 213 Many custody arrangements result in men seeing their children less often than when they were married.

custody battle n.

1928 *Bridgeport (Connecticut) Telegram* 22 Feb. 13/2 (headline) Former Greenwich tax collector's grandson center of custody battle.

1964 *Columbia Law Rev.* 64 1549 The offense... will almost invariably be committed during a custody battle between separated parents.

2004 *Wanderlust* June 81 The subject of a drawn-out custody battle, South Tyrol has been left something of a mixed-up kid.

custody hearing n.

1924 *N.Y. Times* 21 Sept. 12/2 Mr Schreiber denied any intention of using the custody hearing evidence in the coming divorce case.

1959 *Leader-Times* (Kittanning, Pa.) 31 Dec. 1/6 The attorney... served notice he would reopen the custody hearing after taking depositions.

2013 *Age* (Melbourne) (Nexis) 28 June 16 Vulnerable children will have to attend fewer custody hearings as part of state reforms to make court proceedings less adversarial for minors.

custody rights n.

1937 *N.Y. Times* 27 Apr. 18/4 His client would make his application to the Los Angeles Superior Court when his ex-wife's custody rights expire.

1985 M. GROSSBERG *Governing Hearth* vii. 244 An 1854 address to the New York legislature set forth the basic arguments advanced in support of equal custody rights.

2013 *Daily Tel.* 31 July 15/4 Marital property and custody rights of their two daughters may be in dispute.

C2.

a. General attrib., relating to the detainment of prisoners or suspects (see sense 5), as custody facility, custody record, custody suite, etc.

1949 *Handbk. Correctional Inst. Design & Constr.* vii. 103/1 Seagoville is the outstanding
custody, n.: Oxford English Dictionary

Demonstration of the use of minimum custody facilities for inmates who are ordinarily classified as security risks.

1981 *N.Y. Times* 19 May B12/3 (headline) Navy shuts custody units on ships while inquiry on death continues.


2002 *Times* 17 Sept. 3/3 From Denby, it's three-quarters of an hour's drive to our main custody block.

2010 *Guardian* 2 Nov. (G2 section) 25/1 Hats off to the gavvers for allowing the cameras into the Medway custody suite in Gillingham, Kent.

b.

custody officer *n*.

1875 *Western Times (Exeter)* 26 June 3/2 She refused to obey the request of the custody officer to leave the dock for the cells.

1965 *Jrnl. Criminal Law, Criminol., & Police Sci.* 56 186/2 It is the custody officer who is in daily contact with the inmates.

2015 *Nottingham Post* (Nexis) 3 Apr. 20 A mother and daughter were led away in handcuffs by custody officers after magistrates sent them both to jail.

custody sergeant *n*.

1984 *West's Calif. Reporter* 197 438/1 The custody sergeant at the jail advised the detectives conducting the lineup that defendant's attorney should be notified.

2015 *Sheffield Tel.* (Nexis) 12 Mar. Custody sergeants received written warnings from the force after a misconduct meeting.

C3.

custody land *n* (also with capital initials) now hist. and rare a type of Crown land in Great Britain of which the revenue is paid to the Clerk of the Pipe (see PIPE *n*. 10a).

In quotes. only in pl.

a1614 W. COPE Apol. R. Cecil in J. Gutch Collectanea Curiosa (1781) I. x. 122 Custody Lands, ancietly termed the Crown Lands, answered in the Pipe.

a1631 R. COTTON in J. Howell Cottoni Posthuma (1651) 179 The Kings raise money. By passing in Fee-farm, except places of the Kings Residence, Parks, [etc.], which remain either in the annexation, custody lands, or Queens jointure, and exceed not yearly 32000. l.


1992 R. W. HOYLE Estates of Eng. Crown, 1558–1640 i. 6 The oldest (and most obscure) were the lands under the charge of the sheriffs, the so-called custody lands.
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