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National Union of Societies for Equal Citizenship.

THE WORK OF WOMEN MAGISTRATES.*

The institution of the Commission of the Peace, with its Courts of Quarter Session and its powers of summary jurisdiction, is one of the oldest of the continuous customs of this country. Manuals on the subject of the rights, powers and duties of magistrates are indeed so much weighted with historical matter that the essential is often difficult to disentangle from the purely hereditary, and only those who are acquainted with the practical working of this method of preserving order can find their way undisturbed through the antiquities, legalities and technicalities of their pages.

The appointment of women J.P.s, however, very naturally draws the attention of sensible women citizens to the field of public work that a magistrate can undertake, and it may therefore be useful to set out in plain language what a magistrate can do. In the words of the Commission, a magistrate is bound "to inquire the truth more fully by the oath of good and lawful men of the

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country of all and all manner of felonies, poisonings, enchantments, sorceries, arts, magic, trespasses, fore-stallings, regratings, engrossings, and extortions what-ever." To this enthralling list Parliament has from time to time added the administration of justice and the preservation of the peace under sections of the Army, Game, Highway, Licensing, Merchant Shipping, Public Health, Bastardy, Revenue, and Vagrancy Acts; that is, power to deal at first instance with deserters, poachers, lunatics, public houses, smugglers, tramps, and the causers of nuisances, of malicious damage, and assault, with all the offences of children, with separation orders, affiliation orders, and with the thousand and one petty regulations constantly created by by-law or statute.

The new woman Justice then, when she has taken the oath of allegiance and the judicial oath binding her to "do right to all manner of people after the laws and usages of this Realm, without fear or favour, affection or ill-will," will take her seat on the Bench and proceed to learn her job. Procedure among magistrates being according to seniority of appointment, no woman will be called upon as yet to act as chairman of a Petty Sessional Court (unless she is Mayor, when she will be entitled by Statute to take the chairmanship of her Borough Bench). She will, therefore, have the opportunity in which to learn her job, and a fascinating opportunity it will be.

A newly appointed county magistrate has the right to sit in any division of his county, but it is usual to enquire of a Justice at which court he wishes to sit, and often to ask him to sit on a given day, in order that a proper number of Justices may always be present to transact business. It is not always easy to get the minimum number of Justices to make a Court which has

to transact a variety of business, since no Justice may try a case in which he has a personal interest, and no one would wish to do so in any case in which his impartiality might be questioned. In these cases, therefore, a Justice from a neighbouring Bench is often invited to attend, and in this way women will in time get experience of several different courts. For some kinds of business, as, for example, licensing, lunacy, prison visiting, special Justices are appointed by their colleagues to act as a Committee. In this direction, in particular the last of these, women Justices will have an opportunity for very important work.

Any Justice has the right of visiting any prison in the county or borough where he has jurisdiction, and seeing any prisoner or prisoners with the exception of any person who is under sentence of death. But members of the visiting committees of prisons are appointed by Justices at County Quarter Sessions, at which, of course, women Justices are entitled to take part, and these visitors must elect a chairman and meet at the prison every month, while one or more of them must visit the prison every week. In boroughs the borough justices appoint their representatives to act on the committee. There is not likely to be any unwillingness to appoint women on the visiting committee, but even if the appointment is refused, every woman Justice can and should visit the prison in which persons convicted by her Bench are confined, and learn for herself what the sentences she gives or assents to really mean. Quite as important as prison visiting is asylum visiting. Three or more Justices are annually appointed by their fellows to visit places where persons are detained under the lunacy laws. It is difficult, if not impossible, for men, even medical men, to carry out the inspection of the female wards of lunatic asylums in an efficient manner. One or more

women Justices should be appointed to this duty in every district, and one at least of the Justices appointed to sign reception orders under the Lunacy Acts should be a woman. These Justices are appointed by Quarter Sessions (except in Boroughs where the Borough Justices appoint), and their names, addresses, and occupations must be published in the local press, and their appointments notified to the Board of Control and the Masters in Lunacy. These officials will no doubt be instructed to enquire the reason if women's names do not appear in the lists of notifications.

It is unnecessary to point out the influence of women magistrates in cases of juvenile offenders; our only fear on this score is that they may be too exclusively occupied with this class of work, and may be expected to neglect for it the other responsibilities of their position.

Leaving these special duties we return to the ordinary routine of a Justice at his or her court. It is common knowledge that these courts vary very much in efficiency. The woman Justice will be well advised to take advantage of her junior position to ascertain the character of her own Bench before she takes any very active part in its proceedings. Though county Justices are not avowedly chosen for their expert knowledge, they generally consist to a considerable extent of men who have been called to the Bar, and have consequently some foundation of legal knowledge to guide them. Their clerk, if they chance to be ignorant of the law they sit to administer, has the duty of advising them. But he should not, and seldom does, interfere on questions of fact or questions such as credibility of witnesses. A good Bench with a good clerk will have enough local knowledge to judge whether the police evidence is unbiassed and the other evidence against the prisoner impartial. The chairman will

usually ask the opinion of any Justice with special local or other knowledge of the case under consideration, and a woman Justice, if she convinces her colleagues that she is "knowledgeable," and reasonably impartial on cases where women are concerned, can hardly fail to make the weight of her opinion felt. County Justices are often prejudiced, but they are as a rule anxious to be fair to all parties.

Women Justices should not of course leave the Bench when cases of sexual crime are under consideration. A woman Justice who is business-like and takes questions however unpleasant in an absolutely matter-of-fact-way, will be welcomed as a real helper by her fellow Justices. If she is possessed of knowledge and experience in dealing with human nature in some of its most difficult circumstances, her opinion is bound to have great weight in giving the verdict. Under any circumstances let her remember that she has the right to be on the Bench for every kind of case and a right to vote on the verdict.

Hearing cases is only part, and often a small part, of the work of the rural magistrate. The woman who is once sworn in and has shown herself willing to take her duties seriously will find herself constantly in demand for all kinds of small services to her neighbours. She will be asked to sign the innumerable orders for the removal of cattle or pigs which are necessary when epidemic disease exists among animals; she will be asked to administer oaths and take statutory declarations, and she will be expected to act as "poor man's lawyer" in all the multifarious circumstances in which the uninstructed

villager comes into contact with the law of the land. The new Justice, as she gets to know the law, will find herself installed as a village Solomon.

Enquirers are already asking whether women magistrates will have any special powers with regard to affiliation and maintenance orders and probation work. There is certainly a wide field of usefulness in connection with the collection of allowances under affiliation orders and women Justices should be in close touch with collecting officers. The extension of the Probation System is another matter which should occupy her attention. Where a Probation Officer has been appointed, the sympathy and co-operation of a woman will be warmly welcomed. If (as often) there is none, a woman Justice could hardly spend her leisure better than in following up the cases which come before her court.

Women magistrates are already asking for suggestions as to books and circulars which will help them in their work. We understand that a useful bibliography is at present being compiled by the Howard Association, 43, Devonshire Chambers, Bishopsgate, E.C., and will be ready shortly. In the meantime particulars of a few publications likely to prove helpful are appended to this leaflet. Reprints of the Home Office Circulars that are most likely to be of assistance to Justices are sent to Clerks of the Peace from the Crown Office or the Duchy of Lancaster Office, for distribution to the newly appointed Magistrates when names are added to the Commissions of the Peace. The Secretary of State is always ready to give the Justices such assistance and advice in the discharge

of their magisterial duties as his Department is able to afford, but it is desirable that applications for this purpose should as a general rule be made through their Clerk or by the Chairman of the particular Bench concerned. Copies of Home Office circulars, however, or rules issued by the Home Office are supplied to individual Magistrates on direct application by them.

It is clear that a wide new field of public usefulness is opening to women. The pioneers of this new road have a great responsibility, and we congratulate them upon it.

USEFUL PUBLICATIONS.

- The Justice of the Peace, by a Middlesex Magistrate. Dent. 3/6.
- The Probation System. Leeson. King and Son. 3/6. (All women Magistrates are urged to read this).
- Report of the Juvenile Organizations Committee. 9d. (by post 10½d.). H.M. Stationery Office.
- The Justice of the Peace and his Functions. 1/- weekly. Messrs. Butterworth, Bell Yard, Temple Bar, W.C.2.
- The Woman's Leader. 3d. weekly. Evelyn House, 62, Oxford Street, W.1. (Articles and notes of special interest to women Magistrates will appear from time to time).
- Reports of Howard Association and Penal Reform League, 43, Devonshire Chambers, Bishopsgate.
- The above mentioned books and reports may be had from the library of the National Union of Societies for Equal Citizenship, Evelyn House, 62, Oxford Street, W.1.

Edward Wright & Cavendish Bentinck Lending Libraries.

These two Libraries, containing some THREE THOUSAND VOLUMES on subjects of interest to women as citizens, are now under the same management, and are housed in the Offices of the National Union of Societies for Equal Citizenship, Evelyn House, 62, Oxford Street, London, W.1.

The Joint Library contains a most valuable and interesting historical section on feminism as well as sections on current political and social problems. Great care is taken to keep these sections, which include pamphlets and Government publications, up-to-date.

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