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JANUARY-MARCH 1943

THE POLICE JOURNAL

*A Quarterly Review for the Police Forces
of the Empire*

ISSUED UNDER OFFICIAL PATRONAGE

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THE POLICE JOURNAL

War Commentary**THE CIVILIAN RÔLE IN BATTLE**

MUCH confused thinking exists on the "battle rôle" of the civilian in the event of military operations taking place in this country. From some quarters the assertion is made that the police and civil defence services, and indeed every civilian, should be armed and trained in the use of arms with which to repel and destroy the enemy. The ruthless tactics of the enemy and the incontrovertible fact that the nation is fighting for its life provide widespread support for this point of view. It is widely felt that all able-bodied men in every branch of the public and civil defence services, as well as those engaged in war industry generally, should be ready, trained and equipped to play a fighting rôle in the battle.

A study of all aspects of the problem, however, shows that a fighting rôle can only be undertaken by those who are enrolled in units of the Armed Forces, disciplined, organised and trained in the use of modern weapons and led by officers trained and skilled, with a knowledge of the enemy's tactical aims and the possible disposition of his forces. That this fact is recognised is indicated by the rôle assigned to Invasion Committees, and the task entrusted to them in every locality to bring the resources of the civil population to the service of the military authorities. On many occasions it has been pointed out that whereas in the war of 1914-18 the maintenance of every rifleman in the front-line trenches required six or more men behind on the line of communications, supply depots, the shipping and transport services and in the munition factories, this number is quite inadequate to serve the needs of the armoured forces and the much more elaborately equipped infantry-men who now, with the men of the Royal Armoured Corps, form the spearhead in attack and an obstruction in defence. The Army perforce must carry on its establishment large numbers of men engaged on supply, maintenance and transport services, not primarily fulfilling a fighting rôle, nor indeed, in many cases, provided with weapons with which to fight if need be.

In invasion conditions the man-power and resources of the civil population would be in an analogous position. To enable the civilian services effectively to augment the Armed Forces in meeting the special conditions which arose in this country in the Spring of 1940, the Local Defence Volunteers (now the Home Guard) were created. The Home Guard is increasingly skilled, efficient and well-equipped, an integral part of the Armed Forces, and its members in every locality may be relied upon to give a good account of themselves in any operations which may develop. Units are becoming increasingly well organised and led. Every member of the Home Guard is a member of the Armed Forces of the Crown, and is to be regarded as an effective fighting unit available for "front line" duties. To be thoroughly effective, however, the Home Guard will require the services and resources of the civil population, not in a fighting rôle, but in the rôle indicated simply and wisely in the Government's official pamphlet—*Beating the Invader*. This pamphlet remains the official and settled policy of the Government, and those who have learned its precepts can be relied upon to see any possible situation in a right perspective. At the present time, when the possibility of an attempted German invasion of this country has somewhat receded from the public mind, it is desirable that the police and all concerned in carrying out and enforcing the "stand firm" policy laid down for the civil population should be ceaselessly vigilant and refuse to be led into a false sense of security.

WAR CRIMINALS

The announcement of the determination of the governments of the United Nations to bring to justice and punish the individuals responsible for the perpetration of atrocities and other war crimes, while not a matter of immediate concern to the police, is a useful reminder of the importance of speed, skill and accuracy in the investigation of crimes, particularly those crimes in which the perpetrator is outside the reach of the investigator. The appointment of a fact-finding commission, to sift and collate evidence, as it becomes available, of Nazi breaches of the laws of war indicates that this need is recognised in its application to a problem which will not diminish in complexity as the war is extended. The difficulties of obtaining direct evidence will be obvious, and while hostilities last will be severely hampered; but evidence collected and sifted soon after the event will have its value at a later date when the task of verification is made easier and becomes practicable. Not infrequently, the skill and assiduity with which an experienced police officer handles the initial investigation into a crime, involving the collection of signed statements which, at the time, have merely a negative bearing on the facts in issue, are amply rewarded on the day when the

suspected perpetrator of the crime is found and questioned. The crimes of the Nazi régime, and of the individuals who staff the Gestapo, have excited the indignation of all civilised peoples, and call for a stern judicial and rigorous retribution. The failure of the attempt made following the war of 1914-18 to secure the trial and punishment of individuals alleged to have committed crimes against civilians and soldiers in contravention of the laws of war demands that on this occasion no defects in machinery should arise which could have been foreseen at the present stage.

There will, inevitably, be inherent difficulties in the process of setting up the judicial machinery for the trial and punishment of persons against whom charges can be framed. In the first place, the laws of war are nebulous, not always consistent, and lack a penal code for procedure and penalty which is the hallmark of criminal law and procedure in this country. The fact-finding commission's investigators, besides being hampered by the impracticability of obtaining signed statements from eye-witnesses and those against whom the crimes have been committed, will require skill in examining witnesses and taking proofs. When the time for trial is reached, the tribunal will be free and able to act only on facts which are proved beyond reasonable doubt. The search for truth here, as always, will be more complicated with the recession of time.

THE WRITTEN AND SPOKEN WORD

The ingenuity of journalists in obtaining "scoops" is well known. Success largely depends on the skill and tenacity of the reporter in framing his questions to persons from whom he seeks information. The collection of "news" by a newspaper representative is somewhat different from the recording of facts by a policeman, the former not generally being limited to the "rigid and naked" truth; indeed, the practice of popular journalism is to improve the sensational or "news" value and therefore the sales value of the material. The policeman, on the other hand, must rightly confine himself to the truth, the whole truth, and nothing but the truth. When making interviews, however, both journalist and policeman must weigh the comparative merits of a personal interview, or a letter seeking the information desired. The former is generally accepted as likely to be more fruitful in result.

An example of adroitness in deciding in favour of a written communication was found in the recent case in which an American journalist (Mr. Henry Cassidy) succeeded in obtaining a document from the Prime Minister of the Soviet Union, reputed to be one of the most reticent of statesmen, which proved to have a world news value and a complete "scoop" for the enterprising newspaper proprietor served by the Moscow reporter. Cassidy would admit that luck was on his side.

But he is entitled to credit for discriminating between the relative values of a written request for information and the more customary attempt at a personal interview.

Cassidy has related that after receiving instructions from his editor in New York he wrote a letter asking a few questions and, instead of applying for an interview, sent the document to the Russian Prime Minister through the ordinary course of post. Two days later he received a written reply which took its place in the chief news of the day both in America and in England.

The policeman, and particularly the detective, not infrequently finds that a personal interview with a witness, or a suspect, is preferable to a written communication. In police practice a personal interview also is preferable; but the value of the letter as a means of eliciting information is not to be discounted. This is particularly true in dealing with heads of services, departments, and the principals of firms and businesses. A written communication can be referred to a subordinate who is better able to furnish technical information, or alternatively the principal or head of the department can better reply on matters of control and policy. In such cases an enquiry by letter is economical in time and likely to be more accurate in detail than the answers obtained from a personal call. Whether the enquiry is made by letter or by interview is a matter in which the circumstances of the case must dictate; in either case success depends on the ability of the investigator to discriminate and weigh the conflicting merits. Good speaking and good writing are rare, not commonplace, qualities, and their development demands study, practice and experience.

The Police and the Law

COMPENSATION FOR INJURY

THE decision in *Dempsey v. Londonderry Corporation* (1942, N.I. 90) is of wider importance than its solution of a problem arising out of circumstances probably unique in the history of the police force. A Head Constable in Northern Ireland had been murdered by a constable in the same force and the widow applied for compensation under the Criminal Injuries Acts and the Criminal Injuries (Ireland) Act, 1919. The Head Constable was killed when visiting the constable, who was on night duty at the docks. No motive was alleged for the murder and the constable shot himself immediately afterwards. Insanity was alleged by the Corporation, but Lord Justice Murphy, as Judge of Assize, on appeal from the Recorder of Londonderry, held that there was no evidence of insanity. The Acts in question direct compensation to be paid for injuries received by a constable "in the execution of his duty." It was argued by the Corporation, who resisted the claim of the Head Constable's widow to compensation, that it was necessary to prove that the murder was committed on account of the deceased being, acting, or having acted as a police constable. The murderer was a fellow member of the same force and this could not be proved. But the Recorder and the Judge of Assize took a wider view of the words of the Act: the deceased was on duty at the time and that was sufficient. Compensation was payable to the widow in the same way as it would have been if the deceased had met his death at the hands of a suspect while resisting arrest. It was argued in vain that if the words were merely equivalent to "while on duty" manifest absurdity might result, such as a claim for compensation if one civil servant assassinated another for no apparent reason during working hours.

In England special pensions may be payable under the Police Pensions Act, 1921, section 12 (2), for injuries suffered by a constable "in the execution of his duty." It is likely that the same broad interpretation of these words in the sense of "while on his duty" and not "on account of his duty" would find favour in the English courts. A constable who is injured when on duty by one who has no enmity towards him as a constable but only as a man might be able to take advantage of the decision in *Dempsey v. Londonderry Corporation*. In the great majority of cases, naturally, the injury is inflicted *qua* constable and not *qua* man and so no difficulty arises.

WIDOWS' CONTRIBUTORY PENSIONS AND THE POLICE

An uninsured man who marries a woman who is insured under the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, may in certain circumstances become a voluntary contributor by continuing her payments himself and thus entitling himself to a pension. In the case of *Sutcliffe v. Minister of Health* (40 L.G.R. 150) a retired constable of the Lancashire Constabulary who was drawing a police superannuation allowance married a woman who had paid 104 insurance contributions before her marriage to him. He gave the prescribed notice and paid her contributions for six years after the marriage until his death. It was argued that he had become a voluntary contributor and therefore that his widow was entitled to the pension. But it was held that she had no claim as it was not possible for the constable, in law, to be a voluntary contributor. It is clear by section 15 of the Act of 1925 that a police constable, who is not an insurable person, cannot become insurable on retirement, if he is drawing a superannuation allowance. It follows that he cannot entitle himself to an insurance pension by taking over his wife's insurance.

IDENTIFICATION BY PHOTOGRAPHS: A RECORDER'S CRITICISM

The identification of criminal suspects by police photographs was strongly criticised by the Deputy Recorder in a case before Salford Quarter Sessions (*Manchester Guardian*, October 13th, 1942). He, of course, agreed that there was judicial authority for identification by photographs, but not for the method used in this case. He said that the High Court would be "horrified" that certain photographs should be shown to a woman whose purse was stolen from her kitchen by a man of whom she caught a side-face glimpse as he ran out. Not only, he went on, were the photographs objectionable, giving, as they did, three views of each man, one of which clearly indicated police measurements as to height and build, but after the woman had made an identification of sorts from them she was then invited to pick the man at an identification parade.

"It would be the height of phantasy," said the Deputy Recorder, "after she had seen a reasonably good photograph to expect her to pick out a different man at the parade." The defendant, on the Deputy Recorder's direction, was found not guilty and discharged.

This case emphasises the danger of holding an identification parade after a hesitant prosecutor has scrutinised—and unconsciously memorised—a police photograph of a criminal. A parade held in these circumstances could only be useful in so far as the photograph itself was unobjectionable and the identification from it unhesitating. A

hesitant identification of a photograph cannot be supported by an identification at the parade. The photograph and the parade ought to be independent methods of identification, and this must be difficult if the photograph is seen first.

THE ABUSES OF JOINT TRIALS

Joint trial involving several prisoners, many counts in the indictment, and lasting many days have become common in recent years. Sometimes the daily press suggests that mammoth trials lasting a "record" length of time are something that the lawyer should be proud of as a legal feat. It is rather the detective who should be congratulated in these complicated cases, for the sounder and older legal practice is to split up the case into several distinct trials of the separate prisoners. The Court of Criminal Appeal was critical of those responsible for monster joint prosecutions in *R. v. Shaw* and *R. v. Greenberg*. In the latter case the Court referred with approval to a pronouncement of the Court of Criminal Appeal several years ago: "It is said that this kind of indictment is common, but in our view it ought to cease to be common. It is not fair to the accused, not fair to the jury, not fair to the judge."

In the case of *R. v. Shaw* there were six prisoners and twenty-two counts in the indictment. The trial lasted six days and the transcript of the shorthand notes ran into 329 pages. Mr. Justice Cassels remarked that it was not surprising that the deputy chairman confessed on the fourth day of the trial: "Quite frankly, when I begin to get into all these letters and numbers, I am completely befogged." On appeal, it was declared to be unreasonable to expect that a jury could grasp and retain the evidence in its entirety and as it concerned the separate counts and the individual prisoners. Such an involved case threw an unmerited strain upon a jury and even upon the court. "It would not unduly tax the ingenuity of those responsible for the prosecution to have divided the trial into at least three parts. Such a course would have reduced the issue for the jury, and rendered easier the duties of the court. We recommend for the future guidance of those who have charge of prosecutions that they should seriously consider the possibility of dividing these long and complicated cases. We think that such a course will make for the efficiency of the administration of criminal justice and be in the interests both of defendants and juries."

In one sense such trials may be in the interests of the prosecution, for the witnesses need only attend one trial and there is a saving of time, trouble and travel, as well as expense. These considerations are undoubtedly of importance, especially at the present time. But even from the point of view of the interests of the prosecution these trials sometimes prove unsatisfactory, as a guilty man may escape punishment through a

harassed judge falling into some error: the chances of a misdirection of the jury or the wrongful acceptance or rejection of evidence are greatly increased, as the reports of such cases show.

In *R. v. Greenberg* the Court of Criminal Appeal declared that the observations which were made in *R. v. Shaw* applied with very considerable force. It was a clothing coupons prosecution and 19 persons were tried together, there being counts against all 19. They were separately represented by 11 counsel. The Court agreed that a prosecution in such a form was undesirable, but "it is a very different matter and quite a separate matter when you consider whether there was in fact such a miscarriage of justice" as to justify the quashing of a conviction.

In this case, the warnings given to the jury by counsel for the prosecution and by the judge were sufficiently clear and careful to indicate what evidence could rightly be taken into consideration against each prisoner. The judge clearly emphasised the true province of the jury and he was careful to see that each prisoner's case was separately regarded. Further, "counsel for the prosecution, as one would expect, treated the matter in the traditional way. His duty was to be a minister of justice, and he therefore made a very careful tabulation of the points which he desired the jury to have in mind in order that justice should be done." The result was that the conviction was upheld. We deal further with this case at a later page.

"BLACK MARKET" FINES: WHAT HAPPENS TO THE MONEY

The recently issued Circular of the Home Secretary (No. 866997/1) which came into operation on June 8th, 1942, concerns the Regulations for the recovery of fines imposed for "black market" offences and offences against the Defence (Finance) Regulations, 1942.

While the Regulations make some important changes in the law in so far as they affect Courts of Summary Jurisdiction it is particularly with reference to the disposition of "black market" fines that these notes are written.

The fines in question are sometimes very heavy and are on a different footing from those ordinarily imposed by the Court.

Regulation 12 provides that such part of a large fine or fines (for one offence or two or more fines imposed on the same occasion) as is in excess of £500 shall go to the National Exchequer. This is, perhaps, unfortunate for the authorities which, under the law before the recent amendment, took the lion's share. Regulation 12 requires that in such cases moneys received shall be applied:

Firstly, in the payment of costs to the persons entitled thereto;

Secondly, as to the next £500 in accordance with the General

Rule in section 5 (1) of the Criminal Justice Administration Act, 1914; and

Thirdly, as to the balance, to the National Exchequer.

At this juncture it is interesting to see how the £500, after payment of the costs, is appropriated. This is as follows (being a quotation from the statutory reference named):

- "(a) in the first place, in the repayment to the informant or complainant of any court or police fees paid by him;
- (b) in the second place, in the payment of any court fees not already paid by the informant or complainant which may be payable under the table of fees set out in the First Schedule to this Act;
- (c) in the third place, in the payment of any police fees not already paid by the informant or complainant; and
- (d) the balance (if any) remaining after the aforesaid payments have been made shall be paid to the fund or person to which the fine is directed to be paid by the enactments relating to the offence in respect of which the fine was imposed, or if there is no such fund or person, then to the fund into which the court fees are paid."

The expression "police fees" means (by section 5 (2) of the Act) all duly authorised fees payable to any constable in the execution of his duty.

Recent Judicial Decisions

MANSLAUGHTER BY NEGLIGENCE

R. v. Bonnyman

MANSLAUGHTER by negligence is probably the commonest form of manslaughter since the invention of the internal combustion engine. Comparatively rare is what may be called manslaughter by neglect, in the sense of a failure to render proper care and attention by one who is under a duty to look after the deceased. In *R. v. Bonnyman* (86 S.J. 274) the accused owed this duty both as a husband and a physician. The Court of Criminal Appeal referred to the famous case of *R. v. Charlotte Smith* in 1865, the leading decision on the subject, in which the employer of a maidservant caused her death by unhealthy conditions of work and shameful neglect.

In the recent case a doctor was convicted of the manslaughter of his wife and sentenced to 12 months' imprisonment, the Court of Criminal Appeal upholding the conviction and sentence. He had married in 1930 and soon afterwards discovered that she had become addicted to drugs, chiefly morphia. He also became a drug addict himself; from 1940 both were confirmed addicts. It appeared that she obtained her morphia in diluted form and then concentrated it for injection by a syringe. In February 1940 the appellant's mother summoned a doctor who found the wife hysterical, in a dreadful physical condition, and unwilling to go to hospital. The doctor managed to get her to hospital and a great improvement in her condition resulted from treatment. She returned to her home and in April 1940 was discovered again to be in a dreadful condition. The appellant expressed his awareness of the risk to himself of allowing her to be in that condition. The evidence of witnesses called for the defence was that for the last months of her life the woman was helpless and incapable of deciding what was best for herself. She was obstinate in her refusal to go to hospital. She died from under-nourishment and the consequences of morphia poisoning, when her weight had fallen to less than 4 stone.

In giving the judgment of the Court of Criminal Appeal, Lord Caldecote, Chief Justice, said that it could not be doubted that the appellant's wife was unable to withdraw herself from the appellant's care. She was as helpless as she could be and it was the appellant's plain duty to give her the aid and treatment which he had withheld. It was argued that the jury had been wrongly directed as to the quality of negligence which they must find if they were to convict the appellant. The question was what qualification of the mere word negligence was required in order to indicate to a jury the degree of negligence which they must find to justify a verdict of manslaughter. Mr. Justice Humphreys at the trial objected to the qualification "wicked" negligence as implying a wicked intention and he preferred "reckless," following recent judicial opinion. The Court of Criminal Appeal agreed that "reckless" was the preferable word. The husband may not have been wicked, at least intentionally, but he had certainly been reckless about his wife's health.

A further point was that the jury at the trial had not been invited to consider whether the appellant's wife was helpless as the prosecution alleged. But in view of an earlier decision of the Court of Criminal Appeal this point did not help the appellant because, as in the earlier case, although it was strictly a question for the jury there could be no doubt what their answer would have been if they had been expressly asked whether at the material time the deceased was helpless. When there is an error in the judge's direction to the jury an appeal on that

ground does not succeed if the Court of Criminal Appeal holds that the jury would inevitably have brought in the same verdict after a proper direction.

PROVOCATION IN MURDER CASES: AN UNSETTLED POINT

R. v. Larkin

It is well known that in certain circumstances of sexual provocation a man who kills his wife is guilty not of murder but of manslaughter. It is uncertain how far this relaxation of the law relating to murder extends to the case of the killing of a mistress or a fiancée. At the Liverpool Assizes, in *R. v. Larkin*, Mr. Justice Oliver ruled that the principle was the same in the case of a mistress with whom the accused had lived for ten years. The prosecution submitted that the sexual conduct of a man's mistress could not amount to provocation and there is a decision somewhat to this effect. But Mr. Justice Oliver declared: "With the greatest respect to the tribunal who decided it, so much water has gone under the bridge in the past 30 years, including two decisions in the House of Lords, that I shall not follow that case to-day if the matter arises. I should direct a jury that a man who had lived with a woman, as this man has done with the dead woman for ten years, was in exactly the same position as a husband, so far as the law of provocation is concerned. That is the more merciful view and I believe it to be right."

The prisoner visited a drinking party at which he had seen his mistress with another man whom he suspected, rightly, to be her lover. The prisoner appeared with an open razor as the couple were leaving the room for the purpose of having intimate relations, possibly in the house or somewhere else; he cut her throat and then vainly pursued the man. In the case of a wife it is established that a statement by her of her intention to commit adultery may be sufficient provocation to reduce the killing to manslaughter. In *R. v. Larkin* the conduct of the mistress might be taken to be tantamount to such a statement. Or the situation may even be closer to the case of a man discovering his wife in adultery, for the appearance of the prisoner seems to have prevented intimate relations which he, rightly, thought would have occurred forthwith. On a charge of murder the jury found the prisoner not guilty of murder but guilty of manslaughter, and he was sentenced to five years' penal servitude.

THE MEANING OF POSSESSION IN "RECEIVING" CASES

R. v. Shaw

In pronouncing the judgment of the Court of Criminal Appeal in

R. v. Shaw (1942, 2 *All E.R.* 342) Mr. Justice Cassels said that "in many charges of receiving there is no question arising upon the point of possession. The evidence is all one way, that the prisoner undeniably has had the goods in his possession; but here the evidence calculated to establish possession in law was very meagre and, such as it was, depended on the evidence of an accomplice and an abandoned mistress." It was a case in which the prisoner had rendered assistance in the disposal of a stolen car which, the prosecution alleged, he knew to be stolen. He was alleged to have helped by altering number plates, by fixing a fire extinguisher on the car to cover up four screw holes which might have been recognised by its owner, and to have made himself useful in other ways. He was convicted and sentenced; but as he had never had possession of the car he appealed successfully against his conviction for receiving stolen goods. He might conceivably have been found guilty of being an accessory after the fact, but this was not the charge brought against him.

At the trial the deputy chairman of quarter sessions directed the jury on the three essential ingredients of the offence of receiving, namely (1) the theft of the goods, (2) the taking into possession of the stolen goods by the prisoner, (3) knowledge on his part that they were stolen. But the deputy chairman failed to warn the jury about the legal meaning of possession. In the absence of such a direction the conviction was quashed. Possession is a legal conception and it does not always coincide with the meaning of possession in everyday speech.

Possession in a case of receiving may be the exclusive possession of one person or it may be the joint possession of two or more. But mere handling of goods by one person does not make him a joint possessor with one who has the effective control of them. As Mr. Justice Cassels said: "If the stolen property remains in the exclusive possession and under the exclusive control of one person, another person who may even have rendered assistance in the disposal of the property cannot be convicted of receiving."

THE PROPER SENTENCE AFTER PREVIOUS CONVICTIONS

R. v. Betteridge

Lord Caldecote, Chief Justice, in delivering the judgment of the Court of Criminal Appeal in *R. v. Betteridge* (October 13th, 1942), said that for a judge to add up previous convictions and then to increase the severity of a sentence was "dangerously like punishing a man twice for the same offence." The appeal was brought by a 21-year-old soldier who had been sentenced to three years' penal servitude at quarter sessions after pleading guilty to stealing a small sum of money from a

house. He had committed previous offences of a similar character and the Recorder calculated that he had committed 19 different offences since January 1st, 1941.

The appeal against sentence was allowed and "bearing in mind that Betteridge had disregarded warnings and was not entitled to any particular leniency, the proper sentence was one of 20 months' imprisonment." The Lord Chief Justice said that "if a man shows himself unresponsive to leniency it is a reason for giving him the proper sentence he deserves in that particular case." Thus, previous convictions may make it right not to be lenient, but they do not, of themselves, justify the imposition of a heavier sentence than would otherwise be given. If a man's record shows that he commits crime as soon as he comes out of prison he may be given a stiff sentence to reform him. But the accused's previous character is only one of the factors that must be borne in mind when sentence is passed. *R. v. Betteridge* emphasises the point that there must be no rule-of-thumb practice that the sentence increases in proportion to the number of previous convictions.

POSSESSION OF COUPONS: INTENT TO DECEIVE

R. v. Greenberg

The substantial point of law in *R. v. Greenberg* (1942, 2 *All E.R.* 344) arose on a charge of possessing, with intent to deceive, documents resembling clothing coupons contrary to the Defence (General) Regulations, regulation 82 (1), (6). It was proved that the appellants did possess such documents with intent to deceive, but it could not be proved that they knew that the documents were false. It was held, in the first place, that an intent to deceive could be established otherwise than by proving knowledge of the falsity of the documents, *e.g.*, by showing that they were acquired in an unlawful manner, such as by purchase for cash. Secondly, it was held that on a proper interpretation of the regulation it was not necessary to prove knowledge of the falsity of the documents. An intent to deceive is the essence of the offence. The suggested extra element of knowledge of the falsity of the documents would have been introduced into the definition of the offence if it had been intended by the draftsmen. At the trial, Mr. Justice Asquith cited an analogy from the Forgery Act under which an utterer of forged documents must not only have an intent to deceive or defraud but knowledge that the document is forged: this latter requirement is expressly laid down by the legislature in the definition of the offence.

The Court of Criminal Appeal upheld the conviction.

LIMITATION OF SUPPLIES: WHO IS A "DIRECTOR" OF A COMPANY?

Dean v. Hiesler

A case in which the construction of a wartime penal provision went in favour of the defendant was *Dean v. Hiesler* (1942, 2 *All E.R.* 340) although the Lord Chief Justice said that there were no merits in his contention and the Bow Street magistrate had stated the sentence which he would have passed on the defendant if the point of legal construction had gone against him. The magistrate dismissed an information against a defendant who was proceeded against under Regulation 91 of the Defence (General) Regulations as being the director of a company at the time when certain offences against the regulations limiting supplies were committed. The prosecution appealed by way of case stated to the Divisional Court.

It appeared that the defendant was not appointed director at a duly convened meeting of the board of the company although a return was sent to the registrar of companies notifying a change of directors and giving the respondent's name as the new director. At all material times the respondent attended at the office of the company and signed letters, cheques, and documents describing himself as a director. On the other hand, at no time did he take up the necessary qualification shares. The appellants quoted a provision in the Companies Act, 1929, to the effect that under that Act a "Director" includes anyone who is in the position of a director. But the Act was held not to be relevant and the respondent rightly acquitted as he was "not in fact a director of the company."

Mr. Justice Tucker said that "if it had been thought necessary or desirable to include such persons within the provisions of this regulation, appropriate words could have been used to effect that purpose, but, in my view, such words not having been used, the natural and restricted interpretation is the only one which can be put upon it." "That regulation has the force of a penal statute, and, in my view, should be construed strictly." The principle of the strict construction of penal statutes, *i.e.* in favour of the accused, is well established in law but it is not so often acted on by judges as it used to be. In connection with wartime penal legislation passed hurriedly to meet an emergency still less is heard of this rule of interpretation.

DEFENCE OF INSANITY RAISED ON APPEAL

R. v. Dashwood

It is only in special cases that the Court of Criminal Appeal can listen to fresh evidence. The curious circumstances of *R. v. Dashwood*

(*The Times*, August 27th, 1942) did not provide such a case and the appeal on the ground of insanity from a conviction for murder was dismissed. The appellant had the free legal aid of two counsel at the trial, but during the trial asked not to be represented by counsel. On that, as a matter of practice and law, counsel ceased to represent the accused and had no further *locus standi*. The reason why the accused rejected their assistance was that they thought it was in his interests to raise the question of their client's sanity and he did not wish this to be done. But although his counsel ceased to have any standing as such, they assisted the court in an informal manner as *amicus curiae*. They advised the judge that there were certain documents which he ought to see, particularly a medical officer's report. The accused still resisted the production of any such evidence and he was convicted.

In its judgment, the Court of Criminal Appeal pointed out that it had no power to order a new trial by jury and that it would indeed require some very remarkable circumstances to justify the court in turning itself into a tribunal of fact to decide such an important matter as insanity when that matter had been deliberately withheld from the consideration of the jury by the person who was asking them to embark on the inquiry. After his conviction the accused changed his mind and seems to have been only too willing to rely on the defence of insanity.

As further evidence could not be considered by the Court, appellant's counsel took another line. They argued that the appellant was so insane at the time of his trial as not to be able to appreciate the desirability of the issue of insanity being raised on his behalf. But it was impossible for the Court to say that the mere fact that the appellant differed from his counsel as to the best line to be taken for his defence was sufficient to prove that he was, owing to his insanity, incapable of conducting his own defence. "To grant the application before them would be to open the door to every person charged with any serious crime before a jury to instruct his counsel to run such defence as he thought right at the trial, and if that defence failed, to come to that Court and ask that his state of mind should be inquired into, and to invite the Court to say that the proper verdict would be that he was insane. In their view the Act which defined the powers of the Court precluded them from doing such a thing."

MAXIMUM PRICE AND "SALE" OF GOODS

Mischeff v. Springett

Technical questions of law are of frequent occurrence in prosecutions under maximum price regulations. In *Mischeff v. Springett* (58 *T.L.R.* 385) the distinction, so familiar to lawyers but not to others,

between a sale and an agreement to sell operated against the appellant. On a case stated by the Lord Mayor of London, sitting as a magistrate for the City of London, the Divisional Court supported his view of the law. The appellant bought 864 cases of sardines which formed part of the cargo of a vessel shortly due to arrive from Portugal; two days later he "sold" 300 of them at a profit. In due course the vessel arrived and it was proved that on May 21st, some six weeks after the "sale" of the 300, that number of cases was set apart to meet the contract. Meanwhile on May 19th a maximum prices order had come into force prohibiting any sale or agreement for sale above the maximum price. It was held that in law there was no sale of the 300 cases until May 21st and therefore that an offence had been committed as the price was in excess of the maximum. The reason for this is that a contract to sell unascertained goods, such as 300 cases before they are selected from a greater number, is a mere promise to sell, until the time of delivery or the appropriation of specific goods to the contract by the assent of buyer and seller. Until 300 cases had been set specifically apart their identity was unascertained and there could be no "sale" of them.

A DRASTIC LIABILITY FOR ANOTHER'S FAULT

Meigh v. Wickenden

"The Factories Act is drastic in its provisions. It is clearly framed in such a way as to make it certain that someone was to be found who can be convicted of an offence in the event of a contravention of the Act. . . . The occupier's responsibility under the Act does not depend on proof of personal blame or even upon knowledge of the contravention." These remarks of the Lord Chief Justice in *Meigh v. Wickenden* (40 L.G.R. 191) are a reminder of the difficulty often experienced in bringing home criminal liability to the occupier of premises or the manager of a business who so often seek to escape liability by putting the blame on an alleged agent or employee. To take two examples, the task of the Police in enforcing the gaming laws and the laws relating to clubs would be easier if there were rules of vicarious liability as severe as those contained in the Factories Act.

Section 130 of the Factories Act, 1937, provides that the "occupier" of a factory shall be guilty of an offence if the factory machinery is dangerous within the meaning of the Act. In *Meigh v. Wickenden* the appellant on a case stated had been appointed receiver and manager of the property of a company by a debenture holder under powers contained in a debenture. But after his appointment the business was still carried on and continued to be controlled by the directors of the company and the works manager; the machinery was controlled for the

directors of the company by a maintenance engineer instructed by the directors. The appellant was an accountant with no technical knowledge of factory affairs, he attended the factory infrequently, and conducted his receivership mainly by his agent and clerk. He was none the less held to be liable as an "occupier" of the factory.

MAGISTRATES AS MATRIMONIAL MEDIATORS

Fleming v. Fleming

The case of *Fleming v. Fleming* (1942, 2 All E.R. 337) was one in which a metropolitan magistrate had, in the words of Mr. Justice Bucknill, "in his desire to be a good friend, forgotten his duties as a judge." It was an appeal by a husband from an order of the South Western Police Court adjudging him to have deserted his wife and ordering maintenance to be paid. In actual fact, the separation was due to the wish of the wife that the parties should live apart, but the magistrate, thinking it best for both parties that they should remain apart, at least for the time being, made an order adjudging the husband to have deserted his wife and to pay maintenance.

The situation was explained by Mr. Justice Henn Collins. "Before the Matrimonial Causes Act, 1937, the magistrates, disregarding technique, could, without any harm to the parties, very often do, I will not say substantial justice, but at any rate could act the part of mediators with great success; but it has to be remembered that to-day, after the 1937 Act, a finding of desertion may very well found a successful suit for the dissolution of the marriage on the ground of desertion and, what before 1937 was a relatively harmless method of settling matrimonial disputes, has to-day a very grave consequence. I think magistrates in general must bear that in mind when dealing with these matrimonial cases."

A POINT OF PETTY SESSIONS JURISDICTION

Clarke v. Clarke

There is sometimes uncertainty about the proper court of petty sessions in which to bring proceedings when the matter in issue concerns two districts. *Clarke v. Clarke* (1942, 2 All E.R. 274) was a case in which there was a choice of two districts open to the complainant. On a case stated it was held that a wife applying for maintenance on the ground of her husband's wilful neglect to maintain her could take proceedings at the place in which he resided; it is usual to proceed at the place of the wife's residence but not essential. As Mr. Justice Henn Collins said: The application "could take place both in the place where

the person ought to have received the maintenance and in the place where the person ought to have paid it." It was suggested that a passage in Stone's *Justices' Manual* to the contrary effect goes farther than the decisions warrant.

AN UNUSUAL ROAD ACCIDENT

Radley v. L.P.T.B.

Mere novelty in the circumstances is no bar to a claim in English law if general principles recognise a remedy. In *Radley v. L.P.T.B.* (58 *T.L.R.* 364) the court followed the precedents in road accident cases although an action had never before been brought for such an accident. A window in an omnibus was broken by the vehicle's brushing against an overhanging branch of a tree. The plaintiff, a passenger in the omnibus, was injured by flying glass and his eye had to be removed. The driver's failure to see the branches was unexplained. The Board's buses had on previous occasions been seen to brush against overhanging branches on the same road. The passenger was held entitled to damages from the Board. His Lordship remarked: "Had the bus run into an obstruction on the surface of the road, the case would have been unarguable by the Board. It is in my opinion immaterial that the obstruction into which it ran was not on the ground."

Criminal Law and Practice in Scotland

GOODS STOLEN AND PAWNED—RIGHT TO POSSESSION

Robertson v. Burns and Robertson

SECTION 88 of the Glasgow Police Act, 1866, empowers the police, *Sinter alia*, to "search for, seize, impound and convey to the police office any article known or reasonably suspected to have been stolen or fraudulently obtained." This section should be read along with section 101, which enacts that "the officer on duty may deal with any article brought to the police office by any constable as follows: He may, in case of disputed or doubtful ownership, apply to the magistrate, who shall summarily, upon *viva voce* evidence, order the same to be delivered to such person as he may direct, subject to all legal claims against such person in regard to the same; and where the same is lawfully in the possession of any person, he may order compensation to be paid, by the person to whom it is delivered, to the holder thereof as a condition of such delivery."

Mrs. Robertson, a saleswoman in a Glasgow store, commenced work at 9 a.m. on February 6th, 1942. She then placed her fur coat in the staff cloakroom. About 2 p.m. she discovered that the coat was missing. She informed her employers who reported the matter to the police. Next day, a description of the coat was circulated by the police to brokers and others in the city. As a result, the coat was located by the police in the premises of a pawnbroker named Burns, with whom it had been pawned, for an advance of £9, by a woman (not Mrs. Robertson) who gave a false name and address. Neither the thief nor the pledger had been traced at the time of the proceedings after-mentioned. On February 9th a police officer called at the pawnbroker's premises and took possession of the coat, which he conveyed to the Northern Police Office. Later, Mrs. Robertson claimed her coat. In face of this claim, the pawnbroker took up a non-committal attitude, neither admitting nor denying her ownership. In these circumstances a petition was presented to the magistrate craving him to exercise the powers conferred upon him by section 101 of the Act of 1866.

Having heard evidence, the magistrate found "(a) that in so far as the police were concerned the ownership of the fur coat was disputed or doubtful; (b) that the fur coat was the property of Mrs. Robertson; (c) that it had been accepted in *bona fide* as a pledge by Burns in the ordinary course of his business and a sum of £9 advanced thereon; and (d) that it had been brought to the police office by a police officer and was in the possession of the police pending the orders of the court." He made the following order: "The court, having heard the cause, found that the fur coat mentioned in the charge was the property of the said Mrs. Robertson and ordered that the same be handed over to her and that the said Peter Burns be paid the sum of £4 10s. by Mrs. Robertson."

Mrs. Robertson appealed, arguing that section 101 had no application to stolen property and that, where ownership was clearly made out, the owner had a right to redelivery of his property without paying a penny to anyone. The appeal was refused, but the High Court made important modifications in the magistrate's order which was too absolute in its terms. The magistrate had, in the opinion of the appeal court, no duty to pronounce upon the ownership of the coat, but merely to determine who had a right to interim possession and on what terms.

The following passage from the opinion of the Lord Justice Clerk is particularly instructive: "Counsel complained that it was a hardship to his client to be asked to pay £4 10s., half the amount advanced on the coat, as a condition of recovering what she says, with every apparent justification, is proved to be her own property which had been stolen from her. My feeling is that that complaint is misconceived or, at any

rate, premature. The purpose of section 101, as of other similar provisions in other statutes, is not to determine the civil right or title in the property of the goods but simply to regulate the interim possession without prejudice to the eventual rights of parties and leaving them free, if they so desire, to resort to the ordinary civil courts for the purpose of having their rights determined. In effect what the magistrate said, and what I think he was entitled to say, was: 'You may have immediate delivery of the coat, which is at present constructively in the possession of the pawnbroker in good faith, provided you pay him £4 10s.,' and impliedly the order adds—'but if you don't want to take immediate possession you need not take it and you need not pay the £4 10s.; you may take such other civil remedies as may be open to you.'"

ROAD TRAFFIC CASES—SEPARATION OF TRIALS

Morrison and McMaster v. Adair

On September 4th last, three vehicles were proceeding eastwards in Paisley Road, Glasgow, in the following order: (1) a taxicab driven by A. B.; (2) a bus driven by Morrison and (3) a bus driven by McMaster. They were approaching a crossing at which was stationed a policeman on point duty. Just as the leading vehicle reached the road junction, it stopped, with the result that (a) the bus driven by Morrison collided with the taxi and (b) the bus driven by McMaster collided both with the bus driven by Morrison and with a stationary bus at the side of the road. Morrison and McMaster were charged, in the sheriff court, with careless driving. They were charged in the same complaint, which libelled two distinct charges—the first against Morrison and the second against McMaster. Averring that they would suffer prejudice unless tried separately, both accused moved for separation of the trials and, when this motion was refused by the sheriff, appealed.

In support of the appeal, counsel argued that, if tried together, the appellants would be gravely prejudiced, for the following reasons: (1) They intended, at the trial, to maintain that the taxi-driver was alone to blame for both collisions. It was therefore necessary that the evidence of Morrison should be available to McMaster and *vice versa*. If, however, they were tried together on the same complaint, (a) neither could compel the other to enter the witness-box, and (b) even if he did so, he could not be cross-examined by his co-accused unless his evidence incriminated his co-accused. If, on the other hand, the trials were separated, this difficulty would not arise. In that event, Morrison could call McMaster as a witness and McMaster, in turn, could call Morrison

as a witness—with the result that both could present to the court a corroborated story of the incident. (2) In particular, both intended to maintain that, at the time of the collisions, the policeman on point duty stated in their hearing that the taxi-driver had not obeyed his signal to proceed and so had caused both accidents. In order to satisfy the court on this point, it was essential that the evidence of one accused should be made available to the other. (3) McMaster urged that he would be gravely prejudiced if Morrison's evidence was not available to him, as Morrison had, at the time of the collisions, been in a better position than he himself to see precisely what happened.

The appeal was refused. The judges of the High Court (Lords Normand, Fleming and Carmont) unanimously held that the sheriff had properly exercised his discretion. His refusal to separate the trials had been in no sense oppressive, but proceeded upon a careful consideration of the circumstances and of the probabilities. As both accused were to maintain a common defence, viz., that the taxi-driver was to blame, there was a high probability that both would enter the witness-box and say so. In this way, the desired corroboration would be obtained. The two accidents were closely associated in time, place and circumstance, and there was a manifest convenience to everyone concerned in disposing simultaneously of the two charges.

THE NEED FOR AN INTERPRETER

Oster Meah and Others v. Binnie

In our issue of April 1942 (p. 101), emphasis was given to the rule that no vital step should be taken, either by the police or in court, in relation to a foreigner charged with a serious offence unless adequate provision had been made for the interpretation of the proceedings to the accused. This principle has now been underlined by the case of *Oster Meah and others v. Binnie*.

Meah and other thirty-one seamen were charged, in the sheriff court of Dumbarton, with contravening No. 47A (1) of the Defence (General) Regulations, 1939—refusing to proceed to sea in the ship to which they belonged. They pled not guilty on the first calling of the case and a diet was fixed for the hearing of evidence. At this adjourned diet, before the trial began, the court appointed as interpreter Mr. Rowland Evans of the Glasgow Police, who was "a qualified and experienced interpreter in Hindustani." Accused were represented by a law agent and a Mr. Tangri, an Indian subject and welfare officer for Indian seamen, was present in court. The Prosecutor led his evidence and closed his case. Thereafter, certain of the accused entered the witness-box. These men spoke Hindustani and no difficulty was experienced in interpreting their evidence. They were, however, followed

by another of the accused who—as then became evident to the court for the first time—spoke no Hindustani, his language being a Bengali dialect. Enquiry at this point elicited the fact that only three of the accused spoke Hindustani and that the others had not understood a word of the evidence for the prosecution or of the evidence of their co-accused. In this state of affairs, one of the accused, who spoke both Hindustani and Bengali, was brought forward on the sheriff's suggestion and acted as interpreter throughout the remainder of the case. This man later gave evidence himself. The accused were found guilty and sentenced.

On appeal, the High Court quashed the conviction, following the case of *Liszewski*, of which a report appeared in our issue of April.

THE POWER TO REMAND

There still seems to be, in the minds of some police officers, a certain amount of confusion as to the nature and extent of the power of a court of summary jurisdiction to grant remand for further enquiry. On the one hand, one finds police officers who appear to think that remands, if moved for by a prosecutor, must be granted—that the remand will follow automatically on the motion. On the other hand, one finds a lack of appreciation of the difficulty of a magistrate faced with a request for remand in a case which he cannot try and in which, therefore, he cannot grant bail.

The power to adjourn for enquiry is found in section 24 of the Summary Jurisdiction (Scotland) Act, 1908, and is in the following terms: "The court, in order to allow time for enquiry, or for any other necessary cause, and without calling upon the accused to plead to any charge against him, may from time to time continue the cause for such reasonable time as may in the circumstances be necessary, not exceeding in all a period of seven days or on special cause shown fourteen days from the date of apprehension of the accused and may liberate him on bail or commit him to prison, either without bail or with bail to an amount fixed by such court; provided that no judge shall be entitled to allow bail in any case which he is not competent to try."

Note (1) that the adjournment may be "from time to time"; (2) that the time must be "reasonable" in the circumstances; and (3) that the granting or refusal of the remand is at the judge's discretion—"may," not "must." It follows that a prosecutor, when he asks for a remand, may always be called upon to justify his demand, to show that it is reasonable. For this reason, police officers who wish to have time for further investigation should not content themselves with marking the police report to this effect but should make a point either of summarising on the report the reasons for the remand or, better still, of personally

contacting the prosecutor before the case is called in court. If this is done, the prosecutor will be able to stand up to his motion, if it is challenged either by the defence or by the judge.

Where the offence charged is serious, so that it is not within the magistrate's jurisdiction (*e.g.*, theft by housebreaking), the matter assumes a new aspect. A remand is still competent (*McPhee*, 1933, *S.C.* 163); but the magistrate may well be less willing to grant it. There is great force in the point taken frequently by defence agents—that the fair course, in such a case, is to refuse the remand and insist on an immediate remit to the sheriff, who can apply his mind to the question of bail. A number of magistrates, in the present writer's experience, have preferred this course.

Wounds from High Velocity Projectiles

BY PROFESSOR SYDNEY SMITH, M.D.

University of Edinburgh

IN a previous paper in this JOURNAL I drew attention to certain interesting and important effects produced when high velocity projectiles strike a semi-diffuent medium such as soft clay. Experiments showed that when soft clay was struck at distances up to three hundred yards the bullet penetrated for a short distance, approximately an inch or so, then produced an explosive effect, forming a cavity several inches in diameter. It was also observed that in such cases the bullet itself, though surrounded by a stout cupro-nickel jacket, in many cases exploded into fragments which were distributed over the inner surface of the cavity. Cases were also reported showing that the experimental effects noted were reproduced when the human tissues were struck under similar circumstances.

It was suggested that the effects on the soft clay were produced by the summation of the effects of the velocity of the bullet, its spin, and the possible gyration of the base or tip around the axis of flight.

To follow the matter further it was thought advisable to try the effects of high velocity bullets on somewhat firmer material, and for this purpose clay was used which was allowed to harden to such a consistency that it could not be cut with a wire or knife, but had to be sawed through. Fig. 1 shows an experiment in which a .303 Service rifle was discharged at a distance of 18 feet. The bullet made a clean-cut entrance hole, three-quarters of an inch in diameter, then, instead

of rapidly producing an explosive effect, it penetrated through the clay in a fairly uniform channel for about six inches, then again produced the explosive effect to which I have drawn attention, forming a cavity, eight inches in diameter, which bulged the upper part of the clay. The bullet then passed acutely to the right and made its exit. It was found to be bent but not broken.

Now the forces in this case are of the same nature as those in the earlier experiments in soft clay, and the delay in producing explosive effects must be due to the denser form of the medium. It will be observed that in this denser medium the bullet did not fragment.

Further experiments were then carried out on still denser mediums using mild steel plates, seven-sixteenths of an inch in diameter. Shots were fired from a distance of fifteen to forty yards, the only ranges available, and rather interesting results were obtained. We used both the ordinary Mark VII ammunition charged with cordite and also the .303 ammunition as supplied from the United States of America. (W.R.A.) The mild steel plate (seven-sixteenths of an inch in diameter) was completely penetrated by the American ammunition, but only partially penetrated by the Mark VII ammunition. At the entrance side the metal showed evidence of back splash producing a definite collar (shown in Fig. 2), which might easily be mistaken for an ordinary exit. The diameter of entrance was approximately twice the diameter of the bullet. The exit showed definite scaling and breaking such as has been described in wounds of bone, etc.

The remarkable thing about these experiments was the fact that the bullet was not fragmented as was observed with clay, but when recovered it was found that the envelope was turned completely inside out, as shown in Fig. 3. In this you will observe the rifle marking *inside* the casing. The base of the bullet can be observed at the bottom of the cavity and the lead, which has melted, may be seen round about the out-turned jacket. The base of the bullet can also be well seen in Fig. 4.

The sequence of events might be as follows :

On striking the steel the point of the bullet suddenly stops. The base of the bullet continues forwards with the same velocity. The heat liberated as a result of the stopping of the point causes the lead to melt and since the base continues in motion it passes forwards to the target plate, thereby turning the casing inside out. In certain cases this forward movement of the base results in complete penetration of the plate, as is seen in the American ammunition, but forms only a bulging with the British ammunition. Apart altogether from these effects, it is interesting to note that the cordite supplied with our Mark VII has considerably less striking power than a similar charge of the flake powder supplied with the American ammunition, and unless there are



FIG. 1—Effects produced on hard clay from a Mark VII bullet fired from 18 feet.

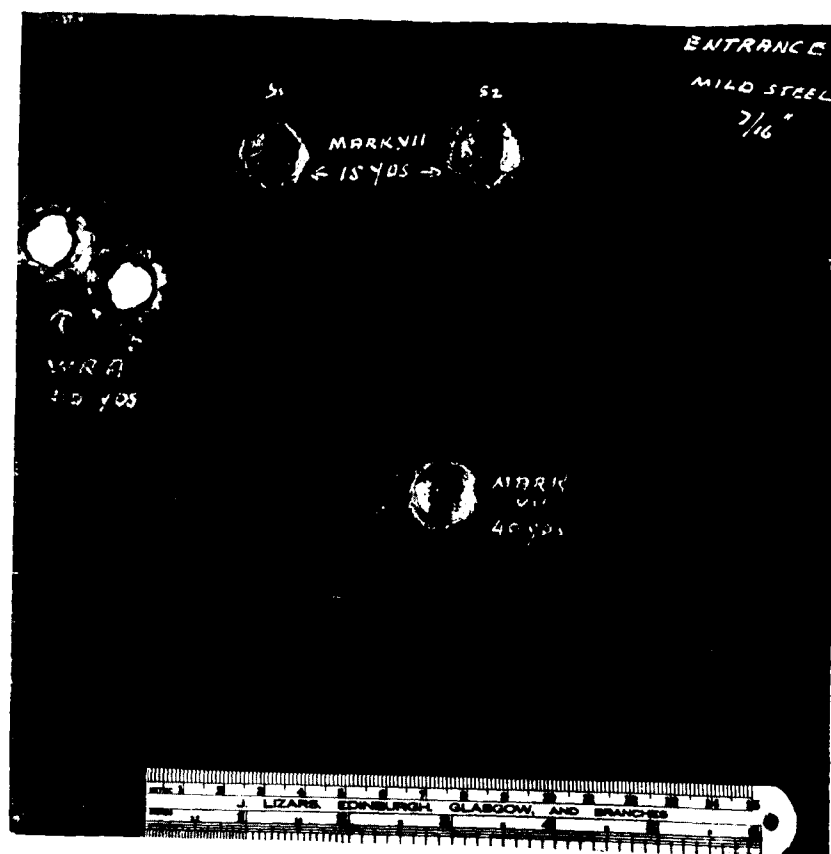


FIG. 2—Effects produced on steel plate 7/16 inch by Mark VII and WRA ammunition.



FIG. 3—Showing the casing of the bullet turned inside out



FIG. 4—Showing the lead portion of the bullet turned backwards around the base.
(face p. 25)

JUVENILE DELINQUENCY

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other factors concerned it is a matter which might engage the attention of the authorities.

A further point of interest emerges inasmuch as the Mark VII bullet has a tip of aluminium whereas the American bullet consists of lead, both of course being jacketed. In none of these experiments have I been able to find any particular advantage of the aluminium tip, either in penetrative power or anything else, and it might be questioned whether the expense of using a tip of aluminium is justified. However, these are not matters that we wish to discuss in these articles, and in the meantime I wish merely to bring before your readers for their interest the various effects of high velocity bullets in different media.

Juvenile Delinquency

By R. P. WILSON

Chief Constable, West Sussex Constabulary

WAR-TIME conditions have again brought this problem into prominence, probably due to the large number of children evacuated from their homes and so cut adrift from their parents and the environment to which they are accustomed; new opportunities present themselves for adventure and devilment, and are taken full advantage of. A fair amount of war-time juvenile crime is certainly due to a slackening of parental control as well as to shorter school hours, but it would be a mistake to examine the problem purely in its present-day aspect; it existed before the war and will certainly be with us afterwards.

One of the essential principles in the detection of crime is to find the motive, and even a brief examination of one or two types of juvenile crime may assist us in finding out why they are committed.

Pilfering from shops, to take one example, is quite common and would seem to be due to a simple desire for personal gain. There is usually no element of adventure and it should be noted that this sneak-thief type of crime would be impossible to a child endowed with the basic principles of morality, or, to put it more simply, of playing the game. These principles are not, however, a natural growth; they must be impressed upon the child from its earliest years.

The more technical crime of breaking into shops or houses may not be quite so mean as mere pilfering, as the element of adventure is present and may be a stronger motive than hope of personal gain. This craving in the young for excitement and deeds of daring is worthy of the closest attention, as it can, if diverted into proper channels, be turned to good account and made the foundation of a fine character.

It is something which will not be curbed by punishment. High spirits must find room for expression; but under our system of education, when it is combined with the cramped conditions inevitable in our cities, there is grave danger that the only outlet will be by a resort to adventure of a dishonest or improper sort.

Sexual crimes may also have their origin in ignorance of knowledge of what is right and what is wrong; but here also lack of legitimate and interesting amusement combined with bad companionship provide the motive as well as the opportunity.

Ignorance of moral values is the common cause of juvenile delinquency, but it is bad environment and absence of direction in the formative years that allow the evil to grow.

The pundits on this subject tell us that juvenile crime is the work of the mental defective, the mentally diseased and the morally diseased, and while it would be stupid to assert that this is not sometimes true, our little research into the motives behind the types of offence most frequently committed by young people is enough to suggest that the causes are often quite natural and simple though not necessarily easy to counter. This point of view was recently recorded by the *Approved Schools Gazette*. It appears that after referring to a psychologist's report the Chairman of a bench found no evidence to support it. The *Gazette* says: "It is rather refreshing these days, to find that the theoretical dictum of a medical expert has been passed over in favour of the common-sense experience of a practical magistrate."

There seems to be little ground for doubt that juvenile offenders are more often the victims of circumstances, and these circumstances include such factors as crowded homes resulting in parental neglect, lack of healthy amusement, bad example from parents and older companions, and, what is very important, no place to go to after school hours except the street or a cinema showing as often as not either a gangster film or some glamour girl in a sexy romance. Bad ways learnt in such an environment will seldom be cured by any form of punishment which a bench of magistrates can inflict, nor is the victim a fit subject for the psychologist. Few children brought up in these conditions can entirely escape their sordid influence, and yet what are we doing about it? There are approved schools to which the small culprits are sent *after* they have got into trouble, and for the older boys the Borstal institutions. But surely the object should be to prevent rather than to cure. There is here a very real tragedy, the tragedy of neglecting the upbringing of the nation's youth. The remedy cannot lie in the powers of our magistrates nor the deep learning of our psychologists, but in giving youth a chance to learn a decent way of life. In fact, to give them a sporting chance.

It is true that we have our probation officers, but they too only come in after the mischief has been done. There are also a number of movements which concentrate on the welfare of boys and girls, such as the Boy Scouts and Girl Guides, while there is the admirable Association of Boys' Clubs. These and other similar institutions which care for our young people in their leisure hours are, however, voluntary affairs, in greater or lesser degree, crippled for lack of funds. In any case they can cover only a section of our juvenile population and even then occupy only a small part of a boy's or girl's spare time.

Generally speaking a boy with a good home, or a boy who is sent to a public school, does not get into trouble, for the reason that he is surrounded by good influences and his spare time is occupied usefully or pleasantly.

A visit to a public school would satisfy any critic on this point. Of an evening you will find the public school boy, if not engaged in his work or in outdoor games, reading in the library, boxing in the gymnasium, attending lectures, watching a play or specially selected cinema show, shooting on the miniature rifle range, attending meetings of one of the school societies, and so on. In any case he will be fully and happily occupied. His less fortunate counterpart has to look for his amusement to the adventures of the street or, if foul weather drives him indoors, he must pass his spare time in a small and perhaps overcrowded home where tempers may often be frayed and parents unjustly, as well perhaps as unwittingly, harsh. In any case there is nothing for the boy to do and he quite likely is forced to go out again into the street with all its attendant dangers.

Such arguments cannot apply to children whose parents are able to provide a comfortable home and take the trouble to exercise proper parental control. Unfortunately many parents are too lazy or not wise enough to take all this trouble, though otherwise the homes may be quite satisfactory. Given a good home and sound parents there should be little fear for the future of any child. A person intimately connected with an approved school recently remarked that it was a good sign when a boy absconded in order to go back to his home. So it is; but it is not a good thing for the boy if the home does not provide the environment which he needs.

We have come to the point when it must be admitted that most juvenile crime is due to ignorance of moral values combined with a spirited desire for excitement, to which should be added unsatisfactory parental control and home conditions generally. The ultimate solution lies in the education of the parent, and unless the Church can do something about that we must look for our remedy to the upbringing of our children who will be the parents of the next generation.

Parents who appreciate their responsibility and can afford it, often at great personal sacrifice, send their children to public schools, and it would therefore seem to be the duty of the State and our Education Authorities to see to it that the children of poorer parents get all the advantages of their more fortunate brothers. At the same time it might be possible to relieve those parents who send their children to expensive schools, as well as paying rates for the education of the poor, of some of the financial burden which they bear. That, however, is by the way.

All this leads to the unanswerable conclusion that Council and Secondary schools should be equipped so as to provide recreation after school hours of a sort which will appeal to boys and girls—nothing namby-pamby or savouring of a rescue society, but recreation which would not only appeal to the children but which would have definite educational value; something which would make the boys and girls *want* to take part, and, what is very important, all this must be convenient. It must be right on the doorstep. In short all these facilities must be in the schools themselves. It is useless to expect children to travel miles in bad weather to read a book in the library, to box in the gym., to attend the debating society's meeting, and so forth. The best type may do so but the others just wouldn't, and it is they who most require help.

It also follows that children will not go to a school in their own time, which conjures up in their minds only a picture of dull study and the discipline of the classroom. What we must have is a club atmosphere, comradeship in premises which have nothing to do with the studies of the working day. In other words, each school must have its recreational wing, incorporating accommodation such as a billiard room, a library, a general playroom for indoor games, a room, perhaps the gym., for plays and cinema shows, a workshop, etc. Also a room for meetings of the boys' or girls' committees, as the children must take a hand in the running of their own activities.

This sort of thing is attempted in the various boys' clubs which we have; but, as has already been indicated, there are too few of them and many are handicapped by lack of funds. The responsibility is a National one, and if the State can provide money for the building of imposing schools and for the staffing of them simply to teach the Nation's youth the rudiments of the subjects covered by the School Certificate, it can surely embark on expenditure which would be of true educational value in the real sense of that term, and which would go far towards improving the physical and moral standards of our children and eventually produce a higher standard of citizenship and parenthood. Education is not the teaching of mathematics and what not, but the formation of character.

One more word. The ordinary run of school teacher is probably

not the type required to handle this specialised work. The guidance of a school club would have to be in the hands of an expert capable of understanding children and gaining their confidence.

Also, why stop at children still attending school? Those who have left and are just finding their feet need help also, and who is better equipped to give it than the Club Master who has earned the friendship of his boys? School clubs should not be closed to those who have left school until their wings are fully fledged and they have found a place in the outer world.

It is no answer to the problem or fulfilment of our responsibilities to leave it to the Juvenile Courts to deal with boys and girls who have come to grief. Because then it will be too late.

"Thick as the stars at night when the moon is down,
Pleasures assail him. He to his nobler fate
Fares; and but waves a hand as he passes on . . ."

We read a lot nowadays of the Service of Youth, but do we *do* enough? Do we help our boys and girls to find the right pleasures and the recreations which will build up character; recreation which will have real educational value?

Voluntary clubs and the like can never meet the need. If proper accommodation is to be made available money is required to an amount which could only be found by the State, and if the clubs are to be a success selected personnel with a real vocation for the work must be found, trained and paid.

The so-called Christian nations are now fighting for civilisation, but there is a deal of sordidness in their midst. As well as building up character in our youth and not merely implanting superficial learning, we might well give our children a good grounding in the fundamental principles of Christianity. Perhaps our failure to do this has been our greatest blunder.

The Photographic and Fingerprint Department: Its Aid in Crime Detection

By W. B. R. MORREN, M.V.O.
Chief Constable, Edinburgh City Police

ILLUSTRATED CASES, No. 2

A CASE INVOLVING FRACTURE OF GLASS

ON the night of February 5th, 1938, a man was found lying in the ditch by a country road in Ross and Cromarty, suffering from a head injury. Near him in the ditch stood a bicycle, the acetylene lamp of which was still burning. The man was removed to hospital, where he later died from injuries to the head in the region of the right eye and eyebrow. He had been wearing spectacles and the right lens of these was smashed.

On enquiry being made it was found that the man had been cycling from one village to another, about three miles distant, along the road beside which he was found.

An examination of the roadway opposite the point where the man was found revealed the tyre impressions of a motor vehicle which had apparently been proceeding in the opposite direction to that in which the man had been cycling. From the tyre tracks it was apparent that the vehicle had been driven somewhat erratically, and at the point where the deceased had been lying they approached within two feet of the grass verge, showing that the vehicle had been travelling for some yards on the wrong side of the road. At this point a number of pieces of glass were found lying on the roadway. Some of these were obviously pieces of a driving mirror (see Fig. 3), while the others were later found to be portions of a spectacle lens.

On enquiry being made it was found that, about the time the deceased had set out on his journey, a motor van had left the village to which he was going, and this van must have met and passed him on the way. As the driver of the van was known to have been drinking heavily that evening, it was suspected that his van might have collided with the deceased. On being interviewed by the police he pled ignorance of the occurrence. An examination was made of the van, when it was found that the driving mirror fitted to the offside door of the driving cabin was broken, there being only one large portion of the mirror left in the holder (see Fig. 2). Another smaller piece of mirror was found



FIG. 3
Pieces of mirror found
beside the body at the
locus of the accident.

FIG. 2
Piece of mirror taken
from mirror-holder
of motor-van.

FIG. 1
Piece of mirror
found on run-
ning-board of
motor-van.



FIG. 4
Photograph showing fitting together of pieces of mirror, shown in
Figs. 1, 2 and 3. Back.



FIG. 5
Photograph showing fitting together of pieces of mirror, shown in
Figs. 1, 2 and 3. Front.

(face p. 30)

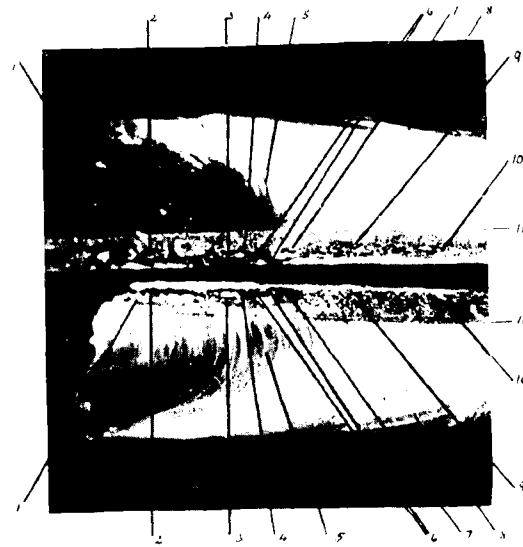
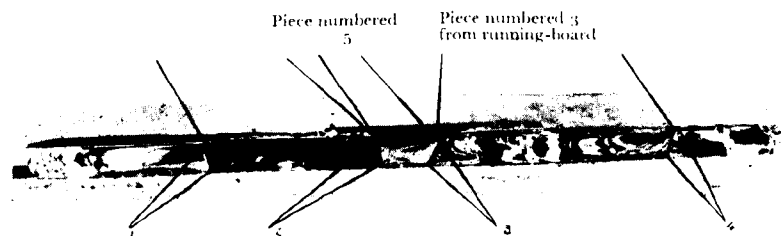


Fig. 6
Photographic enlargement showing fractures on surface of edge of piece of mirror found on running-board (Fig. 1), and corresponding edge of piece of mirror taken from mirror-holder (Fig. 2).



Fig. 7
Photograph showing fractures on surface of edge of piece of mirror found on running-board (Fig. 1), and corresponding edge of piece of mirror found at scene of accident (shown in Fig. 3, middle right, marked "5")



on the offside running-board (see Fig. 1). A few short hairs were found adhering to the front surface of the mirror-holder. All these articles were taken possession of by the local police and handed over, along with the evidence found at the scene of the fatality, to Professor Sydney Smith, of the Forensic Medicine Department, Edinburgh University, for examination.

Professor Smith succeeded in fitting together the pieces of mirror found on the roadway, and those from the mirror-holder and running-board of the van, when it was found that they formed the major part of a rectangular driving mirror. The services of the Edinburgh City Police Photographic Department were then requisitioned by the Professor to demonstrate the fitting of the mirror fragments. Figures 4 and 5 show how the parts fitted.

Although it was apparent from the shape of the edges that certain portions of mirror, including some of those found on the roadway and that found on the running-board, must have at one time formed parts of the same mirror, the fitting of these parts to the portion left in the mirror-holder was not yet conclusive, the corresponding edge of the part found in the holder being almost a straight line. In order to prove that at one time it had been united with the other portions the photographic enlargements shown in Figures 6 and 7 were prepared.

Figure 6 shows photographic enlargements (18 times) of a section of the edge of the piece of mirror found on the running-board of the vehicle, and the corresponding portion of the edge of the piece of mirror taken from the holder. In order to prevent light infiltration and reflection from the remaining edges and surfaces of the pieces of mirror, it was found necessary to paint them with lamp-black before taking the photographs. An examination of the enlargement shows definitely that these two portions of mirror have at one time formed one piece. This is proved by the occurrence, in coincident sequence, of elevations on the one edge which correspond with similarly shaped depressions on the other, and vice versa. Figure 7 shows similar photographic enlargements of another edge of the piece of mirror found on the running-board and the corresponding edge of a piece of mirror found at the scene of the accident. Thus the piece of mirror from the holder, that found on the running-board, and a piece from the scene of the accident have all definitely been proved to have been united at one time.

Figure 8 shows the exact fitting at identical angles, of the edges of the piece of mirror found on the running-board and the edges of those pieces from the scene of the accident which were adjacent to the fractured edge of the piece of mirror from the mirror-holder.

Upon comparing the short hairs found on the driving mirror-

holder with hair taken from the right eyebrow of the deceased, Professor Sydney Smith found that they corresponded in thickness, shape and colour. The portions of spectacle lens found on the roadway were examined and it was found that they belonged to a lens of a type which fitted a prescription made by an oculist for the right eye of the deceased some time before his death.

The driver of the van was charged with culpable homicide and pled "Not guilty." He was tried at Inverness High Court and, upon conviction, was sentenced to 18 months' imprisonment.

I am indebted to Professor Sydney Smith for notes on his findings in connection with this case.

The Corps of Military Police

BY MAJOR D. W. G. LEE

Assistant Provost Marshal, Home Forces

THE ubiquity of the military in these islands has resulted in the Police being constantly brought in contact with them for one reason or another; and for the same reason the Police are being brought into contact more and more with the Corps of Military Police. There are several branches of this Corps, and since, to my knowledge, misunderstandings have occurred between the civil and military police when members of the C.M.P. have been asked to take action in something which is outside their sphere, a short examination of the military police may be helpful to both parties.

When war broke out, the Corps of Military Police was a small body of men, some 500 in number, and was scattered over the Empire. There were in existence two or three territorial Provost Companies, but these were only raised in the early part of 1939 and their training had not been fully completed when war was declared. Thus it will be seen that the military police were very few in number in 1939. Now, in 1942, their numbers have risen in this country to 30,000 odd, and they are to be seen almost everywhere where troops congregate in large numbers; many are also serving in the Middle East, India and our Colonies.

This rapid expansion has not been easy. Men were required urgently for every Service and for industry, and the type of man wanted in the C.M.P. is not to be found everywhere. Many civil policemen still on the Reserve, who were called back to the Colours, found their way to the C.M.P., but many did not. These Reservists were mostly the type of man who makes a good N.C.O. or a good instructor, and

even if they applied to go to the military police, their commanding officers were loth to lose them and accordingly quashed their applications to transfer.

However, whilst the B.E.F. was in France, all ex-civil policemen were compulsorily transferred to the military police, and many A.A. Scouts were enlisted; by these and other ways, the present strength of the Corps has been achieved.

The rapid expansion of the Corps required good and equally rapid means of training the men. Accordingly, every man who joined the Corps was given a basic nine weeks' course at the C.M.P. depot, and his training was continued when he was posted to a provost company. The secondary training consisted of lectures and practical work and accompanying more experienced men on patrol.

The training which these recruits had received was not so comprehensive as that of a police constable, but it included such subjects as police duties, traffic control, military law, evidence, court martial procedure, map reading, etc. In addition, each man had to be able to ride and maintain a motor-cycle, and underwent a certain amount of weapon training in rifle and revolver. There was a lot to be learnt in the time available, and when men left the depot and joined their companies training frequently had to be carried out alongside normal duties. Thanks in a great measure to the intelligence and keenness of the recruits, the training proved successful and a large force of capable policemen was soon available.

In 1941 it was found convenient to divide the Corps of Military Police into five Branches or Wings. The original Wing was the Provost Wing, commonly known as the "Red Caps." Now to this Wing was added the Traffic Control Wing, the Vulnerable Points Wing, and Port Police. The fifth Wing, the Special Investigation Branch, was formed in France in 1940, and this Wing has since expanded considerably.

Let us examine in detail the duties of these various branches.

1. The *Provost Wing* is responsible for the enforcement of discipline in the area allotted to it. It enforces the various Army and lower formation orders, checks traffic offences, and generally supervises the conduct of the military. It is responsible for all movement control in the area, assisted by the T.C. Wing.

Under operational conditions the Provost Wing is responsible in an attack for accompanying forward troops to assist in making lanes through mine-fields; to control these lanes for the advancing infantry and all assault troops, enabling them to pass rapidly through these lanes; for route-marking and traffic control when movement is taking place; for keeping military roads clear of refugees and civilian traffic; for setting up Stragglers' Posts and collecting stragglers; for reconnoi-

tring roads; for conducting prisoners of war from brigade areas and providing certain staff at the prisoners of war cage; for policing headquarters, i.e. arranging traffic circuits and car parks, enforcing camouflage arrangements on vehicles, investigating suspicious characters in the vicinity, and sometimes to inspect identities and credentials of visitors to the headquarters. In fact all normal police duties. These duties cover a wide field and are on a 24-hour basis. In operations the Provost Wing is extremely hard worked. Their hours are as long, if not longer, than those of the fighting troops.

Height standard: 5 ft. 7 in. Medical category: A.1-B.1.

2. The *Traffic Control Wing*, as its name implies, deals entirely with Traffic Control. Traffic Control Companies operate under Army control and, in operations, would be used on the lines of communications' routes or for any large-scale strategical moves.

They take disciplinary action only in connection with traffic offences, although as C.M.P. they can and do apprehend deserters, etc., when necessary; also, under the Defence Regulations, when on duty, they have the same powers as civil policemen over traffic. They wear the badge of the Corps of Military Police and a blue flash with the letters T.C. in red, at the top of each sleeve.

The following medical categories are eligible:

- (a) Personnel between 30 and 41 years of age in category A.1.
- (b) Personnel of any age under 41 in categories A2, B1, B2, B2a.

3. The *Vulnerable Points Wing* guards the vulnerable points in this country. They guard ammunition dumps, factories, R.D.F. stations, etc., and there is a body of them which is known as Port Police and does duty in docks.

These men require a minimum height of 5 ft. 6 in. and a medical category either:

- (a) Any age in categories B1-B4.
- (b) 37 years of age and over in categories A1, A2 or A3.

They also wear the C.M.P. badge but have a blue flash with the letters V.P. in red on each sleeve. They are the only wing of the C.M.P. to be issued with truncheons.

Their duties are confined to their vulnerable points.

4. The *Special Investigation Branch* is staffed by ex-civil police officers. It works under Army control and is the C.I.D. of the military police. A great deal of the work is done in plain clothes, but not all. The S.I.B. is still a small branch and consequently large areas have to be covered by very few. All work is done in close co-operation with local detective officers, and beneficial results have been obtained for

both parties. The S.I.B. concentrates largely on ration stealing, petrol stealing, etc., and on the more serious crimes affecting the military. Owing to their small numbers they do not concern themselves with petty thefts in units, unless these reach alarming proportions, or the S.I.B. is for the moment having a comparatively slack period. Their work in France under Supt. Campion of the Metropolitan Police (who was unfortunately killed) and in this country, has saved the public vast sums of money, and has brought to book many offenders.

The most recent acquisition of the C.M.P. must not be forgotten. The Provost Wing of the A.T.S. was recently formed and has been most successful. Its members are smart in their turn-out and are maintaining the high standards set by the Corps of Military Police. But complaints have been heard that the A.T.S. behave so well that their Provost Wing can't get any charges! As with the Women Police, the Provost Wing (A.T.S.) acts especially in an advisory capacity. They deal only with women's services.

Members of the C.M.P. (Provost) and the Provost Wing (A.T.S.) are all N.C.O.s. The majority are Lance-Corporals, but one stripe is of great assistance in asserting their authority.

The Traffic Control and Vulnerable Points Wings have only the normal proportion of N.C.O.s to private soldiers.

The Special Investigation Section in each Army Command consists of a captain, a subaltern and two warrant officers, the remainder of the section being sergeants and corporals. The captain works directly under the D.P.M. of the Command.

The organisation of the military police units varies with different formations. At Army Headquarters is to be found the Deputy Provost Marshal, who is a Lieutenant-Colonel. To assist him he has an Assistant Provost Marshal (Major) and a Deputy Assistant Provost Marshal (Captain). There is also the O.C. Special Investigation Branch. The D.P.M. is responsible for the military police throughout that particular Army or Command, and advises the Army Commander on provost matters.

There may be in the Command several companies of military police commanded by a major who fulfils both offices of A.P.M. and Company Commander. These companies are split up into sections of nine men (Sergeant, Corporal and seven Lance-Corporals) and they have four motor-cycles per section. The men wear Service dress with leather belt and revolver holster, and are usually to be seen in large towns.

At Corps H.Q., which is the next lower formation, there is an Assistant Provost Marshal. He now has a D.A.P.M. to assist him. There is also a Provost Company Commander who is a captain, and three subalterns. The Provost Company consists of nine sections of

sixteen men (Sergeant, two Corporals, thirteen Lance-Corporals), all of whom have a vehicle. Each section has one 15 cwt. truck, two motor-cycle combinations, and thirteen solo motor-cycles. A provost section is entirely self-contained (having its own cooker) and very mobile.

At Divisional H.Q. there is an A.P.M. or a D.A.P.M., and a Divisional provost company (which is commanded by a captain assisted by two subalterns) consisting of six sections of sixteen men. These sections are equipped in the same way as sections in a Corps company.

Corps and divisional provost companies wear battle dress and webbing equipment. They are armed with rifle and revolver, roughly on a 50-50 basis.

All provost personnel wear the red cap cover when on duty, except that when motor-cycling a crash helmet is worn. This carries the letters M.P. in red on a blue ground in front and is encircled by a red ring $\frac{3}{4}$ in. wide. They also wear the M.P. armlet.

Some confusion may arise over the relative status of the various provost-marshals (deputy, assistant or deputy assistant) and the company commanders.

A provost marshal is a staff officer who advises the formation commander on provost matters and who is responsible for the policing of the area allotted to him.

The company commander is a commanding officer, and as such is responsible for the welfare and efficiency of his men, and the administration of his company. He sees that the directions of the provost marshal regarding provost work are carried out.

In some cases one officer fills the dual rôle of A.P.M. and company commander as stated above.

Members of the C.M.P. (Provost Wing) have equal powers over soldiers, sailors and airmen. But in practice other services are left to be dealt with by their own police or pickets, unless the incident is a bad one which requires prompt action. They also have powers over Dominion, Allied and U.S. Troops, but here again these are left largely to the mercies of their own police.

During the last war, a feeling of prejudice grew up against the military policeman. Although the feeling still persists in some isolated cases, the many police officers with civil police experience now serving in the Corps of Military Police have been, owing to their training, only too eager to encourage the correct relationship of good comradeship, assistance and crime prevention between the C.M.P. and the Army. The old prejudice has almost entirely been replaced by a new feeling of mutual confidence and comradeship.

The majority of those in the Army to-day are civilians in uniforms, who are accustomed to look upon the police as their friends. Why then

should there be any difference in military life? The troops are beginning to realise that the military policeman in operations is most important, that he has a very hard job and long hours, is most vulnerable to parachutists or guerillas, and always has a cheerful word for passers-by. He knows, too, that if he behaves himself properly he will not get into trouble, but that slovenly or disorderly conduct will not be tolerated. In days gone by many slovenly soldiers were to be seen about. And in a country which was saturated with military who had no fighting to do, it was a difficult job to maintain smartness and soldierly behaviour. That these qualities have not only been maintained, but improved, is due in no small part to the C.M.P. who refused to allow soldiers to become sloppy and behave in any way they wished. Many a soldier has complained bitterly at being put on a charge for what he considered some trivial offence of dress. Little did he realise what might have been the cumulative effect if all these trivial offences had been glossed over.

The present-day military policeman is a very good type of man and superior to the average soldier. He is as ready to help or offer advice as he is to enforce an order. He is in great demand by senior officers, who know he can be relied upon.

Finally, with acknowledgments to Lieut.-Col. T. C. Irvine, M.C., perhaps I may be allowed to repeat two true stories of the Corps of Military Police during the present war.

On the outskirts of Dunkirk a company of infantry was straddling a road waiting for German armoured troops to appear round a bend. A 15-cwt. truck appeared carrying four military policemen. They were picking up Balisage lamps from the roadside. The infantry officer, who tells the story, was inclined to be abusive and greeted these operations with derision. Twenty-four hours later, when withdrawing, this same officer was amazed to find his way, through what was left of the town, routed and lighted, with what he was pleased to call "fairy lamps," to the beaches, and these same four N.C.O.s still on the job to cheer the party on their way.

In Harstad, Norway, Lance-Corporal K—— (6 ft. 5 in., of the B—— Police Force) was seen on a certain date, immaculately turned out in "duty order" with red cap cover and white traffic sleeves complete, directing the traffic at "Piccadilly Circus." Two blasts from a destroyer's fog-horn and this N.C.O. stepped from his post, removed and folded his traffic sleeves, slung his respirator and steel helmet, and unconcernedly walked down to the wharf. He was the last man of the N.W.E.F. to leave Norway.

There are many similar stories of the Corps of Military Police, and they all point towards the fact that it is a fine body of men with fine traditions.

Traffic Control during and after Raids*

By JOHN WILLIAMSON, O.B.E.

Chief Constable

THE maintenance of traffic routes for the Military and other essential services, and the control of traffic, both vehicular and pedestrian, has presented many difficult problems to the Police of this country, especially in areas subject to heavy enemy attack.

The old roads of cities and towns of this country are ill designed (if they were designed originally) or prepared to accommodate the sudden and sustained movement of heavy traffic, which would surely be the result of heavy enemy attack, or in the event of invasion. That factor operates both ways and favours defence.

Many roads have been widened and modernised in order to cope with the increasing volume of peace-time traffic. Such roads must be put to the best possible use and be made available for concentration of forces to be employed in defence. This remark includes forces employed in Civil Defence as well as armed Forces.

The following is only an outline of the arrangements which have been made in one particular town to assist the Police in the duty of controlling traffic under present circumstances, and more particularly from the point of view of congestion which might be caused in air raid conditions, as it would be highly undesirable even to indicate routes predetermined as military roads.

Following an intensive raid, far-reaching traffic diversions are recognised as inevitable, and it is necessary to prohibit non-essential traffic altogether in parts of some particular areas. Diversions extend to points very distant from the area of destruction, and are, as a rule, a responsibility cheerfully undertaken by the surrounding County Forces.

At the same time all possible steps are taken to ensure that essential traffic, such as Military parties detailed to work in the damaged area, Post Office Units engaged on restoring communications, Food Convoys, etc., are not excluded or delayed and that, last but not least in importance, Civil Defence units—including National Fire Service vehicles—have free access to, and movement in, these areas.

Plans for employing Military aid for traffic duties have been prepared in advance of any emergency, in consultation with the local Military authority. The only difficulty experienced in the excellent

* This article has necessarily had to be curtailed, and certain illustrations omitted, to meet the requirements of the Censor.

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arrangements is that the Military dispositions seem to be changed in the night, but there is always some assistance to be had if effort is made to look it out.

Bearing in mind this important question of prearranging as far as possible for traffic to flow in recognised channels, and also having regard to the lessons learned in other districts, it is of utmost importance to have some prearranged plan drawn up.

Intensive planning and organisation has resulted in a scheme which, after being put to searching tests, is found to be practicable and can be operated smoothly, overcoming the majority of the difficulties.

The scheme, which is general and can, without doubt, be applied to any specified area, with few adjustments, is one which demands the closest possible co-operation between the Police, Police Auxiliaries, Home Guard and Military Traffic Control.

Commencing with one small area, the scheme, or, to be more accurate, combination of schemes, will be described, giving a word picture of the diversion of traffic and increasing the area involved until other Police Forces and the Military are called in to assist in its operation.

Photograph No. 1 illustrates how, for the purpose of isolating areas which have been subject to heavy enemy attack, the town is divided into sixty-six separate parts, each of which can be isolated efficiently and in the shortest possible time, thereby preventing the public from crowding into such areas, having a firm check on pedestrian movement and keeping out unnecessary vehicular traffic. This is the key map and is for use in the Police War Room. A duplicate of this map is available in Secondary Control if required.

In this way every possible assistance is given to the military and essential services, their work can be materially assisted by the Police, and they can carry on moving without delay or hindrance.

From this map each Section has been drawn up separately, then photographed and reproduced in book form, now known as "Instructions for the Controlling of Traffic and Isolating Areas subject to Heavy Enemy Attack"—a copy of which is issued to every senior officer. Each section has, reproduced below the plan, every traffic point which must be manned by Police or the Military to isolate the area. After the area has been closed the diversion of traffic must be considered, and outside the section plan is shown the points to be taken up to complete the diversion. The points are named, together with the total number of men required.

The provision of this detailed information saves time and gives the officer detailing his men to positions and points an opportunity to bend his attention immediately to other major problems arising out of the need for isolating the area.

A sufficient number of rope lengths is stored at Police Headquarters, one of which is available to each man when he goes to take up his point, for the purpose of fastening across the end of the street to which he has been detailed. The ropes, when not required for this purpose, are available for rescue or other emergencies.

It will be recognised immediately that all the officer has to do, when he decides that any one or more areas have to be isolated, or when he has instructions to isolate an area, is to select the required number of men, as the book illustrates, and post them accordingly.

It may be, of course, that after an area has been isolated and sufficient time has elapsed to get the situation into proper perspective, the area can be considerably reduced. This must necessarily be left to the discretion of the officer present.

Areas 1, 2, 3, 4, 5, 6, 7, 10, and 12 have been grouped together, making a comprehensive one of the whole of the town centre. If the centre of the town is heavily bombed it would be necessary to isolate a much larger area, and arrangements would have to be made for a much wider diversion of traffic; then the whole of this group can be isolated. The points to be taken up, both for closing the area and for diversion of traffic, are set out exactly as in a single small section. Again the officer in charge knows, from the book, just the number of men required and where they have to be posted.

To assist the officer in identifying the areas and in grouping two or more of them together, there is inserted in the front cover of the book (see Photograph No. 2) a smaller scale map of the town divided into the sixty-six sections, as on the larger key map.

So much for small areas. It may be, however, that diversion of traffic on a larger scale must be put into operation, and the original scheme is extended to provide for this emergency.

It is at this stage that the co-operation between Civil and Military Services, which has been stressed earlier in this article, is put to the test, and a plan of an "outer circle" indicates a series of diversions, the efficient working of which relies on the co-operation of other Forces and the Military.

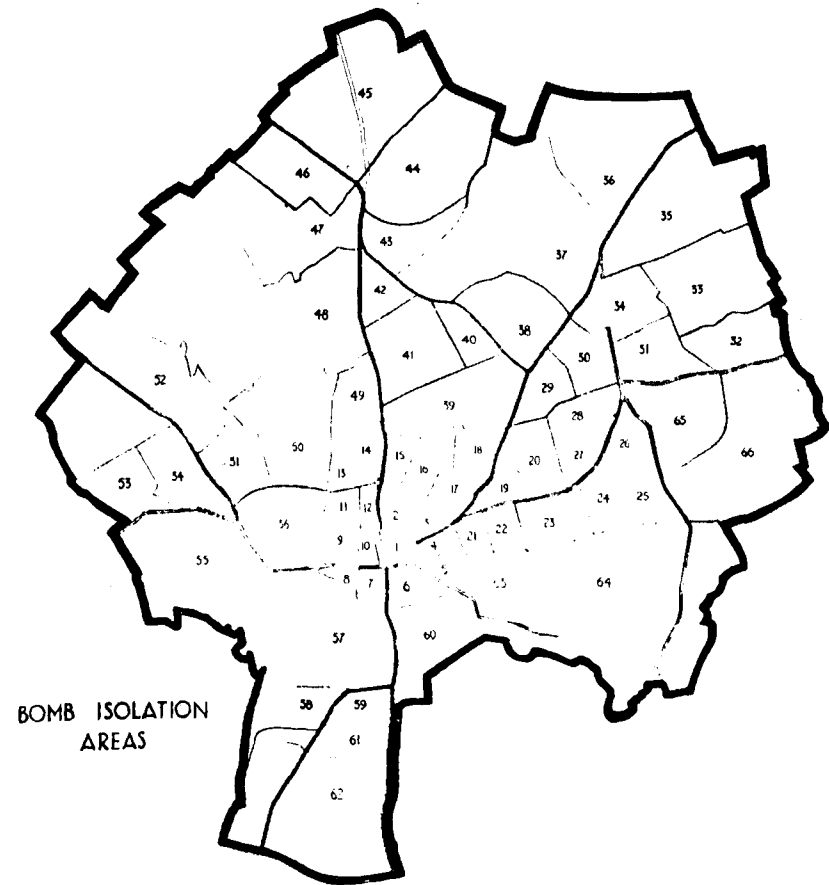
This is in three phases :

Phase 1, or the Outer Circle;

Phase 2, or the Inner Circle;

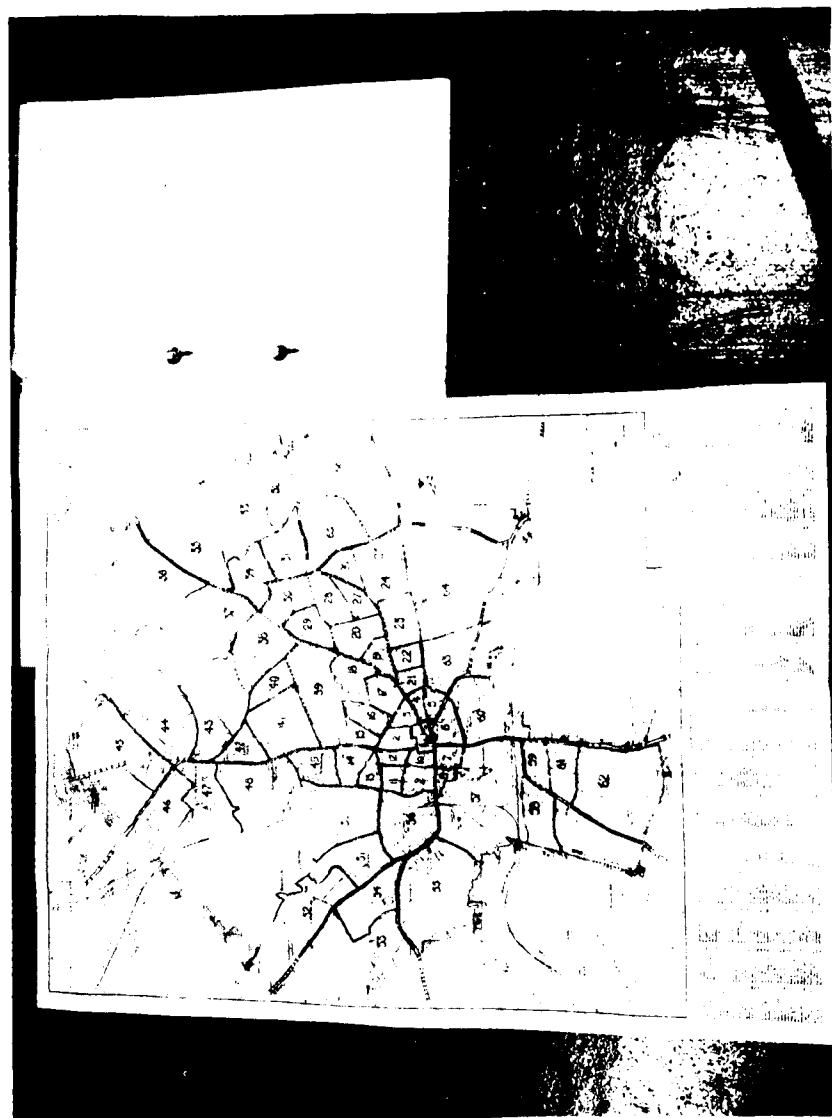
Phase 3, which is the diversion of traffic around the town centre.

Let it be supposed that the damage is in the town centre only. Then the traffic (as in Phase 3) can be diverted around the centre of the town. Phase 2 will then come into operation, the appropriate message being sent to the County Police Headquarters and the Military. Traffic



No. 1. BOMB ISOLATION AREAS
Key Map used in Police War Room

(face p. 40)



No. 2. Small scale Key Map in front cover of book

TRAFFIC CONTROL DURING AND AFTER RAIDS 41

which need not go into the town will use these secondary roads, drivers of heavy vehicles within the area will be instructed accordingly and diverted by some other route.

In this it is necessary to have the assistance of the County Forces and/or the Military Traffic Control. All the points in Phase 2 are clearly marked, and the number of men required.

For the guidance of the Military Authorities the map references are given too.

Now, should the extent of the damaged area widen, the third and last Phase can be put into operation, working in conjunction with Phase 2. The assistance of two or three County Forces is necessary. Arrangements have been made for these Forces to co-operate and be responsible for manning such traffic points as are necessary. The communication and control points are clearly set out in the book—"Instructions for the Controlling of Traffic and Isolating Areas Subject to Heavy Enemy Attack."

Phase 2 can be used for light and local traffic, and for essential loads which must be allowed to approach as near as is necessary to carry on important work and to provide needs for a quick return to normal life.

It is evident that speed combined with unhesitating action must be the consideration when taking on the job of keeping traffic routes open and avoiding all congestion. It is with this object in view that untiring effort is made to view what might happen and what would be the action to be taken, to have everything ready should the diversion of traffic be necessary, on a large or small scale. Then with definite lines to work on the fear of confusion, or of a job not well done, will not arise.

The work of preparing the book referred to herein was entirely done on the premises and is not a costly matter, providing that it is undertaken by a competent and enthusiastic staff.

The Organisation and Training of Special Constabulary

By R. W. TOWNSEND, M.C.

Commandant, Exeter City Special Constabulary

THE Special Constabulary to-day is an important part of every Police Force and has proved its value in many different ways. There is no question, however, that the training and organisation of the Special Constabulary vary greatly from place to place for various reasons. It also seems probable that in the future the Special Con-

stabulary will continue to form an integral part of the Police Service. With these things in mind, is it possible from the experience of different Forces to find a common standard of organisation and training, which, with local modifications as necessary, can be generally applied?

A Special constable can never equal in professional knowledge the Regular policeman, but he is usually a man of considerable experience of life. He is also a volunteer, giving his spare time and energy, and has, therefore, a right to expect such training as will enable him to feel that his time is being usefully employed. Thus the problem is not merely one of training but of using the Auxiliary Force, of overcoming difficulties which can arise between Regulars and Specials, and of making the two into an efficient whole.

The following account has been compiled to show the system of training adopted in one Force. It does not pretend to be the only way, but it gives briefly the history of the building up of what has proved to be an efficient body of Special constables, and shows methods of training which were highly successful with many types of men.

The whole organisation and training were planned on the basic idea that it was possible to take a body of citizens, selected from every class, give them an entity of their own and an elementary amount of professional knowledge, and from the combination of this with their own knowledge of life form an efficient Police Auxiliary. This idea involves two important essentials if it is to be carried out satisfactorily. First there must be a realisation that the individual has interests and duties outside his voluntary work as a Special constable. Second, there must be a willingness to admit the amateur into what may be described as the professional fellowship.

In 1938 the Special constables of Exeter consisted of a number of citizens who had been sworn in at different times, and who, with the exception of some Special constables who had done duty in the last war, had done little police duty except lining streets for processions. The only actual training most of the Special constables had had was a gas course. The first step taken was to select from this body a few keen men suitable to be appointed as officers. A skeleton organisation was then built up on a Territorial basis—the city being divided into five areas and Special constables resident in each area formed into a division with its own officer. The older men, no longer physically fit, were transferred to a Reserve, and careful recruiting soon increased the number to a strength of about 180. Organised training was then proceeded with and was planned to give a practical rather than a theoretical knowledge of police duties.

Every Special constable was expected to attend a course of lectures on such subjects as Police Organisation, Crime and Courts, Police

Powers, Beats, Traffic Duties, Evidence, Serious Crime, Public House Law, Motoring Law, Police Reports. These lectures were given by officers of the Regular force, and typewritten summaries of each lecture were circulated to those present to serve as notes. The final lecture in each series took the form of a demonstration police court in which a series of cases were taken in detail and a running commentary made to bring out various points. At each lecture questions were invited, and these brought out additional information not only from the lecturer but often from the audience. At the same time as these compulsory police lectures were proceeding, a course of lectures in First Aid was held and well attended. Those attending took the St. John Ambulance Examination at the end of the course.

As soon as it was possible to do open-air training in the evenings, parades were held, which took the form of a short period of drill followed by a demonstration of an incident requiring police action. As an example two motor-cars would be brought to the drill ground and an "accident" staged. A certain number of Special constables would be provided with note-books and told to collect the information necessary from the drivers and witnesses. After they had done this, a police officer would go through the correct procedure in the case with all present, and see what mistakes had been made. Training in actual beat duty was done by sending out Special constables in turn with selected Regular constables on beat. Later on certain police beats were patrolled by Special constables in pairs; the detailing of men to beats, the parading and visiting being done by their own officers and sergeants. During all this general training of the Special constables, additional training was given to the officers and sergeants on police organisation, methods of working and supervision.

A little later on a Mobile Division was formed, consisting of an officer, sergeant and ten selected Special constables who were all given additional training under a Regular police driving instructor.

During this period there was a considerable amount of "mixing" going on all the time between Regulars and Specials. The Regular police were getting to know the members of the Special Constabulary through acting as instructors and demonstrators; in addition, any Special who wished was allowed to become a member of the Police Recreation Club, and various games activities were arranged between the two bodies. All this meant that individual policemen got to know in a friendly relationship individual Specials, to the great advantage of the Regular force and Special Constabulary as a whole. Training and discipline can be "caught" as well as "taught."

This period of intensive training ended with the outbreak of war, but had been such that when the emergency arose the Regular police

were able to call on the Special Constabulary for immediate work. On the day war was declared the Special constables took over certain sections of the police beat work of the city, making their own detailed arrangements for supervision and duties. This arrangement, with minor alterations in detail, has been carried out ever since and has worked efficiently. Control of the work by the Regular police is indirect through the officers, but a very close touch is kept so that the work of the Special Constabulary interlocks with that of the Regular force. The Mobile Division works in conjunction with the Traffic Department and is used for traffic control. In this case the cars on duty work directly under the Regular police.

Since the outbreak of war similar training has, as far as possible, been given to new recruits, while all Special constables have been trained, again largely by demonstration and practice, in the work necessary in air raids.

The question naturally arises: has all this training proved worthwhile from the point of view of the Regular police? The answer is definitely "yes." When work expanded at the beginning of the war they had an auxiliary force who they knew could be relied on to do many jobs efficiently; in addition a certain number of Special constables formed a useful nucleus in the P.W.R., being already partly trained; above all there had been the personal contact between the Regular and the Special which removed many possible causes of friction and made for smooth working.

In consequence of this training the Special Constabulary have proved of use on the purely police side of the work. Some instances may be given. A milkman on his rounds saw suspicious characters going from house to house: he informed the C.I.D. from a police box and they were duly rounded up. A large number of Special constables volunteered for extra night duty in plain clothes until a troublesome housebreaker was brought to book. Careful training has made them good observers and their evidence in police court and assize cases is well given. In addition an expert on almost any subject can be found among the Special Constabulary if wanted. One of the Mobile Division sergeants is a highly qualified consulting motor engineer; another Special constable was able to assist the Special Branch in identifying certain papers.

Up to the present the most exacting test for any Special Constabulary has been air raids. We have had our share of these, culminating in a not inconsiderable "blitz." It will be sufficient to say that for their work during and after the "blitz" the Specials were highly praised by H.M. Inspector and the Regional authorities; and it was a matter of comment by outside police forces doing relief duty as

to the work the Special constables could and did do, and the close relationship that existed between Regulars and Auxiliaries. The result of it all is that the Specials are proud of the police force of which they form part and the Regulars are proud of the Auxiliaries they have trained.

It is realised that the above method of training could not be used in country districts but seems to be generally applicable to towns, whether boroughs with their own police force or smaller towns forming part of counties.

Simple Photomicrography without a Microscope

BY DETECTIVE-LIEUT. GEORGE MACLEAN, F.R.M.S.

Fingerprint Bureau, City of Glasgow Police

MANY articles have been published in THE POLICE JOURNAL from time to time on the identification of minute traces left at the scene of a crime, and these articles have usually been illustrated by photomicrographs which could be produced in court for the information of judge and jury.

In most of the cases described the microscope has been used by the expert to analyse the minute traces, but many instances occur in police investigations where the microscope or microscopic-objective can be used solely to magnify, and the evidence thus obtained photographed and spoken to in court by an officer without scientific knowledge.

This article is an endeavour to explain how police officers who are keen on photography can make their own photomicrographs without elaborate apparatus, and so produce pictures available for demonstration in court.

Many books have been published on photomicrography, but these, in addition to being expensive, usually devote too much space to the description of various microscopes and accessories, and too little space to the elementary principles of the subject. Also, the apparatus described is usually much too expensive for the beginner, and very often deters photographers from taking up the subject.

Low-power photomicrography has been chosen for two main reasons. First, in this sphere lie the opportunities for the intelligent police officer to produce photomicrographs where the essential is

magnification and no scientific knowledge is required to explain the result. Secondly, it is most essential that the technique of low-power work should be thoroughly mastered before attempting medium- and high-power photomicrography.

It is quite a popular, but erroneous, belief that a compound microscope is essential to the production of all photomicrographs, and this has prevented many police photographers from taking any interest in this most fascinating branch of their occupation.

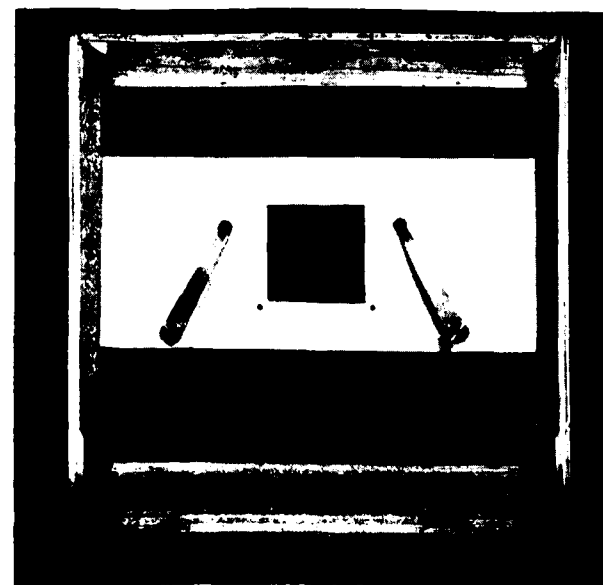
If it is desired to photograph the fine markings on a diatom or a transverse section of a plant stem to show the cell structure, then a compound microscope is necessary; but where it is desired to obtain magnifications of only 10 to 20 diameters, then all that is necessary is a short-focus camera lens, or a very low-power micro-objective attached to the camera. The objective of a compound microscope has too restricted a field for the majority of subjects encountered in criminal investigation, whereas the short-focus lens is ideally suited for this purpose.

APPARATUS

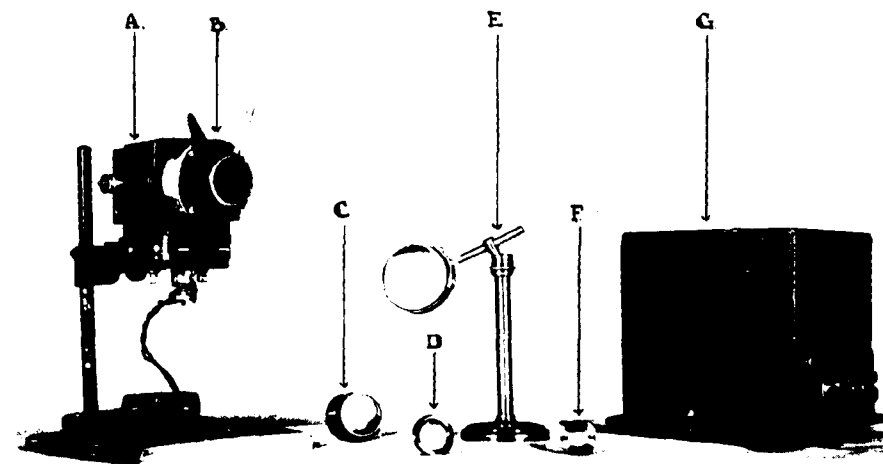
The apparatus used in low-power work need not be expensive. In fact, most of it can be constructed at home, particularly the stand and baseboard to carry the camera and object.

The baseboard should be a truly-planed board about 5 ft. long and 10 in. broad. To assist in the alignment of the apparatus, draw a straight line along the middle of the side of the board which is to be used as the upper surface. Fix to the outer edges of this side two strips of wood 1 in. high by $\frac{3}{4}$ in. broad and 5 ft. long, to act as guides for the apparatus. The stand for the camera can be fixed permanently to one end of the baseboard, or, if preferred, a stand can be made which is capable of sliding along between the guide-strips. The size of the stand will, of course, vary according to the camera.

An object-carrier should be made in the form of a frame 10 in. by 10 in., within which the actual object-holders can slide up and down. The frame should be mounted on a movable base $8\frac{1}{2}$ in. by 4 in. and given a cross-movement. This can be done by constructing the frame to slide between two strips of wood attached to the base. The object-holders can be made of plywood, and one of these should have a 2-in. diameter hole cut in the middle for use with transmitted light. Small objects can be attached to these carriers by Plasticine or by spring-clips. For heavier articles, such as jemmies, etc., an object-holder similar to a retort-stand should be used, and this also should be given a suitable cross-movement.



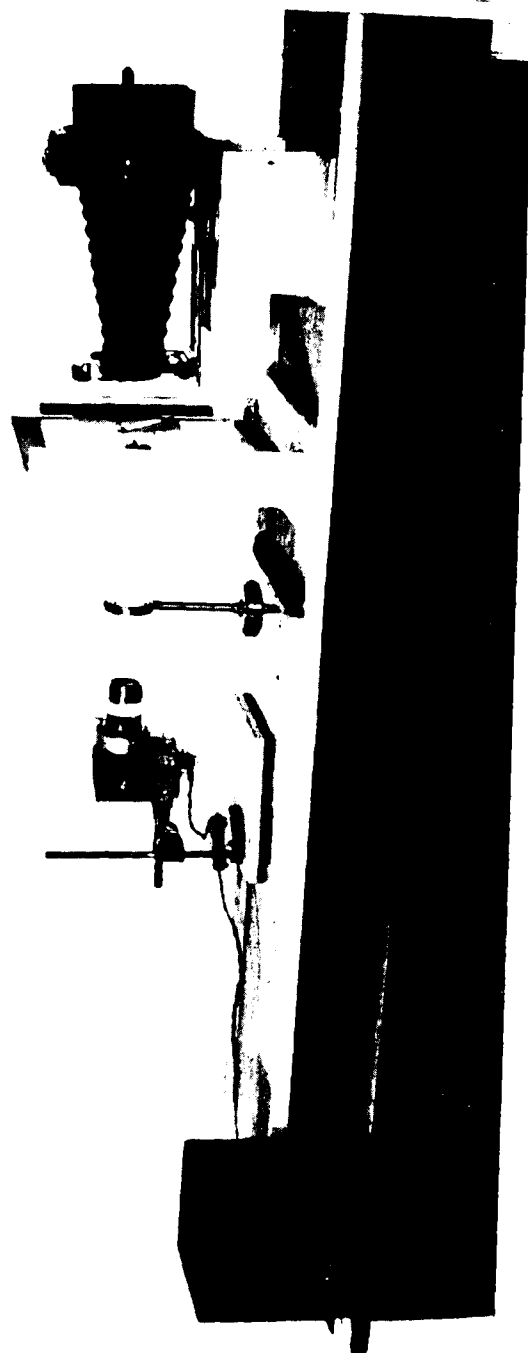
(1) OBJECT CARRIER



(2) LIGHTING UNIT, Etc.

- (a) Lamp house for 12v. "Projection" type lamp constructed from old cine projector.
- (b) Iris diaphragm with adjusting handle.
- (c) Ground glass diffusing screen mounted in brass tube for fitting in front of diaphragm.
- (d) Threaded adapter ring for mounting microscope-objective in camera.
- (e) "Bull's-eye" type condenser on adjustable stand.
- (f) 50 m.m. Beck microscope-objective suitable for using in camera.
- (g) 12v. transformer.

(face p. 46)



3. APPARATUS ARRANGED FOR PHOTOGRAPHY BY TRANSMITTED LIGHT

(face p. 47)

PHOTOMICROGRAPHY WITHOUT A MICROSCOPE 47

CAMERA

For low-power photomicrography of the type generally encountered in police work the most suitable camera is that usually referred to as "Hand and Stand." A good example is the Sanderson camera, and quarter-plate models of these can be purchased second-hand comparatively cheaply, especially if sold without a lens. They are usually fitted with bellows capable of fairly long extension, and they are also very suitable for medium- and high-power photomicrography. In fact, anything within the range of a microscope may be photographed with a quarter-plate camera having a bellows extension varying from 3 in. to 12 in.

LENS

The choice of lens depends on the amount of bellows extension available in the camera, and also on the amount of magnification desired. To find the magnification given by a lens at any bellows extension the following table is used: $M = E \div f - 1$, where M = Magnification; E = Extension of bellows (i.e., roughly distance between lens and plate); and f = focal length of lens.

For example, if the camera has a 12-in. bellows extension, then the highest magnification obtainable with a 2-in. lens would be 5 diameters, while with a 1-in. lens it would be 11 diameters.

Many good, second-hand, short-focus camera lenses can be purchased at reasonable prices and mounted on the camera instead of the normal camera lens. Purchasers should not overlook short-focus cine lenses. Where higher magnifications are desired, a 2-in. micro-objective can be mounted on the camera. In connection with these micro-objectives, it must be understood that they have a more restricted field of view in comparison with short-focus camera lenses, but they are excellent for photographing small objects.

A metal lens-adaptor should be made for these, capable of being screwed into the place of the usual photographic lens, and having a threaded hole in the centre into which can be screwed any micro-objective having the standard R.M.S. thread. A small iris diaphragm will enable the lens to be "stopped down," and so increase or decrease the depth of focus as desired. Most of the well-known microscope manufacturers sell small micro-objectives in which is incorporated an iris diaphragm, and these can be purchased at quite reasonable prices.

Where the bellows extension is fairly limited an endeavour should be made to obtain a telephoto lens. Lenses of this type are excellent for photographing small objects, and have the further advantage of working at a greater distance from the object, thus simplifying illumination problems.

ILLUMINATION

Illumination is of primary importance in photomicrography, and falls into two categories, namely, reflected or incident illumination and transmitted illumination.

When photographing objects by incident light, "daylight" can very often be used as the source of illumination, particularly if the camera and apparatus are placed in close proximity to a window having a northern aspect. Care must be taken to see that the object is evenly illuminated.

Artificial light, however, is much more constant than daylight, and, therefore, enables exact exposures to be repeated over and over again. Electric light, gaslight, or a paraffin lamp may be used as the source of illumination; but in the case of electric light a lamp should be obtained of the opal, not pearl, type, and, if possible, without markings on the end of the globe. Expensive attachments are not necessary; in fact, a very efficient lamp-house can be constructed from an empty tin.

A black background should be used for white or brightly-tinted objects, as this increases contrast and makes the object stand out clearly. Similarly, a white background should be used for dark-coloured objects. To avoid shadows the object can be fixed by plasticine to a piece of glass and the background arranged some distance behind the object-holder. Alternatively, a piece of white card may be used to reflect light on to any shadows caused by the source of illumination.

In the case of transmitted illumination, it is preferable to use artificial light, and again oil, gas, or electric light may be the source. Here also a home-made lamp will prove quite satisfactory, and an ideal source of illumination may be constructed at little cost from any of these small lamps having a filament requiring six or twelve volts. The two types most generally used are: (1) Motor-car headlamp bulbs with one single-spiral filament; and (2) "Intensity" or "Projection" lamps with a filament of larger diameter than the first. An excellent source can be made from an old "magic" lantern by removing the projection lenses and using only the large inner condenser.

Some of the problems of illumination will now be encountered. Although there is no question of critical illumination, it is essential to obtain even illumination without an image of the radiant appearing on the photograph. Elimination of the image-fault may be obtained by placing a piece of finely-ground glass in front of the light source. As this causes considerable loss of light and, possibly, lack of definition, a plano-convex or "Bull's-eye" condensing lens should be interposed between the ground glass and the object. This collects the scattered rays of light and directs them towards the object. A condenser suitable for this purpose may be bought second-hand at a reasonable

price and need not be of expensive manufacture. The ground-glass screen, the condenser, and the radiant should be mounted on one stand so that they can be moved backwards and forwards on the baseboard without disturbing their relative positions. They should each, of course, be capable of adjustment on the stand. It is essential that the direction of the light passing through the condenser be concentric with the axis of the camera lens.

The focussing screen of the camera should be of the very finest ground glass in order to focus sharply the most delicate markings on the object. The average type of focussing screen can be improved by the creation of a clear spot in the middle, and this can be done by the application of a very small drop of glycerine to the surface of the screen.

An excellent focussing screen for this work can be made by cementing thin, circular, microscope cover glasses on to the screen with Canada balsam, one in the middle and one in each of the four corners.

Focussing should be carried out by moving the camera bodily backwards or forwards on the baseboard after the required bellows extension has been fixed. Alternatively, the object-carrier can be moved.

Objects to be photographed by transmitted light must, of course, be transparent, and, if small, they can be mounted on glass slips, which can then be held in position by means of the clips on the wooden holder having the middle hole.

PLATES AND FILMS

The foregoing covers all the essential points in connection with the taking of simple, low-power photomicrographs, with the exception of the negative material used, the exposures required, and the processing of the negatives. It is presumed that most police officers who may be interested in this subject will already have some knowledge of photographic technique, and it is, therefore, not intended to utilise much space in describing this part of the work. Either plates or films may be used, and these should be of moderate speed and as free from grain as possible. It is preferable to use either orthochromatic or panchromatic emulsions in order to obtain a more-or-less-accurate rendering in monochrome of the colour value of the object. Avoid the ultra-fast or supersensitive type of panchromatic emulsions, as, when these are used with half-watt lighting, they are inclined to over-emphasise any red-coloured portions of the object, and, in addition, are usually too "grainy." If the object is not coloured, then a fine-grain, ordinary emulsion is the most suitable type to use. Anyone taking up the subject seriously will be well advised to experiment until the plate or film is found which gives the best and most uniform results. Use anti-halation-

backed negative material, particularly when photographing by transmitted light. Keep a record of your work for future reference. This should show (1) Subject; (2) Negative material used; (3) Light source and its distance, etc., from the subject; (4) Camera extension; (5) Distance between lens and subject; (6) Lens and aperture used; (7) Exposure; (8) Developer used and details of development.

It is hoped that the simplicity of low-power photomicrography has been made perfectly clear, and that perhaps some who have been hesitating will be encouraged to take it up as an adjunct to their usual photographic work. If a police officer combines some form of natural history study with his experiments in photomicrography he will have added pleasure in his work, and, in addition, acquire knowledge that may at any time be of great value in his police work.

The Organisation of a County Police Pigeon Service in War

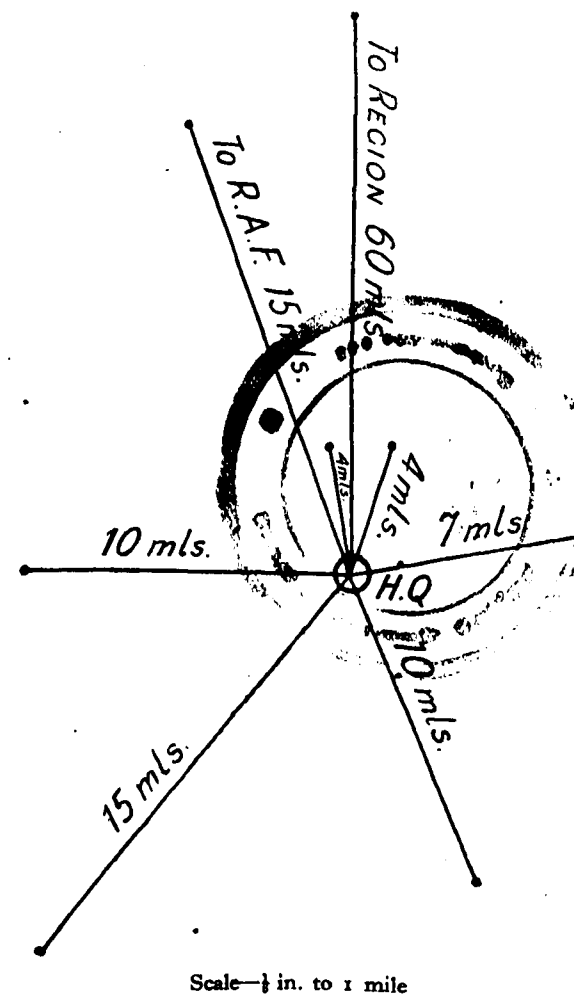
By SABREUR

THERE will be no attempt in this article to teach or to advise on the more technical principles of pigeon flying, training, or breeding; it is felt that there are already pigeon enthusiasts in every Force, whether they be regulars, auxiliaries, or specials, who know these intricacies fully well, and beyond stating that *The Racing Pigeon* should be an authorised journal on the Club table, and that particular attention should be paid to the article, "Old Hands Barred," it is not proposed to deal with that side of a Police Pigeon Service.

Firstly, one must persuade the police authority that the Pigeon Service is a practical messenger service, that by daylight it is certainly reliable and rapid; that it is not liable to congestion if wisely dispersed; and is more likely to maintain transmission of vital messages than the majority of other land-borne message carrying services. A pigeon can get through when a despatch rider could not, should areas be occupied by the enemy, and even in routine, pigeons have bettered the telephone frequently over a distance of sixty miles between County Headquarters and Region. In the first flight operating from Region to this County Headquarters, the Regional Commissioner, who was sceptical, himself witnessed release of a pair of birds, and immediately put a telephone call through asking for their time of arrival to be reported. The first bird arrived 1 hr. 28 mins. before the telephone message arrived, so that the report, although not prompt, had a salutary result in convincing

Region that here was reality and a communication reality, which was neither a game nor a zealot's hobby.

Our next step was to select a First Police Reserve, an old pigeon enthusiast, who was also fortunately an amateur joiner and carpenter,



and, aiming at a loft of 150 birds, to strike him off all other duty and to designate him as Force Pigeon Officer.

Our loft was built by this First Police Reserve at a total cost of £60 and is well sited on a hill in our capital town, a mile from headquarters;

the telephone was installed in his house which adjoins the loft, and a messenger service inter-loft and headquarters organised.

Each section made similar arrangements on a small scale, enlisting mostly serving special constables, who were already in the fancy and persuaded them to place their lofts and birds at police disposal. In two cases, one a cripple boy and the other an old man, it has given them a longed-for opportunity to play some part in the war effort; they were both made pigeon special constables, and are rendering valuable service.

Within the area our main headquarters supplies all the "in" birds, and our sections the "out" birds. As to Region, we supply the "in" birds, both to Region and an R.A.F. station, and the R.A.F. supply us with "out" birds, while Region is approaching a stage when they will be able to do so.

A permanent shuttle service is maintained between headquarters and all sections and this area and the R.A.F. One word of technical advice: do not over-basket birds; keep your shuttle basket going, and rather send them back by rail if weather conditions do not permit release. As to weather, I am confident that old and well-trained birds can be taken a chance with, but not the youngsters.

My next point is to advise all police pigeon organisations to work in with the R.A.F. They, in so far as the inauguration of this county service is concerned, have given us every possible assistance, not only both material and technical, but have followed it up with an "all out to help" attitude, and a real co-operative spirit. They have been generous to a degree with their young birds of the finest racing strains, and have on every occasion produced everything we have asked for from baskets to traps, from rings to message forms. Therefore, I suggest, establish the earliest contact with D. J. MacArthur, Esq., Air Ministry (Tel.: 1(c) Princes House, Kingsway, London, W.C.2; Phone: Temple Bar 1218, Extension 2161).

It may be of interest to know that the N.P.S. make a payment of 2d. a flight whether for service or training flights. Our special constables can be, as a result, almost self-supporting in regard to food and running expenses, and this headquarters has managed to pay its way.

Each section has its own coloured ring for easy identification in addition to its Police and Association rings. Our shuttle services operate to Region and all stations within the County areas as on page 51.

Until one has practised it, it is not appreciated what detail can be compressed into a pigeon flimsy, and in recent exercises the reliability and the volume of messages transmitted was a matter for surprised enlightenment.

The matter of permits and labels requires study, and the following are required:

1. Air Ministry Permit.
2. Registration as a member of the N.P.S.

Pigeons will only home to their own lofts; the nonsense read in certain papers about birds homing to moving lofts is largely journalistic imagination and tends to create a totally wrong impression. It is admitted that loft movement over distances of 300/400 yards can be effected, but this is unsound from a police service point of view, and is more or less a circus act.

The Boy Messenger Service has been worked in with our lofts; but where you can establish lofts on or within police station premises, so much the better for efficiency and time, provided your officer-in-charge is an enthusiast; but he may change and that is why I advocate the ready-made special constable with an established loft, if his loft is in reasonable contiguity to the station.

It is advisable to fly the birds regularly on the shuttle service, and to see that your men are familiar with writing messages on pigeon service flimsy, and encourage your staff to use the service as much as they can on routine duties in order to obtain familiarity and confidence.

It is only by actual tests, trials and report that authority will ever be convinced that the police pigeon service should be regarded not as "a supplementary reserve," but, on the contrary, under conditions of invasion, heavy blitz, land line congestion, or no lines at all, as apart from radio, first line communication.

It is unfortunate that the possibilities are so frequently misunderstood by administrative controllers who either regard the Service as some cryptic mystery, or a child's hobby, such as keeping rabbits, and it is this ignorant attitude that the enlightened convert must break down by proof.

The following notes may prove useful:

1. The authority to organise a Police Pigeon Service must be obtained from:

The Air Ministry, Tels. 1(c), Princes House, Kingsway, London, W.C.2.

2. The Secretary of the National Pigeon Service is at 22 Clarence Street, Gloucester.

3. The following conditions will be attached to Air Ministry approval:

- (a) Where civilian lofts are employed their services must be released to the use of either of the fighting services should they be required at any future time. Normally such request will require the endorsement of this Department.
- (b) For the purpose of record and rationing the owners of

civilian lofts employed must be members of the National Pigeon Service.

- (c) All pigeons used or intended to be used on message service must bear intact metal identification rings registered in the name of the operating owner in the books of the appropriate Homing Union.
- (d) The message carrier approved for police use is a standard pattern Rolloc carrier and ring clip, as at present manufactured by Messrs. Frazer & Glass Ltd., of 12 Woodside Lane, North Finchley, N.12, and supplied for police purposes in black Bakelite.
- (e) All pigeon messages in the service must bear a plain language address to facilitate rapid identification should the message go astray.

4. The following records must be maintained:

The Owner's Log Book.
 Monthly Return to Air Ministry.
 Message Pads in duplicate.
 Conveyance Notes.
 Blue Labels (not for liberation).

In conclusion three points of advice: first, if you work out that you require 50 birds to work a shuttle service, aim at 100. You will lose birds in training and through other causes, so do not be parsimonious with your numbers. Secondly, obtain your food ration coupons from the N.P.S.; and, thirdly, have loft rings of coloured celluloid for easy handling and identification of your prisoner birds; then, on sending a message to X, pick up a bird at once, wearing that particular loft ring, and the basketing they dislike so much becomes unnecessary.

Licensing Offences: An Experiment with Froth

By R. W. PRIEST
 Chief Constable, Bacup

RECENTLY an experiment was conducted to test the stability of evidence which, by virtue of time-honoured practice, has long been tendered by police officers in prosecutions for offences under section 4 of the Licensing Act, 1921, in respect of the sale, supply, or consumption of intoxicating liquor, otherwise than during permitted hours.

Instinctively, police officers engaged in these cases search for beer glasses which contain beer, and for glasses which, although regarded as

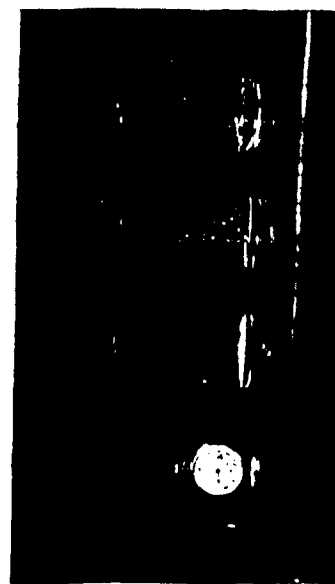


FIG. 3



FIG. 4

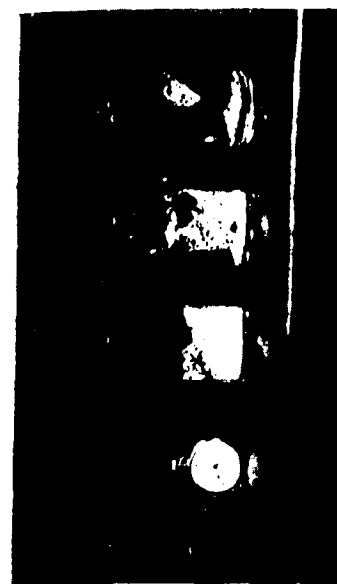


FIG. 1



FIG. 2

EXPERIMENTS WITH FROTH

(face p. 54)

empty, have froth adhering to their inner surfaces to a degree that might suggest that beer had been consumed therefrom after the expiration of the legal hour.

In a recent local case, police officers were in a position to tender evidence to the effect that three men (erstwhile customers) were found on licensed premises one and a half hours after the termination of permitted hours, and were seated at tables upon which rested—at a convenient distance from each man—three glasses, one of which had froth adhering to the inner surface, thus indicating that it had recently contained beer. Although other elements of evidence were available, it was desirable that some facts should be obtained to strengthen the supposition that the amount and condition of the froth pointed to the recent consumption of beer. Textbooks on hydrostatics are apparently devoid of authoritative data regarding the behaviour of beer froth, and since the question evolved itself into “What is the behaviour of beer froth adhering to the inner surface of a glass?” rather than the query as to the amount of froth that might be expected from different gravities of beer, it was decided to produce some effects experimentally.

Three normal half-pint measures were used, together with freshly drawn beer of a similar brand to that retailed at the licensed house concerned. The glasses were each filled with beer, which was then poured out gently until the glasses were ostensibly *empty*, after which they were placed on a stand alongside a timepiece and photographed at varying intervals, during which they were left undisturbed. Fig. 1 shows the glasses immediately following their being emptied; Fig. 2 twelve minutes later; Fig. 3 thirty minutes after the first exposure; and Fig. 4 almost one hour after the first exposure.

The experiment showed that in the conditions prevailing under test, froth to any extent had subsided after an interval of about ten minutes. Thereafter a series of globules of liquid persisted to a varied degree and displayed a tendency to descend to the bottom of the glasses.

Whilst admitting that possible varying conditions prevent the results obtained from being regarded as conclusive, the experiment nevertheless possesses some merit from a police point of view. In fact during the court proceedings which ensued, the defending advocate questioned the police officer as to his grounds for supposing that the froth he encountered supported a belief that the glass had recently contained beer. The officer was thus able to reply according to his own experience—which included the experiment detailed. A subsequent re-examination of the officer afforded scope for further details of the test being presented to the court. The evidence assisted towards a successful outcome of the prosecution.

Gem Stones and their Characteristics

By F. E. ULLMANN, F.G.A.*

IT was with great interest that I recently read "Hints on describing Jewelled articles" in THE POLICE JOURNAL of January 1938 (Vol. XI, No. 1), and although somewhat belated I feel it may be useful to correct one or two slips which occur in that most informative description of jewellery from a police officer's point of view.

A good generalisation is to term most stones mounted in jewellery of any worth "gem stones." The classification into "precious" and "semi-precious" stones is at best only an arbitrary division and is in any case misleading. Many of the so-called semi-precious stones are of far greater value and rarity than the traditional precious stones. To quote but one of many examples, several varieties of garnet are most uncommon and when found fetch very high prices indeed.

Without probing too deeply into the science of mineralogy, I think the following points are worthy of note. The great majority of gem stones are crystalline substances and when in their natural state are found either as crystals or water-worn pebbles. Most crystals, when chemically pure, are colourless, so that the majority of gem stones derive their colours from minute traces of metallic oxides (impurities) which are introduced into the stone during the process of formation in the earth's crust.

The correct classification of gem stones is by their mineral species, which, in their turn, are often divided into varieties. The variety name is then sometimes designated to an appropriate colour.

The following list gives the specific names of minerals most commonly used as gem stones, together with some of their variety names and colours. An indication of their relative values is also shown:

Species	Varieties	Colours	Values
DIAMOND	None	Usually colourless	Valuable
		Often yellowish or brown	Not so valuable
		Sometimes, but rarely, pale green, blue or pink	Extremely valuable
CORUNDUM	Ruby Sapphire	Blood red	Very valuable
		All shades of blue—cornflower and royal blue	Very valuable
		Blue black and very pale blue	Not valuable
		Pink, yellow, dark green, colourless	Of no very great value
		(None of these colours is obtained by heat treatment)	

* Mr. Ullmann, who is at present a sergeant in the Metropolitan Special Constabulary, is a specialist in pearls and precious stones. He was the managing director of a famous Bond Street firm of jewellers.

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Species	Varieties	Colours	Values
BERYL	Emerald	All shades of green—Dark greens	Very valuable
	Aquamarine	Pale blue green	Not very valuable
	Morganite	Pink	Rare, but not very valuable
CHRYSOBERYL	Yellow beryl	Golden colour	Not very valuable
	Alexandrite	Green by day, red by night	Rare and valuable
	Cats-eye	Honey colour	Medium value
SPINEL	Yellow chrysoberyl	Similar in value and appearance to the yellow beryl	Much inferior in value to ruby; colour not so bright
	A large group of minerals of all colours, red and brown the most popular		
TOPAZ	None	Golden yellow, pale blue green similar to aquamarine, colourless. Pink topaz are often seen; these are produced by heat treatment	Fine specimens fetch a fair price
ZIRCON	None	Blue, brown and colourless are the types most usually seen (heat treated). Many nondescript muddy shades of this stone are also found	Not valuable
GARNET	Almandine	Mauvy red	Not valuable
	Hessonite	Orange red	Not valuable
	Pyrope	Red	Not valuable
	Demantoid (often misnamed Olivine)	Green	Very valuable
(There are several other varieties of this stone, very rarely found in jewellery, as they are extremely rare and are much prized by collectors)			
OLIVINE	Peridot	Olive green	Not very valuable
(A name used by Americans for Peridot is Chrysolite)			
OPAL	Black opal	Opaque, with play of colour	Valuable
	White opal	Opaque, with play of colour	Not valuable
	Fire opal	Translucent, colour orange	Not valuable
QUARTZ	An enormous group of minerals, the most common varieties of which are:		
	Amethyst	Mauve	Not valuable
	(This stone, when heated, turns yellow and is often misnamed Cairngorm, Scotch Topaz, etc.)		
	Rock crystal	Colourless	No value
	Many opaque stones, including cornelian, onyx, chalcedone, etc.		No great value

This list, whilst in no way purporting to be complete, adequately shows the great difficulty in deciding how to name correctly any particular stone, as many quite different species are identical in appearance. But do not be dismayed by the pale pink and yellow colours so often seen in many different varieties of gem stones. These are never very valuable. It is the deep velvety green of the emerald, the beautiful cornflower and royal blues of the sapphire, and the magnificent blood red of the ruby which are so expensive and are especially worthy of our attention. These vivid colours are never seen amongst the lesser gems and when not valuable they are either pastes, doublets, or synthetic imitations.

Paste is the term used to describe glass of any particular colour when manufactured to simulate a gem stone. It is relatively easy to distinguish real stones from pastes, as the latter usually have the following diagnostic properties. They are soft and are easily scratched or chipped, thus a small fracture is often seen on the paste at the point of contact with its metal setting. Very small air or gas bubbles are often present in artificial stones; these can best be seen with a magnifying glass; they are round in appearance and, owing to their low relief, usually appear as black spots with a pin-prick of light transmitted at the centre. But the most outstanding characteristic of paste reproductions is their lack of fire and brilliance. They have no "life" compared with the real article. This vacant flatness would be most conspicuous in colourless pastes, namely those made to imitate diamonds, if it were not to some extent overcome by coating the back of the paste with mercury. This mirror effect is, however, immediately discernible to the eye on examination. For this reason, cheap paste diamond jewellery is generally made so that the backs of the stones cannot be seen, and when such articles come into our hands we can be sure they are worthless imitations.

Many writers seem to have a mistaken idea concerning the process of manufacturing artificial gems. These stones are often erroneously called "reconstructed," whereas in fact they are produced by means of synthesis and should thus be termed synthetic.

During the latter part of the nineteenth century many minerals were prepared artificially by French chemists, but these were of scientific value only. The first commercially successful product, the so-called "reconstructed ruby," was made by fusing together fragments of the natural stone. These early types were very crude, but in 1895 a process was invented by which fairly good specimens were produced. No reconstructed stones are now made and few are ever met with.

In 1902 the synthetic process was first introduced. This was perfected in 1904, since when all artificial stones have been manufactured by this means. It should be borne in mind that modern technical developments have succeeded in producing an almost perfect article, whereas nature does not work to laboratory standards. Natural stones nearly always exhibit imperfections, so that when a flawless specimen is seen the inference can usually be drawn that we have before us a worthless reproduction.

The old-fashioned idea that imitation pearls may be distinguished from real ones by merely passing them between the teeth and gently biting them is quite fallacious. Most imitation pearls on the market to-day are made from glass beads. These are coated with a compound called "essence d'orient," made from the scales of a small fish, the

bleak. This substance, when drawn between the teeth, produces a gritty feeling, similar to the real pearl.

Examine with a magnifying glass a real pearl, and then an imitation one. A completely different structure will be observed. This difference is, with a modicum of practice, readily perceptible. Both the natural and "cultured" pearl have certain visual characteristics and with care it is fairly easy to distinguish between them. Cultured pearls often show small convex markings on their surface, whereas natural pearls usually have concave imperfections. Again, cultured pearls are usually spherical or pear-shaped, whereas natural pearls often have a flattened appearance.

The familiar sheen of both natural and cultured pearls is due to their concentric or platy structure, which causes an optical phenomenon known to science as the "interference of light," and, whilst the inherent colour of pearls may be due to outside agents, such as mineral salts, their iridescence is an optical effect.

I think a few words on white zircons might prove helpful, owing to their great similarity to diamonds. Many frauds have been, and still are, perpetrated on an unwary public. The difference between the price of diamonds and white zircons is enormous. The former, as is well known, are of great value, whereas the latter cost, at the most, a few shillings a carat.

Zircons are genuine stones, but the white variety is produced by heating the natural brownish-red types. This changes their colour and greatly increases their brilliance. A knowledge of physics is essential in order to understand fully the different properties of diamonds and zircons; but for our purpose there is a simple and infallible optical test which can be readily applied by anyone.

If, on looking through one of the top facets of a stone, it is seen that the back facet of the specimen is doubled, *i.e.* appears as two lines and not one, it is always safe to assume that the stone examined is a zircon and not a diamond. This illusion is caused by the refraction of light and is accounted for by the fact that zircons are a strongly doubly refractive mineral, whereas diamonds are a singly refractive one. The effect is best seen with the aid of an ordinary pocket magnifying glass.

These are some of the common pitfalls concerning gem stones, but there still remains the "doublet," or composite stone, to be dealt with. Doublets are stones composed of two or more pieces of material cemented together. It is generally fairly easy to spot this deception, as the cement (canada balsam) appears as a thin black line round the edge of the stone. But when, for any reason, this is not readily visible, immersion in water will show the true structure of transparent stones and immediately reveal their spurious nature.

In conclusion, it may be asserted that although a specialised knowledge is sometimes necessary in dealing with gems, the police officer should, in general, be able to sum up fairly accurately the type of jewellery with which he has to deal. He should bear in mind that fine stones always have fine colours, but when too perfect they are usually artificial. Diamonds and pearls comprise the jewellery most commonly met with, and careful observation will soon enable the inexperienced eye to distinguish the crude imitations now on the market from their valuable counterparts.

Remote Control of Police Wireless Equipment

WITH the advent of very high frequency wireless for police communications it is evident that a great many more forces will be participating in these schemes than when only medium frequency wireless was the order of the day, the idea being that each large city or county shall have its own local system of wireless communication. This has been welcomed by police forces in general, but apart from the present and, it is hoped, only temporary difficulty of obtaining suitable equipment, one of the main considerations of any such scheme is the trouble of finding the necessary staff to run it. In these days of war, man-power is at a premium and anything that can be done to relieve the pressure without affecting the efficiency should be thoroughly investigated. It would appear that the question of providing a staff for the manning and control of a wireless station has bothered quite a few, and it would not be surprising to learn that some schemes have been turned down or at least postponed because of this difficulty. In Aberdeen a system of control has been developed which does not require any extra staff, and it is proposed to describe this system very briefly in the hope that the information may be helpful to other forces who may be considering the question.

It will be better perhaps to run over the main types of V.H.F. wireless schemes in use or proposed to enable those not fully acquainted with them to weigh the advantages and disadvantages, for each type has both. The first is the simplest of the three to be considered here and is a one-way system, *i.e.* Police Headquarters is equipped with a transmitter, and the various mobile units are fitted with receivers only. Messages can be sent from Headquarters to the mobile units, but there is no indication that a particular message has been correctly received

unless the mobile unit resorts to replying by ordinary telephone, usually a comparatively slow and cumbersome process. Despite this disadvantage this system is in use in several places and has given excellent results in actual practice.

The second system is one where the mobile units are also fitted with transmitters working on the same frequency or wavelength as the main station. In this case the mobile unit can reply to messages sent out, but simultaneous transmission and reception cannot be carried out owing to the use of a common frequency for both; therefore some method of changing over from "send" to "receive" must be provided at Headquarters. The passing of any message, particularly where it involves questions and answers, takes longer by this system than it would by the third to be described, but this may not be considered a serious handicap. It does, however, mean more operating time at Headquarters. The principal advantage of this system is that even if the main station goes "off the air" for any reason, wireless links can still be maintained between mobile units.

The third and most useful system is a full duplex one. In this the mobile units have transmitters working on a different frequency from that of the main station and therefore can carry out a perfectly normal conversation with the main station or with any point to which this station can be linked. This can most conveniently be done by controlling the main station from the ordinary telephone switchboard at Police Headquarters, and thus a conversation can be carried out between a mobile unit and any other department. This is the system which has been developed at Aberdeen. The disadvantage of this system is the fact that mobile units cannot communicate with each other in the event of the Headquarters station becoming unusable, and so, for one hundred per cent. reliability, it is necessary to provide a duplicate to the main station. Preferably this should be placed at some other site in the city and dual control provided to Headquarters and to one other point, say a divisional station. The chance of a breakdown is more likely under war conditions, but in peace time, with reasonable care in maintenance, the time "off the air" due to breakdowns should be an extremely small percentage of working hours and may easily be nil from one year's end to another. The alternative to a duplicate main station fixed in any one place is to provide a mobile counterpart of the main station which can, with a reasonable degree of safety, be a much smaller powered unit than the one it would replace, and it is thought that in war time this is by far the more useful way of getting over the difficulty.

As it has been said, it was decided to go in for a full duplex scheme in Aberdeen, but before going into the technicalities the following points may be of interest. In the first place the system is controlled

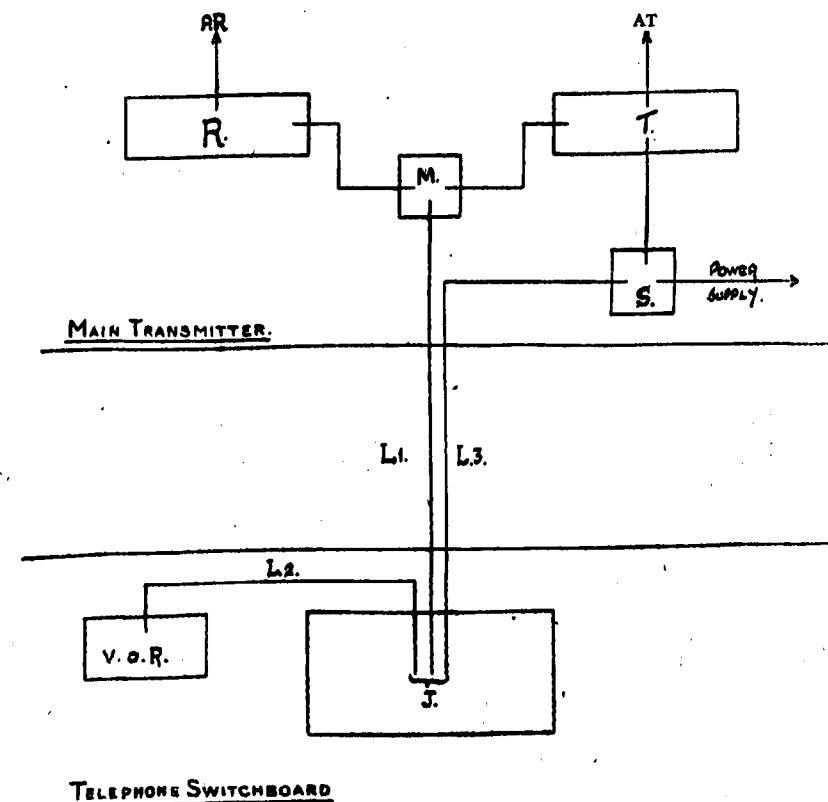
under normal conditions by the telephone switchboard operator at Headquarters, and the operation has been so arranged as to make it as near as possible the same as ordinary telephone work. For example, when an internal extension calls the switchboard a signal lamp comes up on the switchboard, indicating the call to the operator. In answering, the operator plugs a cord into the calling position and the circuit from extension to switchboard is completed. That is usually only half the operation, the other half being the connecting to and calling of the party required. On the switchboard one of the extension positions is "Wireless," and when a cord is plugged into this particular position the transmitter is automatically switched on, and a message can be sent out either by the switchboard operator, or, if the call has been originated by another department, by the officer in charge there. The reply from the mobile unit is picked up on a receiver, and the incoming speech is transferred to the telephone line by means of special mixing equipment. That is the procedure when a call for a mobile unit originates at Headquarters or at any police box or street pillar. It is not possible to operate the transmitter from an outside source via the Post Office Telephone Exchange owing to technical difficulties; but this is not considered to be any disadvantage, rather the opposite, as it automatically reduces to a minimum the chance of any bogus calls being transmitted.

Now take the case where a mobile unit wishes to communicate with a particular department at Headquarters. The procedure is reversed actually, as when the mobile unit calls, the signal lamp relevant to the "Wireless" position on the switchboard lights up, and the operator, on answering the call in the usual fashion, hears the mobile unit. At the same time the answering of that call automatically switches on the main transmitter, and the duplex working is again established. This two-way circuit can then be switched to any department in the same way as an ordinary telephone call is passed. In brief, then, the effect is that operation is purely telephone procedure, and the fact that two wireless links are in use can be entirely disregarded.

Now for the mechanics of the system. Take it first in a simplified form and the modifications can be introduced later. Referring to the diagram the various component parts of the system are as follows: R is a receiver with its aerial AR, and this receiver is tuned to the frequency of the mobile units. The speech output of the receiver is fed to the mixer unit M and thence to the switchboard via line L1. T is the main transmitter operating on a different frequency from the receiver, and it has a separate aerial AT. The outgoing speech is fed to the transmitter via line L1 and the mixer. The mixer is necessary to prevent the incoming speech from the receiver being transmitted again by the transmitter, as it will be seen that both outgoing and

REMOTE CONTROL OF POLICE WIRELESS EQUIPMENT 63

incoming speech are common to line L1. In practice this mixer is a combination of cross-connected transformers. The power to operate the transmitter is applied through a relay switch S, which is closed when current is supplied to the relay via line L3. This is done when



the switchboard operator plugs into the "Wireless" position on the board-jack J. V.O.R. is a voice-operated relay and is used for calling the switchboard when a mobile transmitter is operated. As its name signifies, it is a relay switch which closes when speech sounds are applied. When an ordinary telephone handset is lifted from its rest the switch inside the instrument closes the line circuit and this lights

up a lamp on the switchboard, showing the operator that service is required on that extension circuit. Similarly with the wireless, although in this case there is no complete metallic circuit between the caller and the switchboard, and therefore the voice of the caller in the mobile unit is used to operate V.O.R., which in turn closes the line circuit via L2 between the switchboard and the mixer M and thus lights the signal lamp associated with that circuit.

That is the system in its simplest form, but there are one or two other considerations which must be taken into account. As it will be realised, the system described refers to a manually-operated telephone installation, but its application to an automatic telephone system should not present any difficulties. It would appear that on automatic, calls originating at Headquarters would be completed by dialling the correct number for wireless and that calls originated by mobile units would, via the voice-operated relay, call the operator direct as when dialling O, and these calls would then be passed to the appropriate department in the ordinary way.

Another question to be considered refers to the switching on of the transmitter. There are two methods in general use. One is to start the entire transmitter from cold before each call; but this means a delay of up to one and a half minutes before actual operation can begin. This delay is vitally necessary to allow all the valves, and especially the rectifier valves, to heat up properly before applying the high voltages which are required for transmission. The other method is to have all the valves permanently heated, and then at any moment the transmitter can be put on the air by applying the high voltages mentioned above. The first method can be tolerated in a system where all calls originate at the main station, but in cases where a call may come at any time from a mobile unit, an immediate answer is indicated and the second method is essential. At Aberdeen both these methods are combined, so that either delayed or instantaneous operation can be used. It will be apparent that to keep the transmitter heated up for hours when there are no mobile units operating would be useless and wasteful, and therefore a switch has been provided on the switchboard which in one position gives delayed action and in the other position instantaneous.

As a useful and simple indication to the operator that the transmitter is actually on and ready for use, it was decided to make this an aural one and not to instal any meters or other type of visual indicator which might only serve to confuse the staff. This is done by impressing upon the speech line a valve generated tone which is automatically cut off when the transmitter becomes "alive."

In addition to the remote control described, control of the station can be taken over at any moment by an operator in the War Room when

conditions of heavy and important traffic warrant this course. This is arranged by running all the control lines between the switchboard and the wireless equipment via a special control panel in the War Room. For maintenance work and routine testing local control of all circuits is provided at the transmitter proper.

In conclusion, it must be said that there is much to do yet and a few years will, no doubt, see very great changes and improvements in police communications. Nevertheless, the system as described works and works well, and it is hoped that this short article may in some small way give inspiration for future developments to others similarly placed. Thanks are due to the Engineering Department of the Post Office, who have always been most helpful and willing to collaborate in making the scheme a success.

City of Aberdeen Police

EDWARD G. INGRAM

Criminal Slang

BY DETECTIVE-SERGEANT ALEXANDER BLACK

Special Branch, Metropolitan Police

THE following is a collection of slang words, phrases and expressions in current use in police and criminal circles in London. The subject is a fascinating one and apparently inexhaustible, so I hasten to state that the collection is not claimed to be complete. In fact, I should be glad to hear from anyone who could add to the list or who could give alternative meanings or different shades of meaning for any of the words listed.

In the first flush of enthusiasm for the collection, I hoped to trace the origin of the words, but I now realise that this would be a tremendous, if not impossible, undertaking, and would require years of research, with doubtful hopes of success.

The origin of some of the words is obvious, of course; some, I believe, are derived from the Romany; others just appear to have "grewed." A few are extremely old and it was rather surprising to discover that "lag," "lagging" and "lagged" are derived from the Norse "LAGDA," meaning "laid" (either in durance or in bed). Another ancient Norse word is "gang"; you can read in the Norse "EDDA" (a collection of ancient mythological and heroic songs) that such-and-such a king invaded some country at the head of a "gang" of heroes, and there is obviously a connection between the Norse "gang," the Anglo-Saxon "gangan"—to go, the Scots "to gang"—to go, and the German "gegangen"—gone.

Two words which were in use over 100 years ago are "smasher" and "shorter." A "smasher" was a person who passed forged bank-notes, thereby doing his best to smash the Bank of England; in modern times he is a person who passes a forged cheque. A "shorter" was a person who "shortened" or reduced coins by filing, clipping or dipping in acid; in these days of base metal coinage the profession of "shorter" appears to have lapsed.

Cockney rhyming slang has been omitted from the collection as not strictly coming within the province of criminal slang, although it is, naturally enough, used frequently in criminal circles in London. Curtailed rhyming slang has given me a headache or two as it is sometimes very difficult for a Scot, like myself, to detect it. A few examples have been included as they are in such common use, such as "bird" = bird lime = time, and "flowery" = flowery dell = cell.

I would emphasise the fact that this collection claims to be composed only of *current* criminal slang. Many good and interesting words, which were formerly in use, have died a natural death, such words as "chokey," "jug," "doll," "mobsman," "swell mobsman," "five stretch," "rip." Others, such as "kip" and "nancy boy," which originated in criminal circles, have now progressed a long way from their place of origin and are in general use throughout the country, so that they are beyond the scope of the present collection.

Once upon a time underworld slang was called "Thieves' Latin," a term which is more accurate than would at first appear. At the time of the Reformation many thousands of priests lost their livings, and being unqualified or disinclined for ordinary work they drifted into the bands of robbers and highwaymen that infested every country at the time. These ex-priests taught Latin (the language with which they were most familiar) to their confederates so that they could communicate with each other with very little danger of having their plans discovered by the ordinary public. I go so far as to suggest that there is the same basic idea in criminal slang of the present time.

BAR: £1; see OUNCE and HALF A BAR.

BEAK: magistrate.

BEHIND THE BARS: in prison; also OVER THE WALL.

BIRD: previous conviction.

BLACK: to blackmail.

BLACK FACE JOB: a larceny, housebreaking, burglary.

BLISTER: summons.

BLOW THE GAFF: to give information to police; also COME COPPER, COME GRASS, SCREAM, SHOP, SQUEAL.

BLOWER: the telephone.

BLUEY: lead (pipes, roofing, etc.).

BOGEY: a detective; also BUSY, D, DICK, SPLIT.

BUNCE: perquisites.

BUSY: a detective; also BOGEY, D, DICK, SPLIT.

BOX: a safe; also PETER.

BRASS, the: a betting trick of confidence men.

BRASS: a prostitute; also TOM.

BRIEF: a warrant, paper of authority.

BROADS: playing cards.

BROADSMAN: a cardsharp.

BUST, do a: to break and enter premises.

CARPET: three months' imprisonment.

CARVE: to betray, to "double-cross."

CASE: a brothel; also KNOCKING SHOP.

CASE A JOINT: to examine premises before breaking in.

CHARLIE WOOD: police constable's truncheon.

CHEATERS: spectacles, eyeglasses.

CHIV: to wound with a knife, to strike in the face.

CLIMBER: a cat-burglar.

COAT, COATING: evidence of previous convictions.

COME COPPER: to give information to police; also BLOW THE GAFF, COME GRASS, SCREAM, SHOP, SQUEAL.

COME GRASS: to give information to police; also BLOW THE GAFF, COME COPPER, SCREAM, SHOP, SQUEAL.

CON: to deceive, to work the confidence trick; see MOODY.

COOLER: a cell; also FLOWERY.

COPPER FACTORY: police station; also Nick; see LUMP.

COUNTRY, send to the: send to Dartmoor or a penal establishment.

CRASH: to gain admittance on a pretext.

CREEP, at the: engaged in petty thieving.

D: a detective; also BOGEY, BUSY, DICK, SPLIT.

DABS: finger prints.

DANCER: one who steals from blocks of offices by walking upstairs and into any unattended office; see OFFICE LARK.

DICK: a detective; also BOGEY, BUSY, D, SPLIT.

DIP: a pickpocket.

DIPPING: picking pockets; also WHIZZING.

DOPE: information.

DOPE: drugs.

DRAG, to use a: to use a vehicle.

DROP, taking the: accepting a bribe.

DROPPER: one who negotiates a forged cheque; see SMASHER.

SHAKY: of doubtful authenticity, of doubtful character.
 SHOP: to give information to police; also BLOW THE GAFF, COME COPPER, COME GRASS, SCREAM, SQUEAL.
 SLANG: a watch-chain.
 SLUSH: forged banknotes.
 SMASHER: one who negotiates a forged cheque, one who passes forged banknotes; see DROPPER.
 SMOTHER: something used by pickpockets to cover their activities, usually an overcoat, newspaper, or parcel.
 SNIDE: counterfeit coin.
 SNOUT: one who gives information to police; also NARK.
 SNOUT: tobacco, cigarettes.
 SNOW: cocaine.
 SPARKLERS: jewels.
 SPIELER: a gambling-house.
 SPIKE: workhouse or casual ward; see LUMP.
 SPIV: a thief, a crook, "one of the boys."
 SPLIT: a detective; also BOGEY, BUSY, D, DICK.
 SQUEAL: to give information to police; also COME COPPER, COME GRASS, SCREAM, SHOP.
 STEERER: the confidence man who makes the acquaintance of the prospective victim; also LUMBERER.
 SQUEAK, to put in the: to give information.
 STEPS, up the: to be sent for trial at sessions or assizes; see FULLIED.
 STICK: a jemmy.
 STIR: prison.
 STRETCH: twelve months' imprisonment; see HALF A STRETCH.
 STUFFY: wealthy, well-off.
 TELL THE ROYAL: to give evidence.
 TIME: term of imprisonment.
 TIPPER: one who keeps watch outside a bank while a worthless cheque is being negotiated.
 TOBY: district, section; also MANOR.
 TOE DROPPING: the linoleum fraud; also holding a door open with one's foot.
 TOM: a prostitute; also BRASS.
 TOPPED: executed, hanged.
 TOPS AND BOTTOMS: a confidence trick—diamond ring swindle.
 TOSHER, TOSHEROON: half a crown.
 TOTTER, TOT-RAKER: one who searches dustbins for scraps, etc.
 TUBS, working the: picking pockets on buses.
 TURN OVER: to search a house, lodgings, etc.

VAN DRAGGING: stealing parcels from vans.

WHIZZING: picking pockets; also DIPPING.

WHIZZ MOB: a gang of pickpockets; see PUSH-UP MOB.

WINDBAGS: packets containing "jewellery," etc., sold in the street; see PUSHING THE PACKETS.

"The Proper Study"

BY INSPECTOR LESLIE A. TOMPKINS

Bedfordshire County Constabulary

. . . presume not God to scan;
 The proper study of mankind is Man.

Alex. Pope.

IT is a dull job "pounding the hoof." There must be thousands of good conscientious policemen walking the streets watching the clock, meeting the point, and fighting the eternal temptation to gossip. We have all been through this, or are going through it; but there is a method of avoiding boredom which, if practised, is very much to the "good of the service" and also can become a stepping-stone to promotion.

Which of us has not been amazed by Conan Doyle's wonderful *Sherlock Holmes*? We are all "Watsons" really, when we read the usual opening of a *Sherlock Holmes* adventure. There is Holmes, either playing his violin, or working on a chemical experiment. Then a visitor appears. Holmes always tells the mystified Watson a short history of the visitor by his appearance. Then Watson can "see it" and wonders why he could not have seen it for himself.

Now, I believe that every policeman can play this game whilst "pounding the hoof" and so enjoy and "improve" himself, especially if he has the chance to check up on his observations. The best way to acquire the "art" is to work the other way round to *Sherlock Holmes*, like this: Take a person you know, say an engineer. You know all his habits, where he lives, where he works, what his troubles are, and his character. Now each one of these items leaves some impression on the man, which is visible to the eye, ear and nose. If he is a motor engineer and in his working clothes, you will see oil stains on his clothing; his finger-nails and finger cuticles, too, will be heavily ingrained with oily dirt. His boots will not have the slightest semblance of shine because of the oily impregnation. He usually has an intelligent look about him, as his work calls for a considerable amount of knowledge and skill.

Now take a man of the same description, with the one exception

that his working clothes are not contaminated with black oil; you probably have a constructional engineer; and so the "game" of identification goes on. The gas engineer has red lead on his clothes but lacks the filled-up oily cuticle. The engineer machiniest has that peculiar smell of "Mystic" cutting lubricant which a keen nose can detect even after the man has changed his clothes.

Go on to the other extreme of artisan—the agricultural labourer. Those hands are unique; they cannot be overlooked. Just one solid growth of hard skin; grown by nature to fend against the continual cold wet earth or even the hot dry earth. The cuticle is overgrown; the nails are flat and coarse. The hand cannot properly be closed when used for writing or even counting money or any delicate job. When you receive a handshake from such a worker, you cannot mistake that you have before you a tiller of the soil.

Notice the peculiarities of the miller. His hands are coarse, but whiter. The finger-nails are hooked over like a parrot's beak, due to handling heavy sacks—not to be confused with the bent finger-ends which are a pathological sign of heart disease. The flour miller is often shallow chested, owing to the predisposition to phthisis caused by flour dust. If the hands are not inclined to be hard and the nails hooked, you probably have before you a baker. There will be that haggard look, the weak chest and often bad feet, owing to the very heavy manual labour of kneading dough and little use of the feet and legs. It seems that the strength has been taken from the feet and legs to compensate for the use of the arms. Bakers are not strong men; they are overworked and short-lived.

The lorry-driver is easy to identify. He is often fat if young, due to long hours of sitting. He is inclined to wear old clothes; this may be due to his anticipation of the weather changing during his long periods away from home and an attempt to have suitable clothes ready for any weather which may occur during his journey. His right toe is often turned up in his boot, and the leather is deeply creased from constant use of the accelerator pedal. He often wears a clean overall boiler suit which is open, revealing fairly decent clothes underneath. He has a small attaché case which contains his food. Watch his look. If he is in a strange locality he will be looking about him. If he has travelled a long way he will be stretching his legs in that peculiar manner of a person who has been cramped for a long time. You may take the study further and by the smell of him you may tell whether he is using oil or petrol. If he is covered with spots you may be sure he is on a big heavy lorry using crude oil, as crude oil produces these spots.

The miner or ex-miner has the blue mark on his face; this is definite identification.

The identification of the office worker is rather more difficult; but office workers are a distinct class of being. If the person studied is fat and prosperous-looking you may be inclined to take him for the "boss." His hands will not be so delicate as the actual office worker who handles the pens. The "boss" will be more likely to have nicotine stains on the index and middle finger of his right hand, and he often has a bloated look, perhaps due to having to entertain prospective customers at lunches. A certain type of office "boss" never takes any exercise, and this way of living soon becomes evident in his face and figure. The actual office worker is often thin, perhaps owing to the worry of having to balance his books! The "uniform" of the office worker usually inclines to pin-stripe trousers and a black coat and hat in the city, and in the provinces he affects the "pepper and salt" suit. Very often you will see an array of fountain pens and pencils in his vest pocket, and he will produce paper and write on it at the slightest pretext. If you see the writing, note that it is usually flowing and good, with very thin lines. Should the subject of your observation be a doctor he will not write, but if he does, the writing will slope in many directions and probably be indecipherable. Most scientific men write after this fashion. They change from script to ordinary, and frequently use Roman numerals and numerous dots and marks which mean nothing—other than that they are doctors and scientists. The doctor, too, is always "jumpy," that is to say he is always in a hurry. He never has time to talk to you steadily. This is due to his rushing round his panel of patients and listening to as little of their stories of woe as possible. The doctor can be relied upon to have a thermometer in his vest pocket, or failing that he will have the slight smell of iodine or ether about him. If you see the doctor's car it is usually dirty unless he is a specialist, when he will have a chauffeur and the car will of course be clean. All doctors' cars smell of doctors (ether, etc.).

The farmer or the country gentleman are easy to identify by their smell. It is the smell of wood smoke. Wood is easy to obtain in the country, it gives pleasant heat, but it is usually burnt in open grates from which the smoke escapes and impregnates their clothes. The farmer, as compared with the country gentleman, usually has his hands thrust in his breeches pockets, a habit obtained through keeping his hands warm when out in the fields talking to his men and observing his cattle and crops. A farmer would not consider the wearing of gloves, whereas the country gentleman most likely made his money in the town where gloves are proper, or in any case he has lived amongst people who wear gloves. The farmer is usually inclined to be fat, as he has access to the "fat of the land"; but the country gentleman has probably made a study of his health and takes country exercises which keep him in

shape. The speech of the two compared is often conclusive as to which is which.

How easy it is to detect the stranger in a big town, especially when he is from the country! Your country man usually has his bunch of flowers, and an overcoat even if it is a fine day in town. He was not going to trust the weather when he does not know the town and all the places where a man of leisure may pop in for shelter should it rain. Watch the countryman in town looking around him at the "sights." That will tell you for certain that he is a stranger. Now what is the country visitor's business in town? Does he buy a newspaper? If so which page does he turn to?—that will give you a line. What sort of shop windows does he look into? If he looks in one type of shop only you may get a clue as to his intentions. It might be public houses if he is up for a day of gaiety. Does he know which way he wants to go? Does he stare at the buses or does he go straight into the first bus as a matter of course as one who knows his business? Now he is coming across to you to ask a question. Here is your chance to secretly check up on your deductions.

Naturally the detective officer is always observing people—but not always as closely as he might. His duties so often take him into the homes and offices of various persons. Not every time does the detective know his "host," nor is it desirable in all cases to ask pertinent questions; but if he will adopt this practice of observation and surmise he may obtain a fairly reliable knowledge of the person he is visiting. Perhaps its most important advantage for the detective is that by acquiring some proficiency in the art of observation and deduction he may use the knowledge obtained to lead the person concerned to believe that he, the detective, knows all, but only wishes to check up.

The items in a house which help you to check up on its tenant are infinite, but certain general rules and guidance can be given.

The first thing that strikes you when you enter a house is the general lay-out. In this respect you will not be in any doubt whether the person is rich or poor; but take note of the *smell*. The smell of the house is often pronounced and is indicative of many things. Freshness denotes young healthy people. Stuffy heat denotes the aged or infirm. Onions—denoting the manual worker who does not have to come into contact with persons at close range. Babies—an indescribable smell, but you can tell they are there. Cats—denoting the old maid. When you are actually seated, take stock. Pictures: What predominates? ships, animals, motor-cars, soldiers, sailors, schoolboys? The list is interminable but very indicative. Books are a very great help: look at the bookshelf during conversation. What are they? Religious, sea tales or tables or almanacks, medicine, biographies (which indicate

the legal mind), travel, engineering? Here again the list is interminable, but watch for the predominance to ascertain the trend of occupation, association or character. Is there a sporting-gun in the corner? Are there any stuffed animals, to indicate a naturalist, a traveller, or a sportsman? What is on the mantle-shelf? A Chinese vase? Is there any other Oriental bric-à-brac—a carved ivory or two? Perhaps the conversation may elicit that the person has lived in China or Japan. One thing alone is not enough. What of the furniture in general? Is it too big and heavy for the room? This would indicate either that the person's financial position is on the upward trend or, on the contrary, that he is living in a smaller house than hitherto.

This practice of observation and deduction is not only most interesting but it can be practised with great advantage by *any* police officer. With much practice, and checking of results whenever possible, one may attain a remarkably high standard of correct identification, and in the end this must help you up the steps of the ladder. The examples which I have given are a mere outline of this interesting phase of police duty and are intended to give the thinking police officer something to think about and to start him on a most interesting subject which cannot fail to profit him in his police career. For many years I have been practising what I now preach, and here is one personal experience which shows how easy it is to be wrong; but practice makes perfect, and the man who never made a mistake never made anything worth having.

One day I was shown into an office which was small, untidy, and almost filled by a huge man with white hair, blue eyes, and a fine figure. He stood up and shook hands, and then sat down and started to speak. He gave orders, rather than conversed. He was careless in his manner and most self-confident. What could he be, or have been? That fresh complexion and blue eyes, careless yet confident manner, suggested a sailor. Then came a knock at the door and in came a much younger man; the conversation clearly showed that the younger man was the subordinate. Whilst they were engaged in conversation my eyes fell on a bookcase. Here would be the clue to identity. Yes, the books were mainly nautical almanacks, and there was a beautifully bound bible; but those nautical books seemed to me significant. Then came the information which proved how wrong my deductions were . . . "I have been a bookbinder all my life, and never before have I been asked to . . ." So he was a bookbinder and never had been to sea in his life! Yet how pointed were the indications! All the signs were present: the huge figure, the tanned face, the dictatorial manner, the untidy office, and then the beautifully bound books which were samples of his factory's output. But from this wrong identification a lesson was

learnt, and when more wrong identifications had been made and rectified, there were few mistakes. Like Sherlock Holmes, the practised observer can often turn to his amazed friends and say "Elementary, my dear fellow."

Towards Promotion

ON CONSULTING REFERENCE BOOKS

QUESTIONS in examination papers which are grouped under the headings "Criminal Law," "General Statutes and Regulations" and "Evidence and Procedure" are many and varied. Skill in answering them depends largely on the candidate's store of knowledge not only of specific offences, but on the general preventive and penal plan which determined the action of Parliament when the particular enactment was placed on the Statute Book. The year of the enactment, or of its amendment or revision, is also pertinent. The constant delving into reference works and other books on law which marks the diligent student equally as it distinguishes the practitioners in the Courts requires an intimate acquaintance with the lay-out and the means of access to the storehouses of legal knowledge like "Stone," "Archbold" and "Oke."

"Stone" is this year celebrating its anniversary as the manual on which courts of summary jurisdiction and all connected with them rely for guidance in relation to procedure and the penalties and, in quasi-criminal and many civil matters, the orders which the courts may make. In courts of quarter sessions and assize "Stone" seldom appears, its place being taken by "Archbold." *Archbold's Criminal Pleading* is the standard work containing the criminal law and procedure in the latter courts, dealing almost exclusively with offences dealt with on indictment. "Oke," as the publishers of its twelfth revised edition announced in 1940, is the companion to "Stone" in that it contains the forms required for informations, summonses, warrants, statements of offences, complaints, orders and convictions in the multitude of varying cases in which justices are called upon to adjudicate and act.

Few policemen can afford to maintain these standard works on their personal bookshelves. But even "Halsbury" (thirty-odd volumes of "The Laws of England" and a similar number of "Complete Statutes") can sometimes be found and consulted on application at the local municipal library.

Most policemen aim at maintaining on their bookshelves a volume of "Stone," even if it be impossible to replace copies which are steadily

growing older and do not contain the law which has reached the statute book or which has been revised or settled in the higher courts since its year of publication.

Properly approached, an old "Stone" can make interesting reading. The writer recently picked up for two shillings from a bookstall in the market-place of a cathedral city a brown covered copy of the eighteenth edition, edited by Mr. George B. Kennett, clerk to the justices at Norwich, and published in the year 1876. Its pages number 790, against the 3,356 pages of the seventy-fourth (Centenary) edition of 1942. How much longer "Stone" will manage to be contained in one cover is a matter for speculation, despite the fact that its present editor has, rightly we think, refused to admit (and then only on paper of a different tint) more than a brief summary of law made under the Emergency Powers (Defence) Act, 1939, and other war-time legislation.

In these days, when so much time has to be spent in consulting this and that rationing order, direction, bye-law or authorisation, for guidance to which there is frequently no index (save in the headquarters office, where generally can be found the comprehensive Butterworth's "Emergency Legislation"), a knowledge of the way to look into a book and find what you want is indispensable. "Butterworth" already runs into seventeen volumes of war-time Statutes and five even stouter volumes of "subordinate legislation," as the law publishers choose to label the mass of Orders-in-Council, regulations and directions made by ministers in charge of government departments.

Not only the index, which is generally to be found at the end of a law book, but the "portico" at the front of many books, notably "Stone," is worthy of more than a glance as one enters. In "Stone," after the brief editorial, which in the 1942 edition is enlarged by a contribution from the Lord Chancellor (Lord Simon), the "contents" pages show how the subjects are dealt with in the several Parts of the book. "Stone" is not written primarily for policemen, but mainly for the justices and those practising or appearing in the magisterial courts. Hence, Parts 1 to 4 are set out to deal respectively with (1) the court and the clerk, (2) indictable offences, (3) Summary Jurisdiction Acts, etc., and (4) practice and evidence. In the 140 pages of the last-named part will be found the answers to most if not all the questions on "evidence and procedure" in police examination papers. Part V contains, in alphabetical sequence by subjects, the magisterial law and penalties for offences, and extends over nearly 2,000 pages. Next follows an appendix of common forms, a useful consultant for the student in search of knowledge on the limitations and scope of a constable's powers in a particular case. This observation applies equally to the remaining sections of the book, made up as a kind of medley, with

its table of punishments, allowances payable to witnesses, indictable offences and summary jurisdiction rules, and an attempt to codify the unwieldy and prolific regulations of the pre-war ministers of transport for the control and regulation of road vehicles.

The table of Statutes to be found at the front of most law books, including Stone, together with the "table of cases," is a helpful index, provided its use is known to the student. "Stone" in 1942 begins with "27 Edw. 1, c. 3 (Justices of Assize—Sheriff," and is followed soon after by "33 Hen. 8, c. 9 (Suppression of Unlawful Games Act, 1541)." This 400-year old law is still invoked to enable courts of summary jurisdiction to "bind over, not to haunt gaming houses," persons found to be present and using premises kept as common gaming houses in contravention of the Betting and Gaming Acts. The explanation of the title is that "33 Hen." means the thirty-third parliamentary session of the reign of King Henry VIII, sitting in 1541, and "c. 9" indicates that this enactment was "chapter 9" of the statutes enacted in the session. Thus, if on opening "Stone" the student is aware of the Act and Section the place may be reached more quickly by reference to the chronological table of statutes. Similarly, if the *case* be known, reference to the table of cases will quickly bring the reader to his point. An example is seen in "*Roden v. Brett* (1936), 2 All E.R. 136; 100 J.P. 296; 155 L.T. 28; 52 T.L.R. 471; 80 Sol. J. 596; 34 L.G.R. 286; 30 Cox C.C. 425," and in the "table of cases" index at the beginning of "Stone" the reader is referred for this case to p. 946 (1942 edition). Turning there, we find recited the law empowering the issue by a justice of a search warrant authorising a constable to enter houses and if necessary to use force and to arrest, search, and bring before a justice of the peace, persons found in premises suspected to be used as a betting house, and to seize lists, cards, and documents relating to racing or betting. A footnote refers to *Roden v. Brett*, in which it was held that where a person found in a betting house had satisfied the justices that he was there for an innocent purpose, the order for binding him over under the Unlawful Games Act, 1541, was bad and was quashed. Thus *Roden v. Brett* in the "table of cases" indicates the case heard in the King's Bench Divisional Court, Roden being the appellant, and Brett, a police superintendent of the West Sussex Constabulary, the informant. "1936" indicates the year in which the case was decided, and the following explain the abbreviations:

"2 All E.R. 136" means "Second volume of All England Law Reports," published in 1936, the case being reported at page 136.

"100 J.P. 296" means the hundredth volume of the Justice of the Peace Reports, at page 296.

"155 L.T. 28" means the 155th volume of "Law Times Reports," at page 28.

"52 T.L.R. 471" indicates the fifty-second volume of "Times Law Reports," at page 471.

"80 Sol. J. 596" indicates the eightieth volume of Solicitors' Journal, at page 596.

"34 L.G.R. 286" means the thirty-fourth volume of Local Government Reports, at page 286; and

"30/C.C. 425" indicates the thirtieth volume of Cox's Criminal Cases, at page 425.

The Colonial Police

The following appointments are announced by the Colonial Office:

BROTHERS, F. R., B.E.M. (Assistant Inspector of Police, Tanganyika Territory)	Assistant Superintendent of Police, Sierra Leone.
CHARLTON, G. E. G. (Assistant Superintendent of Police)	Deputy Superintendent of Police, Palestine.
GALL, F. G. B. (Assistant Superintendent of Police)	District Superintendent of Police, British Guiana.
GORDON, M. I. N. (District Superintendent of Police)	County Superintendent of Police, British Guiana.
MUSGRAVE, R. C. (Deputy Superintendent of Police)	Assistant District Commissioner, Palestine.
NICOLE, J. (County Superintendent of Police)	Detective Superintendent of Police, British Guiana.
OLLIVER, G. (Chief Inspector of Police)	Assistant Superintendent of Police, Tanganyika Territory.
FIELDING, F. A.	Assistant Superintendent of Police, Leewards.
MEIKLE, G.	Assistant Superintendent of Police, Cyprus.
FARMER, W. A.	Assistant Superintendent of Police, Barbados.

Reviews

TOWN PLANNING AND ROAD TRAFFIC. By H. ALKER TRIPP, C.B.E., Assistant Commissioner of Police, Scotland Yard. London: Edward Arnold & Co., 1942. $8\frac{1}{2} \times 5\frac{3}{4}$. 118 pages. Illustrated with diagrams. Price 10s. net.

READERS of this JOURNAL will remember the lucid and convincing article on "The Police and Town Planning" which Mr. Alker Tripp contributed last year (Vol. XIV, pp. 375-401). In the volume before us he has elaborated his thesis and now presents our post-war Town Planning authorities with matter for very grave consideration. His claim to be heard is undisputed, not only because for many years he has been concerned with the traffic of the Metropolitan area from the Police aspect, but because his accomplishments enable him to view the problem of town planning through the eyes of the artist. Thus he is never in any danger of advocating a project from the purely utilitarian point of view at the expense of the æsthetic one. Some of his suggestions are courageous and far-seeing, and whenever he lays down the law from the traffic standpoint one has the comfortable feeling that here is a man who knows what he is talking about and is entitled to speak with authority. The book is much to be commended. In spite of its brevity every aspect of the subject, from the traffic point of view, is not merely adequately but thoroughly covered. There is not an unnecessary word; there is nothing forgotten. We recommend it cordially to our readers.

MEDICAL JURISPRUDENCE AND TOXICOLOGY. By JOHN GLAISTER, M.D., D.Sc., Regius Professor of Forensic Medicine, University of Glasgow. Edinburgh: E. & S. Livingstone, 1942. Seventh Edition, with 132 illustrations. $8\frac{1}{2} \times 5\frac{1}{2}$. 671 pages. Price 28s. net.

THIS new edition of a standard work (first published in 1902) has been "completely recast and almost entirely rewritten" and "relevant legislation has been brought up to date." It is indeed a veritable cyclopædia of crimes of violence from the medical and criminological points of view, and as such may well find a place on the shelf of the senior police officer. Both Scottish and English law are quoted, and there is much shrewd observation in the distinctions which the author draws between crime and accidents. The illustrative cases (most of them recent) are especially valuable, as they encourage the police reader to reconstruct the crime as he reads.

We have received from Messrs. E. & S. Livingstone (16 Teviot Place, Edinburgh) a copy of the forty-fourth edition of Dr. J. F. Sutherland's pamphlet *First Aid*. This little booklet (it measures $4\frac{1}{2} \times 2\frac{3}{4}$) of 77 pages, with forty-six diagrams, is published at the modest price of 6d. (postage 2½d.) and is just the thing to keep in one's waistcoat pocket, to be read at odd moments. "Anyone," says the author, "may be suddenly confronted by an accident in the home, in the workshop, in the street, or on a lonely country road . . . never was there a time when *First Aid* was more needed by everyone." So here is the very thing to "remind" you what to do. An excellent little book, and cheap at the price.

THE POLICE JOURNAL

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War Commentary

AMALGAMATION

THE decision to empower the Home Secretary, as a war-time measure, to order the amalgamation of police forces has revived discussion on a problem on which views are widely diverse. Despite an assurance to Parliament that the measure is necessary for facilitating naval, military and air force operations, and that its duration is limited to the period of the emergency, it is natural that the police authorities and policemen most affected should regard the Regulations as a means permanently of depriving their towns of the right to maintain and administer separate police forces. Separation after the war of police forces which during the war are joined together must obviously be regarded as a remote possibility. Once amalgamation is effected, the aim on the part of all concerned will, and must, be to make the joint force work as a single unit, with regard only to the energetic performance of police war duties, and leaving post-war plans to be considered when hostilities have ceased.

Problems of amalgamation, or rationalisation, are by no means limited to the police service. The tendency towards rationalisation is constant. In most services and industries in which rationalisation has been achieved the results have been good, in some cases invaluable. In industry, and in the utility and public transport services, the amalgamation of local units into large corporations, companies and syndicates has proved, in the event, to be of great public advantage, and on the whole with improvements in the conditions of service and prospects for officers and staffs. To assist in the energetic prosecution of the war, not a few rationalised undertakings and industries have been "nationalised," and in respect of some it is said and urged by people qualified to express an opinion that public ownership should continue after the war. On the other hand, in the nation's most staple industry—agriculture—little more progress has been made towards rationalisation after three years of war than was possible in the years of peace.

No one would suggest to-day that the rationalisation after the last

war of the British railways into five large companies, governed by a uniform railway code, was detrimental to the public interest. Telecommunications in their highly efficient and complex forms would not have developed as they have had the private telephone companies which originally exploited Bell's invention remained in being. Electricity, now in supply in rural as well as urban areas, provides light, heat and power for countless purposes. Its development and expansion has been accelerated by the creation of the Electricity Commission, whose function it is to control and direct local undertakings on lines laid down nationally rather than locally, with gradings for professional and manual staffs, and with reserves of supply through the grid which ensures a continuance of service in emergency.

It is probably true to say that in every case in which steps have been taken to rationalise a service or undertaking, particularly a branch of the public service, the opposition has been long and sustained. The objections from some and the approval from others to the amalgamation of police forces are therefore in keeping with tradition. Attempts by Parliament to reduce the number of police forces began in 1856, when county police forces became obligatory. The opposition has hitherto succeeded in all but a few cases. Since 1890 only eleven small borough police forces in England and Wales have been extinguished, and there remain over sixty police forces serving towns with a population below 75,000. Forty-seven of these are non-county boroughs and nearly two hundred non-county boroughs and eight county boroughs are policed by County Constabularies.

The Orders made by the Secretary of State for the creation of joint police forces are a novel form of legislation, necessitated by the exigencies of war. The administration and progress of the joint forces will be watched with more than normal interest by all sections of the public, and particularly by those concerned to maintain the police as a branch of local government administration.

ROLE OF THE HOME GUARD

In reply to a question in the House of Commons on an observation made in a speech to a parade of Home Guard by the general officer in command, London District, as to the future use of the Home Guard, and asking whether it was the intention of the Government to use the Home Guard as a police force at the conclusion of hostilities, the Financial Secretary to the War Office stated that the Home Guard has been raised and organised to meet the threat of invasion. He added that the Home Guard has no duties other than those connected with the local defence of Great Britain, including air defence. "The use of

the Home Guard when the need for performing its present duties is removed is a matter which cannot be decided until that time comes, but I can assure my hon. Friend that there is no intention, nor was there any suggestion in the G.O.C.'s statement, to use the Home Guard as a police force."

The speech was doubtless intended only for the audience to which the general was addressing himself, and the later statement that the speech was misrepresented is sufficient assurance that the compressed report which appeared in the newspapers was in no sense intended as a statement of policy. The Home Guard are an integral part of the Army, and the inherent dislike of military force being used to maintain order amongst the civil population will doubtless be as apparent at the end of hostilities as at other similar periods of history. The people will look to the police to maintain law and order, and while it may be that many citizens who have rendered staunch and valued services to the nation in the militant role of the Home Guard will be eminently fitted for a police role, their services for police purposes will be called for in a new sphere, as special constables and not as soldiers, under local control and not under central government administration.

LICENSED PREMISES AND REPLANNING

In towns where extensive damage has been caused by enemy action, many licensed premises have been destroyed. Some of these have been reopened in temporary buildings erected on the site, a few have been the subject of applications to licensing justices for "special removal," and many have been left in a state of "suspense." The limitations on the discretion which justices can exercise in determining applications for special removal was confirmed by the Divisional Court in *Rex v. Weymouth Justices (1942) ex parte Sleep* (106 J.P. 117), when it was held, on an application for special removal under section 24 (4) of the Licensing (Consolidation) Act, 1910, that the discretion of justices is limited to the question whether the premises proposed are "fit and convenient" and that an application for special removal cannot be refused on the ground that it would lead to redundancy in the district to which it was proposed to remove the licence.

Consideration is actively being given to the various aspects of replanning, and a committee, under the chairmanship of Mr. John W. Morris, K.C., M.C., has been appointed by the Home Secretary to consider the provision of licensed premises in redevelopment and reconstruction, and to consider how best to co-ordinate the functions exercised by authorities responsible for schemes of reconstruction and development and the functions under the Licensing Acts now

exercised by the Licensed Justices and Confirming and Compensation Authorities.

Replanning schemes and their execution in this sphere, as in others, will take time. A clean sweep of licensed premises destroyed, damaged, temporarily rebuilt, specially removed, or in which the licence is in suspense, will be possible in few places. Machinery is required by which a scheme for a town or licensing district may be planned as a whole in harmony with the general replanning scheme for the area, and where a clean sweep of old premises is possible, new public houses should be provided which will meet the needs of the public in the locality and set up a model which will provide the impetus for general improvements to follow elsewhere.

The reputation, prosperity and social atmosphere of a town or any place depend, more than is sometimes appreciated, on the quality of the hotels, restaurants and public houses, and the importance of sites, design and the amenities of licensed premises for the visitor as well as the resident needs proper emphasis. Few people now drink to excess. Modern social habits and social amenities have made drunkenness a rare offence, even under war conditions. The drunken person is no longer tolerated in the average public house and licensees generally are keen to conduct their premises without complaint.

The improvements which were introduced in many public houses before the war, in furnishing and otherwise, have not only improved the "tone" of the premises but have increased their popularity as a social rendezvous. A public house which has well-furnished bars, clean and efficient service, and clean and well-appointed conveniences, attracts customers from houses in which these amenities are absent. Beerhouses as such no longer justify continuance as a special category of licensed premises. The beerhouse has been going out of existence much too slowly, and the extinction of premises which have such limitations should now be accelerated.

Official visits by the Police to licensed premises should not be merely routine. The impartial and uniform enforcement of the intoxicating liquor laws are part of the general plan for the maintenance of public order and the good rule of the community. Official visits to licensed premises by the Police in the course of their routine duties should therefore be capable of being carried out without appearing to interfere with or interrupt the normal business of the house, and the lay-out of the rooms and bars should be designed to enable the Police to pass from room to room without the necessity for leaving the premises, and with facilities to observe what is going on in the public rooms. The lay-out should also enable the licensee to

observe the conduct of his customers, and see the use to which his premises are being put.

The opportunity is now available for many of the recommendations which were made by the Royal Commission on Licensing (1932) to be put into effect. Not the least important of the recommendations made by the Royal Commission were those which relate to Clubs. In the Report of the Committee on Land Utilisation in Rural Areas, known as the Scott Committee, special consideration is given to the amenities necessary to the countryside. There is no doubt that the inn, the public house and the road house each has its proper place in this respect. Licensed premises take their place with the other amenities of each centre of communal life, village, ward, suburb, township and city. The cinema, the village institute, church organisations, the club and the sports centre, each take a share in providing amenities for the public, and in thinking out what is desirable to be included in the post-war plan, every amenity is being brought under consideration.

LESSONS OF HISTORY

In *The Years of Endurance* Mr. Arthur Bryant has reminded us of the parallels with our own times to be found in the Napoleonic wars. In a period when no organised police system was available to maintain order, when local government had no comparison with the machinery of regional and local administration of to-day, and neither ministry of food nor ministry of labour and national service existed to pool and share the national resources, the power of the mob was the main instrument with which the country held despotism in check. In that struggle, as in that of our own times, the two constant factors were the resolve of the enemy to create a New Order, and the British determination to refuse to submit to any Order not based on Law. The hard core of English stock, with its tenacious grip on freedom and liberty for the individual, proved the bulwark against which the forces of terror and aggression were made to crumble. The forces of moral law prevailed then as they will ultimately prevail now. But then, as now, blunders, miscalculations, complacencies and misfits caused setbacks, defeats and even calamities. The achievements of Nelson, St. Vincent, Abercrombie, Wellington and Moore were nearly annulled by the weakness of Addington and the concessions wrung from the English diplomats and statesmen by Napoleon in the "armistice" period 1801-2. By concluding an armistice too early "the government had unloosed such a torrent of pent-up longing for peace that there was now no controlling it."

Mr. Bryant reminds us that in a nation ruled by public opinion the discipline and united purpose of war cannot be maintained once

hostilities have ceased. In the minds of the people "the war is over." A Parliamentary country by laying down its arms before it has won complete victory risks the loss of its power to bargain. In 1801 the country would not permit an immediate renewal of the war, or even the threat of it, save under the most overwhelming and unmistakable necessity. England foolishly relaxed the blockade and made peace. Its reward was to have the door of the continent slammed in its face. Bonaparte remained absolutely adamant and gained concession after concession from Cornwallis until the Treaty of Amiens in 1802 "bore the seeds of a just and durable war." This was true, for within two years England returned to arms, and this time remembering the errors of the conference room resolved not to sheathe the sword until the despot was conquered. Thus the England of Pitt and Wellington rested on a juster and more enduring base than the France of Robespierre and Napoleon. The great nation was defeated in the end by a nation with a far smaller population. The more enduring strength of a people who subordinated self-will to the decencies of human conscience ultimately triumphed. Britain's supreme asset was the innate respect of her people for moral law.

In the present conflict, particularly as the prospect of victory looms on the distant horizon, we shall do well to remember and profit by these lessons.

The Police and the Law

THE TECHNIQUE OF BRIBING

IT is a legal maxim that equity looks to the intent and not to the form. This is often applicable to a charge of bribery and corruption when the offender seeks to defend himself by saying that the money was not offered in the form of a bribe. This was the unsuccessful defence of a person charged at Beaumaris Petty Sessions on January 2nd with attempting to bribe a police officer in breach of the Prevention of Corruption Act. The accused was said to have offered a pound note to a police officer who was questioning him about the use of petrol in his car. The officer told the accused that he could not accept a bribe, but the accused told him that he had treated him as a gentleman and asked him to accept the pound to buy smokes. The defendant, in evidence, explained that the pound was a gift because the officer was extremely nice. "It was not a bribe to stop him prosecuting," he said. "He had already told me that he was going to prosecute and I told him that he had to do his duty."

The Bench found the defendant guilty of the offence and imposed a fine of £20. It would be too easy to evade the Prevention of Corruption Act if a formal disclaimer of any intention to bribe were sufficient to establish a man's innocence. The law takes a commonsense view and looks at the real intention underlying the transaction. Equally, it would be no defence to a charge of receiving a bribe merely to say that the gift was not accepted as a bribe and that its acceptance would not have influenced the defendant in any way: the court will inquire into the substance of the transaction and not be satisfied with its mere form.

Recent Judicial Decisions

LIGHTING RESTRICTIONS: ONE FRONT LAMP ONLY ON CYCLE

Blackshaw v. Chambers

THERE has been some uncertainty about the position of pedal cyclists who in the blackout choose to display two white lights in front. The decision in *Blackshaw v. Chambers* (59 T.L.R. 74) on a case stated to the High Court by the Surrey Justices from the Wimbledon Petty Sessions has settled the law to the effect that not only is more than one front light unnecessary but that a second front light constitutes an offence against the Lighting (Restrictions) Order, 1940, para. 1 (b). The conviction of the cyclist by the magistrates was therefore upheld by the Divisional Court.

The difficulty in ascertaining the true legal position had come about because the Road Traffic Lighting Act, 1927, section 1 (1), provides that vehicles must display two lamps in front, but by section 5 (1) (a), "in the case of bicycles not having a sidecar attached thereto . . . only a single lamp showing a white light to the front instead of two such lamps need be carried." The Lighting (Restrictions) Order, 1940, in paragraph 1 (b), contains a general prohibition against the display of lights during the hours of darkness, but by paragraph 3 (1) "nothing in paragraph 1 shall render unlawful the display of any light which is required or authorised under the following provisions of this order." And then by paragraph 31 (1) comes this provision: "A bicycle or tricycle not propelled by mechanical power, whether or not it has a sidecar attached thereto, shall, while on a road during the hours of darkness, display the lights required by and under the Road Transport Lighting Act, 1927, and also a red rear light." It was decided in *Blackshaw v. Chambers* that as the Act of 1927 requires a cyclist to display only one front lamp it is a breach of the Lighting (Restrictions)

Order to display more than one even though the wording of the Act of 1927 envisages the possible display of two lamps, as in the case of other road vehicles.

COMPLEXITY OF LIGHTING REGULATIONS : LIABILITY FOR THE ACTS OF OTHERS

Meadow Dairy Co. Ltd. v. Cottle

Those who have had any hand in prosecutions for lighting offences during the blackout will sympathise with the remarks of the Lord Chief Justice in delivering judgment in the Divisional Court on an appeal from magistrates (*The Times*, November 19th, 1942). Lord Caldecote said that "the various provisions with regard to lighting restrictions were very elaborate and sometimes difficult to interpret and apply. He could not refrain from observing that the Lighting (Restrictions) Order, 1940, ran to some thirty-three articles and innumerable sub-paragraphs which everybody concerned with lighting in its various forms was required to understand. He found it impossible to believe that the regulations could not have been in a simpler and more intelligible form. Whether or not that was possible, it was at any rate legitimate to express his regret that simpler regulations did not exist so that people might know, without necessarily having skilled legal advice, what their duties were." Mr. Justice Humphreys said that he entirely agreed with the observations which had been made with regard to the confused and confusing regulations.

The criticisms of Lord Caldecote are apposite with regard to the case of *Meadow Dairy Co. Ltd. v. Cottle* (59 T.L.R. 72), which was an appeal to the Divisional Court by a superintendent of police by case stated from the Deputy Recorder of Bristol sitting in Quarter Sessions. The latter had allowed an appeal by the respondent against a conviction at Petty Sessions, but the Divisional Court on the case stated upheld the original conviction. A limited company was charged under the Lighting (Restrictions) Order, 1940, paras. 1 and 52 (4), with causing a light to be so displayed in a roofed building occupied by them in that it was visible during the hours of darkness from outside the premises. By regulation 24 (2B) of the Defence (General) Regulations, 1939, the occupier of premises is guilty of an offence if he contravenes or does not comply with any order made under the regulation, provided that it shall be a defence if he proves that the contravention occurred without his knowledge and that he exercised all due diligence to secure compliance with the regulation. The respondent company proved these matters set out in regulation 24 (2B), but unfortunately for them paragraph 52 (4) of the Lighting (Restrictions) Order, 1940, has a far-reaching scope.

It provides that any provision of the order rendering unlawful the display of any light is to be construed as including a specific provision that "no person shall cause or permit" that light to be displayed.

The Divisional Court held that the proceedings were taken against the company under the order and not against them as occupiers under the regulation, and that accordingly the defence given by regulation 24 (2B) did not apply.

At Quarter Sessions it had been argued on behalf of the prosecution that while the proviso to regulation 24 (2B) could be held to apply to an individual who was the owner or occupier of premises, even though he was charged with "causing" a light to be displayed under the 1940 Order, it did not apply to a limited company because a company could only act through their servants. But in upholding the conviction of the company the Divisional Court rejected any such distinction between a company and an ordinary person. The Lord Chief Justice and Mr. Justice Tucker were of the opinion that neither an individual nor a company charged only under paragraphs 1 and 52 (4) of the Lighting (Restrictions) Order, 1940, could avail himself or themselves of the defence afforded by the proviso to regulation 24 (2B). The fate of the accused may therefore depend on whether he is charged under the Order or the regulation. His liability for the acts or omissions of others who are the immediate cause of light being shown is greater under the Order than it is under the regulation. But it is still uncertain when a person can be said to "permit" a light to be displayed when the immediate cause of the breach of the Order is an employee or some other person on the premises.

COMMENT ON FAILURE TO RAISE DEFENCE OF ALIBI BEFORE TRIAL

R. v. Dawkins

Judicial comments upon the failure to disclose a defence at some date earlier than the trial have to be made with care and with fairness to the accused person. But it is not necessarily a defect in the summing-up to call a jury's attention to the fact that an *alibi* has not been disclosed at an early date or at the earliest possible moment. When, in *R. v. Dawkins* (28 Cr. App. R. 151), the Court of Criminal Appeal quashed a conviction because of the judge's comment in his summing-up on the raising of the defence of *alibi*, there were special circumstances in the case.

On the trial of two prisoners for house-breaking and larceny the case for the prosecution rested mainly on the evidence of a young woman who said that she had been in the company of the prisoners immediately after the crime was committed and deposed to conversa-

tions between them referring to the crime. At the trial one prisoner went into the witness-box and also called witnesses to prove an *alibi*. The other prisoner did not give evidence, but counsel relied on the *alibi* set up by his co-prisoner. When before the magistrates, the prisoner who gave evidence at the trial said that his defence would be that of *alibi* but gave no particulars. Five days later, however, his solicitors wrote to the solicitors acting for the police, giving particulars of the *alibi* and naming the witnesses who would be called in support of it. The trial judge, not having been informed of this fact, referred in his summing-up to the *alibi* as having been disclosed for the first time at the trial. The Court of Criminal Appeal held that the defect in the summing-up was a fatal one and that the convictions of both prisoners must be quashed.

In pronouncing the judgment of the Court of Criminal Appeal the Lord Chief Justice said: "We desire to say that an *alibi* presented in this form must obviously be open to some criticisms to which an *alibi* disclosed by an accused person when before the magistrates would not be open. It might, we think, fairly be criticised as having an air of artificiality which would not attach to an *alibi* disclosed by a person charged at the time when he first had an opportunity of disclosing it." However that might be, the conviction had to be quashed. A comment on the failure to raise a defence at an early date may or may not be a defect in a summing-up; but a statement that a defence has been raised for the first time at the trial when it has been raised earlier is necessarily a serious matter.

USE OF PETROL: BOOKMAKER'S JOURNEY TO NEWMARKET

In a case heard by Harlow Petty Sessions, Essex, on December 12th, 1942, the magistrates dismissed a summons against a commission agent for causing motor fuel to be used unlawfully. He hired a car to take him from London to Newmarket on the day of the St. Leger. The prosecution contended that other means of transport were available, because a train left Liverpool Street station at 8.20 in the morning and was due to arrive at Newmarket nearly an hour and a half before the first race. The defendant's case was that he lived some way out of London and that the first morning train to London reached Paddington at 8.20; further, that it was important that he should visit his London office that morning to deal with his correspondence, as his business was one of the largest starting price bookmaking firms in England and that he had also to go to Newmarket himself, he having a liability of £12,000 on one horse alone in the St. Leger.

Before giving judgment, the Chairman of the Bench said that the

justices had considered the case very carefully. "It was distinctly an important case and he wanted the Court to remove from their minds any feeling that the Bench might be prejudiced against racing. It had been argued whether this was legitimate business, and it was. Alternative methods of getting to the racecourse would have interfered with that business. It was a legitimate business and in the opinion of the Bench the defendant was on business that day." The summons was dismissed, as was a further summons against a car-hiring company who were alleged to have allowed the motor fuel to be used unlawfully.

The magistrates were, perhaps, unduly impressed by the argument of counsel for the defence that racing was still legitimate. He had said that it was a debatable point whether racing should be continued in war-time, but the fact was that the Government had decreed that it should be allowed, on a moderate scale. In the case in question the King's horse had won, so he felt that ended the question. But even though racing is legitimate, it does not follow that that settles the question which was before the court, namely, whether the petrol was consumed on a sufficiently urgent business occasion. Is a bookmaker's business necessarily to be treated like any other legitimate business? And if it is, does the size of the business make any difference? Perhaps a bookmaker in a small way of business could not claim to be in a privileged position with regard to the consumption of petrol. In any case the decision of the magistrates could, and probably will, be used as an excuse for the appearance of a greater number of hired cars at racecourses. It will be interesting to see if a higher court endorses the ruling, should the point come before it.

INADMISSIBLE EVIDENCE GIVEN BY MISTAKE

R. v. Featherstone

There are strict laws of evidence providing against the admission of testimony which might be unfair to the accused, but they cannot prevent a witness making inadmissible statements by sheer mistake about the question asked him. The effect of the jury's hearing such a statement was discussed by the Court of Criminal Appeal in *R. v. Featherstone* (59 *T.L.R.* 30). A witness was asked at the trial if she knew what the prisoner was, the object of the question being to ascertain if she knew the nature of his business. Her reply was: "Yes, I was told he had been in prison once." The judge directed the jury to disregard her statement and the prisoner was convicted of larceny and receiving at the County of London Sessions and sentenced to five years' penal servitude.

In the opinion of the Court of Criminal Appeal the answer of the witness was one which not only ought not to have been given, but was an irregularity which should have been taken notice of in some way beyond a mere direction to the jury to disregard it. It had been settled that where a statement prejudicial to the prisoner is inadvertently made to the jury, and counsel for the prisoner applies for the trial to be started afresh, the judge ought to discharge the jury and begin the trial again before a fresh jury. The prisoner in *R. v. Featherstone* was not defended by counsel and it was laid down that in such circumstances it was the duty of the judge to inform the prisoner that he had the opportunity and the right to submit that the trial should not proceed and that he should make the application there and then if he desired to do so. When such an application was made it was the duty of the judge to decide on it according to the circumstances of the case.

Nevertheless the appeal was dismissed on the ground that no substantial miscarriage of justice had taken place. And the sentence, although severe, was not one with which the Court of Criminal Appeal thought it right to interfere.

OVERRULING A JURY'S VERDICT

R. v. Barnes

As most appeals to the Court of Criminal Appeal are either against the sentence or are brought because of some alleged legal error or shortcoming in the judge's summing-up, there is a tendency to overlook the fact that the Court can overrule a jury's verdict of guilty merely because it is unsatisfactory. In *R. v. Barnes* (28 *Cr. App. R.* 141) the appellant was convicted of receiving at Middlesex Sessions and sentenced by the Deputy Chairman to six months' imprisonment. The conviction was quashed on appeal although there was no legal error in the trial and the summing-up was not open to criticism.

At the trial the evidence was that an article had disappeared from the premises of the person to whom it belonged in a manner which was not clearly proved and that three months later it found its way into the possession of the appellant. The Court of Criminal Appeal held that the evidence of the larceny of the article was unsatisfactory, as was the evidence of a man who gave the principal evidence inculcating the appellant. Under section 4 (1) of the Court of Criminal Appeal Act, 1907, "the Court shall allow an appeal if they think that the verdict of the jury should be set aside on the ground that it is unreasonable or cannot be supported having regard to the evidence." The Court pointed out that these words have been interpreted in more than one

case in that Court as amounting to this: if the Court thinks that the verdict is, on the whole, having regard to everything that took place in the court of trial, unsatisfactory. The previous decisions of the Court of Criminal Appeal tended to show that it is often, as their lordships thought it was in *R. v. Barnes*, difficult to place upon a single legal ground the reason why they came to the conclusion at which they in fact arrived, that the verdict of the jury in that case was not satisfactory. The Deputy Chairman's summing-up was one of which it might be said that, short of withdrawing the case from the jury, it could not have been put more strongly. *R. v. Hart* (1914, 10 *Cr. App. R.* 176) showed that the fact that the trial judge is not satisfied with the verdict of guilty of a jury is of itself no ground for saying that the verdict should be set aside, but it is an element to be taken into consideration by the Court of Criminal Appeal. On considering the whole evidence the appeal in *R. v. Barnes* was allowed.

IRREGULAR TRIAL ON TWO INDICTMENTS

R. v. Olivo

Cases of technical irregularity in the procedure leading up to the trial continue to come up for review by the Court of Criminal Appeal. In *R. v. Olivo* (106 *J.P.* 284) that Court allowed an appeal from Grantham Quarter Sessions, at which the Deputy Recorder sentenced the appellant to two concurrent sentences of six months' imprisonment on charges of conspiracy to defraud and of obtaining money by false pretences. The defect in the trial was that the appellant was tried simultaneously on two separate indictments instead of on one indictment containing two counts.

In giving judgment, Mr. Justice Tucker said that "the irregularity was most unfortunate since there was no reason why all the charges should not have been included in one indictment, which would have been the appropriate and normal proceeding. It had been elementary for many years in criminal procedure that if there were two indictments they could not be tried together, and that any so-called trial at which such a procedure had been adopted was a complete nullity." His lordship then proceeded to issue the following admonition: "Such irregularity had occurred before and the Court had called the attention of all concerned to the desirability not only of the clerk of the court seeing that things were done regularly, but also of his seeing that the Judge, Chairman or Recorder had before him the actual indictment in each case. Apart from that, it was the duty of Counsel, particularly for the prosecution, to make himself aware of the document on which he was founding his case against the defendant."

As the trial was a complete nullity, the usual consequence would have been for the Court of Criminal Appeal to order a proper trial to take place under a *venire de novo* order. But that Court also has the power in such circumstances, and has acted on it on several occasions in cases where it was held that the interests of justice so required, as in *R. v. Gee* (1936, 2 *K.B.* 442), to quash the conviction and allow an appellant to be discharged. In *R. v. Olivo* the appellant had served part of his so-called sentence before the appeal was heard, and in all the circumstances it was decided to allow the appeal and discharge the appellant instead of ordering him to stand his trial in regular fashion.

ADJOURNMENTS OF CRIMINAL TRIALS

R. v. Rowe

While adjournments of civil cases are of constant occurrence and usually do little harm, in a criminal case it is highly desirable that the attention of the jury should not suffer interruption. In *R. v. Rowe* (*The Times*, December 1st, 1942) the Court of Criminal Appeal quashed the conviction of an appellant who had been convicted at the Hertfordshire Sessions of larceny as a servant and sentenced to two months' imprisonment. Mr. Justice Wrottesley, in delivering the judgment of the Court, dealt with the question of misdirection, which was the main ground of the appeal, and said that it was a great misfortune that the case was heard on one day and then adjourned for sixteen days. Any such adjournment in a criminal case was to be deprecated. So far as possible such cases should be heard from day to day, and only in very exceptional circumstances should there be a lengthy adjournment. The Court made that observation with full appreciation of the difficulties which might arise in time of war.

A MAXIMUM SENTENCE REDUCED

R. v. Kirk

It is not often nowadays that a maximum sentence is pronounced. In *R. v. Kirk* (28 *Cr. App. R.* 129) the appellant was convicted of an indecent assault on a boy aged seven and of gross indecency with the same person. He was sentenced to terms of ten years' penal servitude and two years' imprisonment, the sentences to run concurrently. Mr. Justice Cassels pronounced the judgment of the Court of Criminal Appeal and pointed out that the maximum sentence had been passed. "The law provides a maximum sentence of two years' imprisonment for the offence of gross indecency with a male person, or for an indecent assault on a female person. The maximum sentence for indecent assault on a male person is ten years' penal servitude. It is quite clear, there-

fore, that the law takes a serious view of this offence, associating it with the offence of attempted buggery and assault with intent to commit buggery; but this Court feels that a sentence of ten years' penal servitude on the appellant, horrible as the offence was, is too long."

His lordship referred to the case of *R. v. Duerden* (28 *Cr. App. R.* 128) which was heard the day before when the Court of Criminal Appeal said that sentences of the length of ten years are not usually passed in this age of moderation and leniency, unless the circumstances show an offence or offences of the utmost gravity. It was perfectly true that in June 1941 the appellant was released from a sentence of eighteen months' imprisonment for an indecent assault on his stepson, aged twelve. "It is clear, therefore, that he should be detained, and small boys protected from his attentions, for a long period, but this Court has come to the conclusion that this is not a case for the passing of the maximum sentence, and reduces the sentence for indecent assault to one of six years' penal servitude, the sentence for the act of gross indecency to remain at two years' penal servitude with hard labour, both sentences to run concurrently."

RECOMMENDATIONS TO MERCY: A POINT OF PRACTICE

In a case heard by the Court of Criminal Appeal on December 15th, 1942, Mr. Justice Humphreys said that he was asked by the other members of the Court, and desired on his own behalf, to say that they strongly deprecated any reference being made by a judge who was trying a capital charge to the privilege possessed by the jury of making a recommendation of any sort. Juries in a proper case were allowed, at their request, to add a rider to their verdict, and when such a rider took the form of a recommendation to mercy in a capital case it might be of great assistance to the authorities who had the duty of advising His Majesty whether the sentence of the court should be carried out or not. If such a recommendation came, however, not as the spontaneous expression of the jury, but in answer to a question or suggestion by the judge, it lost its force, and probably had no effect on those who had to consider the case. The practice, if it were a practice, of judges mentioning the matter to a jury was a bad one, and the Court hoped that it would not be followed in future.

ILLEGAL NEWSPAPER REPORT

It is well known that there are certain restrictions on the right of the press to publish reports of divorce cases and of proceedings in a juvenile court. It does not seem to be so widely appreciated that there are similar rules applicable to domestic proceedings before a court of

summary jurisdiction. In a case heard at Exmouth on December 7th, 1942 (*The Justice of the Peace*, December 19th), the Director of Public Prosecutions summoned the editor and publisher of a local newspaper for publishing particulars of a maintenance case contrary to the Summary Procedure (Domestic Proceedings) Act, 1937, section 3 (1) and section 3 (2). A fine of £5 and 3 guineas costs was imposed. The necessary fiat of the Attorney-General for the bringing of the prosecution had been obtained under section 3 (3) of the Act.

The case for the Director of Public Prosecutions was that on October 14th a wife summoned her husband for maintenance. The case had previously been adjourned in an effort to bring about a reconciliation. This had not been achieved, and the summons was eventually dismissed. On October 17th the defendant's newspaper contained a report of the case, including a verbatim report of some of the evidence. The defendant was said to have admitted to a police officer that the report had been published deliberately, though this allegation was denied by the defendant, whose case was that the matter had occurred through inadvertence. Having had two sons called-up for the Forces he was understaffed. But whether the publication was deliberate or inadvertent seems to make no difference under the wording of the Act.

Section 3 (1) provides, in language very similar to that of the Act restricting publication of divorce petitions, that it shall not be lawful for the proprietor, editor or publisher of a newspaper or periodical to print or publish therein, or cause to or procure to be printed or published therein, in relation to any domestic proceedings, any particulars other than the following: (a) the names and addresses and occupations of the parties and witnesses; (b) the grounds of the application, and a concise statement of the charges, defences and counter-charges; (c) submissions on any point of law arising in the course of the proceedings and the decision of the court thereon; (d) the decision of the court and any observations made by the court in giving its decision. The maximum punishment on summary conviction is four months' imprisonment or a fine not exceeding £100, or both.

FALSE DESCRIPTION OF FOOD

Evans v. Clinical Products Ltd.

In an appeal by way of case stated by a county inspector of weights and measures from a decision of the Welshpool justices the decision of the Divisional Court turned on the fact that there were two statutes dealing with the offence which the respondent was alleged to have committed. The defendant company was the manufacturer of an article of food described as "Lem-Lem," "the national substitute for

lemons," and was charged with unlawfully applying to goods, to wit, a packet of "Lem-Lem," a false trade description contrary to section 2 (1d) of the Merchandise Marks Act, 1887. It is more usual nowadays to bring charges of selling defective food under the Food and Drugs Act, 1938. That Act was a great consolidating measure providing a code of the rules concerning food and drugs. But the Merchandise Marks Act of 1887 is still in force.

The point which arose in *Evans v. Clinical Products Ltd.* was that section 70 (1) of the Act of 1938 requires that a person purchasing a sample of food with the intention of having it analysed by a public analyst should divide the sample into three parts, one for the seller, one for the analyst, and one for himself. The inspector of weights and measures did not divide the contents of the packet into three parts, nor did he leave part of it with the seller. The respondent, without going into the merits of the case, contended that the prosecution must fail because the above procedure had not been observed. The justices accepted this contention and dismissed the information. But the Divisional Court allowed the appeal, remitting the case to the justices to be dealt with upon the merits. It was held that the safeguards for the seller of articles of food who may be charged with breaches of the law were confined to proceedings taken under the Food and Drugs Act, 1938. That Act is largely a consolidating measure. The High Court thought that it formed a code in itself and that section 70 was part of the procedure code of that statute and had no relation to prosecutions under the Merchandise Marks Act, 1887. Thus, as sometimes happens, an advantage given by one statute cannot be claimed under another, and the guilt of the accused depends on which statute is used against him.

MAGISTRATES' JURISDICTION LIMITED BY EXECUTIVE POWER

Horton v. Owen

"This is one of those cases which at the present time are of considerable importance, because it involves the interference with the freedom of action and choice of the subject and, therefore, requires very careful attention and scrutiny." Mr. Justice Tucker made this comment in *Horton v. Owen* (59 T.L.R. 36) which came before the Divisional Court on appeal by way of case stated by a court of petty sessions at Miskin Higher, Glamorgan, dismissing an information under regulation 58A of the Defence (General) Regulations, 1939, preferred by the Ministry of Labour and National Service. Under this regulation the respondent was charged with failing to comply with a direction given to him on behalf of the Minister to take up employment as a fitter in a different place from that in which he lived. He argued that

his health would suffer by the change as he would not be able to obtain the attention which his state of health required. He had unsuccessfully appealed to the local appeal board under the Essential Work (General Provisions) Orders, 1941.

The magistrates found that he had not acted unreasonably in refusing to comply with the direction given to him and they accordingly dismissed the information. On the appeal it was held that there was nothing in the regulations providing that, before any person is convicted, it must be proved that he has unreasonably failed to comply with any regulation, order, or direction. The regulation merely states that if he does in fact fail so to comply he is guilty of an offence. Hence their finding that the respondent had not acted unreasonably was not open to the magistrates. All that they had to do was to inquire whether the direction had been properly given and whether the person directed had failed to comply with it. The jurisdiction of the criminal courts was limited to this inquiry and to the infliction of punishment. The question of substance, namely, the reasonableness or otherwise of the disobedience of the direction, was a matter for executive decision by the local appeal board. Hence the only conclusion to which the Divisional Court could come was that an offence had been committed by failure to comply with the direction and the case had to go back to the magistrates with a direction to find the offence proved.

EMPLOYEE'S LIABILITY FOR GIVING FALSE INFORMATION

Dellow v. Busby

It is unusual for an employer to be criminally liable for the acts of his servant, and when the words of a statute are sufficiently wide to make a servant liable it cannot be expected that the employer should be held solely liable, even though the servant was acting solely in the interests of the employer. In *Dellow v. Busby* (40 L.G.R. 299) the secretary of a company was charged with a breach of section 16 of the National Service (Armed Forces) Act, 1939, in that in giving information for the purposes of the Act he knowingly or recklessly made a statement false in a material particular. The alleged false statement was in a letter relating to the calling-up of one of the company's servants, a lorry driver, who was alleged to be fully employed in driving a Dodge lorry. The secretary contended that in making the statement he was acting for and on behalf of the company and that the information should have been laid against the company and not against him.

The justices accepted this contention and dismissed the information, but on an appeal by way of case stated the Divisional Court sent it back for them to hear on the merits. The defendant did not appear

on the appeal. In giving judgment, the Lord Chief Justice said that it was not necessary for the Court to discuss the question whether the company was liable for the false statement given by its secretary, because section 16 made it an offence for any person in giving the information knowingly or recklessly to make a statement which is false in a material particular. Whether or not his employers were also responsible for the false statement was a question which was quite irrelevant upon the question whether the respondent was guilty of an offence.

EVIDENCE OF CRIMINAL CONVICTION IN CIVIL ACTION

Hollington v. Hewthorn & Co. Ltd.

It is too easily assumed that once a court of law has reached a final decision the matter is completely *res judicata* and can never be re-opened for any purpose. But what may be binding for the purpose of the criminal courts is not of necessity beyond the independent scrutiny of the civil courts. In *Hollington v. Hewthorn & Co. Ltd.* (86 S.J. 332), a civil action, Mr. Justice Hilberry held that a conviction in a court of petty sessions for driving without due care and attention was inadmissible evidence in a civil action based on negligence alleged against the convicted person as having taken place at the same time as the accident on which the conviction was based. For the purposes of a claim for damages negligence had to be proved in the ordinary way without strengthening the case for the plaintiff by putting in evidence the defendant's criminal conviction. This is fair and reasonable, for there may be defences in a civil action which would not succeed in a criminal prosecution. For example, if the plaintiff's own negligence contributed to the accident this will prevent the defendant from being liable in damages, but it would not prevent his conviction for a motoring offence.

It was also held, on a point of evidence, that a statement given to the police by a person since deceased, whose injuries formed the basis of the claim for damages in an action on behalf of his estate, was not admissible as evidence in that action. The Evidence Act, 1938, which made important changes in the rules of evidence in the civil courts, did not render it admissible. The reason was that when a road accident occurs between two vehicles every citizen must be taken to know that the police will consider statements for the purpose of proceedings, and therefore the statement is "made by a person interested at a time when proceedings were anticipated, involving a dispute as to any fact which the statement might tend to establish," in the words of section 1 (3) of the Act.

CONTEMPT OF COURT AND RIGHTS UNDER REGULATION 18B

R. v. Anderson, ex parte Wilson

"There is no more important duty attaching to the Judges of the King's Bench Division than that of looking after the liberties of British subjects, and where one of those subjects has been committed to prison, not by an order of a court of law but as a result of an opinion of a Secretary of State in the peculiar circumstances referred to in Regulation 18B, which only applies in war-time, he had an inalienable right to ask that his case should be considered by that Court, and the Court was bound to consider whether he was being detained in custody legally or illegally." This was the way in which Mr. Justice Humphreys approached a problem which was set him when a person who had been detained under Regulation 18B applied for the committal of Sir John Anderson, former Home Secretary, for contempt of court. The applicant alleged that a Home Office official had intercepted and kept back a petition to the High Court written by the applicant when in detention.

The petition was irregular in form but was a clear request to the Court from a person in custody to have his case considered. Sir John Anderson himself knew nothing about the matter. In an affidavit he stated that the letter was intercepted because the official thought that it was not the proper way for the applicant to approach the court. Mr. Justice Humphreys could not conceive any reason why such a document should not see the light of day. There was nothing improper in it. "That official thought that it was not the proper way for the case to be put before the Court. It was no business at all of that official to form such a conclusion. It certainly was a piece of great impertinence on his part to take on himself to do what he did." But his Lordship did not decide whether or not the official was guilty of contempt of court, the proceedings being brought against the former Home Secretary who did not divulge the name of the official. Subsequently in a parliamentary debate the Home Secretary refused to name the official. Nevertheless, Sir John Anderson thought it was his duty to apologise to the Court because the act in question was done by an official of the Home Office, and the Court was glad to have that apology.

In the result no harm had accrued to the applicant who was a free man at the time of his application. His Lordship said that mistakes had been made in the confusion following the outbreak of war and he thought that the proper course would be to make no order on the motion. In his argument the Attorney-General had suggested that even if the official had committed contempt of court the maxim

respondeat superior was very narrow in its application to contempt proceedings and did not apply at all to officers of the crown.

This case calls attention to the fact which is sometimes forgotten that the bulk of war-time emergency legislation leaves it open to the subject to appeal to the King's Courts even though the legislation may refuse him any practical remedy. The withholding of the name of the official in this case made the applicant's task of affixing liability where it belonged a difficult one. On this point Mr. Justice Tucker "felt some doubt" whether an affidavit in a general form without giving names was within the court's rules concerning the rendering of sworn information.

Criminal Law and Practice in Scotland

HEARSAY—RESULT OF POLICE ENQUIRIES

IT frequently happens that police officers, charged with the duty of investigating suspicious circumstances, embark on enquiries to test the truth of some statement made by the suspect. They interview a number of persons, take statements from them and arrive at the conclusion that the original statement was false. Such an enquiry is perfectly proper. It may prove crucial—either in determining whether or not to prefer a charge against the suspect or in securing a conviction at the trial.

Yet here is a danger. A police witness may be tempted to short-cut the evidence by deponing not merely to the fact that he made the enquiry, but to its result—"I traced the man named by the accused and learned from him that . . ."; and a prosecutor may readily fall into the error of presenting such evidence and resting his case upon it. This will not do. Such testimony violates the best evidence rule. It is pure hearsay and inadmissible. If inadvertently admitted, it cannot be made a ground of conviction. The proper course, where it is desired to make available to the court the result of the police enquiry, is to adduce as witnesses the persons interviewed by the police. If this is done, they may be subjected to cross-examination and the court, having seen them and heard them in person, may assess their credibility.

In the case of *Watt v. Campbell*, recently heard by the High Court of Justiciary on appeal from conviction of theft in Invergordon police court, the prosecutor put to a police witness the following question: "Did you make enquiry at Munro's garage to ascertain if the accused had ordered a taxi?" (The purpose of the question was to test the truth of a statement made by the accused to a police officer.) Answer:

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"Yes." "Were you informed whether a taxi had been ordered or not?" Accused's agent objected to this question, but the magistrates repelled the objection. The witness answered that he had been informed that there was no trace of such an order. No witness from the garage was called. The magistrates not only convicted but—as appeared from the terms of the cases stated for appeal—were influenced by the incompetent evidence. On appeal, the conviction was quashed.

PROOF OF THEFT—FELONIOUS APPROPRIATION

In the issue of this JOURNAL for July 1942, at page 180, it was stated that "in order to bring home a charge of theft, a prosecutor in Scotland must prove not merely that property was taken without the owner's consent, but that the taking was 'felonious'—i.e. that the person who had helped himself knew that, in doing so, he was not acting within his rights"; and the case of *Stuart v. Cowie* was cited in support of this view. The judges of the High Court have now again emphasised the need to make certain, before stigmatising a respectable person as a thief, that the element of feloniousness (bad faith) is truly present. In the case of *Watt v. Campbell*, referred to in the preceding paragraph, the appeal court made it clear that they would have been prepared to upset the conviction of theft because of the absence of evidence proving conclusively a felonious intention. The facts of the case, in brief summary, were as follows:

On a Friday evening in September, Watt, a crofter at Alness, arrived by bus at Invergordon, which is seven miles away. He met there a man named Milne, who had cycled from Alness, and the two men entered the Commercial Hotel bar and had drinks together. About an hour later, Milne left the bar, went outside, retrieved his cycle (which he had left near the front door of the bar on his arrival in Invergordon) and cycled home alone. Watt remained in the bar and by 9.30 p.m., when the premises closed, was the worse of drink. On leaving, about 9.30, he took away from the front of the hotel a cycle belonging to a local resident named Macrae, who had given him no permission to do so. With this cycle in his possession, he walked up the street to a road junction, where he was arrested by two police officers. (The stated case does not make it clear on what charge he was arrested. Presumably, it was either on a charge of "drunk and incapable" or "drunk in charge." At that stage, the police had no reason to think that he was improperly in possession of the cycle.) To these officers, Watt stated that the bicycle was not his own but belonged to his friend Milne. He went on to say that as Milne and he were drunk he had arranged that they should proceed home by taxi and that he

had arranged for a taxi. He further said that, when the bar closed, he could not find his friend.

Being convicted of theft in the local police court, Watt successfully appealed. As already indicated, the conviction was quashed for the reason that it proceeded upon the admission of hearsay evidence; but Lord Cooper (his colleagues concurring) went on to say that the facts did not disclose sufficient material for attributing to Watt "that felonious and dishonest intent which is essential to the crime of theft."

BILLIARD CLUBS

Both in England and in Scotland, the promotion of billiard clubs would appear to be on the increase. In both countries, the aim of the promoters is, no doubt, to escape the restrictions which apply to public billiard saloons, especially the prohibition of Sunday opening. The relevant enactments are—in England, the Gaming Act, 1845, which penalises persons (not being the holders of a victualler's licence) who keep public billiard tables for public use without being duly licensed; and in Scotland, sections 80 and 81 of the Burgh Police (Scotland) Act, 1903, and the corresponding provisions in local police acts, which penalise persons who (except in premises licensed as an inn or hotel) keep or use, or suffer to be kept or used, any building or part of a building for the purpose of public billiard or bagatelle playing. In these enactments, the important word is the word "public," and the test of the need for a licence is whether it is, in actual fact, possible for "Tom, Dick and Harry"—members of the public with no previous special connection with the club—to walk in and play on payment.

In other words, the question always is whether the club is a genuine association of persons who wish (possibly along with other activities) to play billiards, or whether it is a sham club and so a mere colourable device to evade the statutory requirements. In investigating such a case, the police should direct their enquiries to the following points—In what circumstances was the club promoted? Did it take the place of a proprietary billiard saloon? If so, was the suggestion of a club made by the proprietor or was it promoted by the frequenters on their own initiative? Was the club "floated" at a properly called meeting? Are the utensils—cues, tables, balls, etc.—the property of an individual or of the club? Who appears in the valuation roll as owner/occupier of the premises? Do the members exercise any real control over club policy? Are any of the office-bearers or executive really independent persons? Do the members have to go through a form of election and pay a regular subscription? Where non-members are given the privileges of the club temporarily, are they introduced

as members' guests vouched for by particular members or is the device resorted to of admitting them as "temporary members" or "honorary members" on signing a book and paying a merely nominal sum, *e.g.*, one penny? Is there a written constitution, such as one expects to find in a well-regulated club, and are the terms of it observed strictly? (The possession of a constitution in ordinary form does not of itself vouch the good faith of the club.) Where do the profits go—to the members generally or to the individual with a controlling interest?

IS A POLICEMAN A SERVANT OF THE CROWN?

In a very real sense, which has important results in law, a police officer is no one's servant. The relationship of master and servant does not exist, and the maxim *respondet superior* does not apply between (1) a constable and the local authority; (2) a constable and his chief; (3) a chief constable and the local authority. Both in England (*Fisher*: 1930, 46 *T.L.R.* 390) and in Scotland (*Girdwood*: 1895, 22 *R.* 11 and other cases) the courts have refused to subject the local authority to liability for the wrongdoing of the police. In Scotland, it has been held that a chief constable is not responsible for wrongful acts by his subordinates except where the acts complained of were performed by his express orders (*Adamson*: 1916, *S.C.* 319). In Scotland, also, a town council was held not to be liable in damages in respect of a chief constable's delict (*Innes*: 1889, 17 *R.* 11).

Yet there is another sense in which a police officer, whatever his rank, is a servant of the community, a public servant. In *Fisher's* case, referred to above, McCardie, J., said: "The police, in effecting the arrest (complained of) were not acting as the servants or agents of the defendants (*i.e.* the local authority). They were fulfilling their duties as public servants and officers of the Crown to preserve the peace." In a much earlier Scottish case (*Girdwood, supra*), a Scottish judge used much the same language, referring to the police as servants of the State with distinct duties imposed on them by statute, while, more recently, Lord Constable referred to police officers as "truly servants of the State" (*Simpson*: 1928, *Session Notes*, at p. 30).

Such dicta by individual judges should not, however, be pressed too far or relied upon beyond their immediate context. They were, as lawyers say, *obiter*, *i.e.* incidental, unnecessary for determination of the point raised. They require qualification. It is clear that a policeman is not a servant of the Crown in the full sense in which that term may be applied to a member of the armed forces of the Crown or a civil servant. He cannot shelter—as a soldier can—behind the orders of a

superior. His pay, unlike that of a civil servant, is arrestable, subject to the diligence of his creditors (*Young*: 1928, *Session Notes*, at p. 46). Except where a statute expressly grants him immunity, he is covered by its terms, whereas a Crown servant is not covered unless the statute goes out of its way expressly to include him (*Adair v. Feist*: 1936, *S.L.T. (Sh. Ct.)* 22). A policeman is certainly not a person with a direct commission from the Crown, or from the party in power, to further its interests. In this country, there are no "secret police" in the Continental sense—although there are plain clothes and detective officers who endeavour, with varying success, to conceal their constabulary origin!

The better view, in the present writer's opinion, is that a police officer is to be regarded as a public servant in the widest sense—a person entrusted, by virtue of his appointment, with the performance of duties, defined both under statute and at common law, in the interests of justice and of the community at large. In this capacity, he guards life and property, patrols the streets, keeps them clear of obstruction and danger and preserves the peace, doing what he can to prevent mischief and bring offenders to book. He is the "hand" of the authorities charged with the maintenance of public order.

This view finds support in a number of legal decisions on both sides of the border. "There is an absolute and unconditional obligation binding the police authorities to take all steps which appear to be necessary for keeping the peace, for preventing crime and for protecting property"—so one of the judges in the English case of *Glasbrook Bros.*: 1925, *A.C.* 270. "There is a general duty to protect the life and property of the inhabitants; there is a discretionary duty to direct traffic, to help blind and infirm people across the road and to direct people who have lost their way" (*Haynes*: 1935, 1 *K.B.* 146—in which a constable who had sustained injuries in stopping runaway horses yoked to an unattended van was held entitled to damages against the vanman's employers). "It is quite a new proposition to me," said the Lord Justice-Clerk in *Fowler*: 2 *Adam*, 209, "that when a street is likely to be blocked by traffic, or the traffic is likely to be difficult to manage, from whatever cause, the policeman on duty is not entitled to do his best to regulate the traffic. If he did not do this, he would fail in his duty"; and Lord Kincairney added: "It is one of the primary duties of police constables to keep order in the streets, so as to promote and preserve both the safety and the comfort of those who frequent the streets." In the well-known case of *McAra*: 50 *S.L.R.* 829, emphasis was given to another aspect of the same duty—that the police, in keeping the streets clear for passage of pedestrians and vehicles, are acting for the magistrates who "have an absolute right, by means of

the police, to move the people on who are causing the obstruction." In these and in innumerable other less obvious ways, the police serve the public.

It is interesting to note that the framers of the Defence (General) Regulations draw a distinction between a "servant of His Majesty" and a constable.

POLICE OBSERVATIONS ON A BROTHEL

Jasa Ram v. Robertson

Over what period must the police keep observation upon a suspected brothel before bringing matters to a head by a visit? Is there a minimum time, below which a conviction under section 13 of the Criminal Law Amendment Act, 1885, cannot be secured or would not be sustained on appeal? Clearly, much may depend upon the particular circumstance. If, for instance, the premises are a hotel, it may be necessary to keep a watch for weeks so as to secure evidence of particular women booking rooms with different men, of the practice of admitting couples late at night without luggage or due registration and for a limited time and so on. The writer, however, has for long maintained that, in the normal case, such extended observation is unnecessary and may, by arousing the suspicions of the offenders, defeat its purpose. If watch over a night or two reveals suspicious traffic at late hours, if women of known character are frequenting the premises with different men and remaining only for a limited time and then leaving separately, and if the other elements usually relied on in such cases are present, why wait? A final visit at a time when couples are known to be in the house may, with the testimony of the men found there (if they are willing to give it), be amply sufficient.

The question of the length of the police watch was first argued in the English case of *R. v. JJ. of Parts of Holland*: 1882, 46 J.P. 312. The accused was an innkeeper, whose premises fell under suspicion on a particular afternoon when, as it happened, he was away from the neighbourhood. Police officers saw two known prostitutes enter in the company of two men. They went to a double-bedded room, where they undressed. Three hours later, the police demanded admission, which was granted after considerable delay. They found the two women in bed with the innkeeper's wife (three women in one bed) and the men in another room. No evidence was available of previous misconduct but, notwithstanding this and accused's absence, the justices found proved the charge of contravening section 17 of the English Licensing Act, 1872—permitting his premises to be a brothel. "What needs only to be proved," said one of the judges of the appeal

court which upheld the conviction, "is that premises were kept knowingly for the purpose of people having illicit sexual connection there." Though only one incident was proved, it supplied strong evidence of the mode of conducting the house and it was reasonably to be inferred that this had not been a solitary incident but one of many. It is important to note that the charge was one of permitting only—such as would now be competent under the second sub-section of section 13 of the Act of 1885—and not of keeping or managing a brothel. The writer has always regarded this as an extreme case.

In Scotland, the question of length of observation was raised for the first time on appeal to the High Court in the recently decided case of *Jasa Ram v. Robertson*. The period charged was one of ten days—between September 7th and 17th. On several dates during that period, the police kept observation. They saw two women enter at various late hours with different men, who, in each case, remained in the house until early morning. At the trial, it was proved that these women shared a room, paying rent weekly to the accused, and that when they took men in for immoral purposes accused demanded and received payment from the men, who also made a payment to the women. On September 16th a visit was paid by the police. The time of the visit was well chosen and it yielded convincing proof of the resort of men to the house for immorality. The magistrate convicted, but Jasa Ram appealed, contending that the period was too short to support a charge of managing or keeping the premises as a brothel. The appeal was refused. One of the judges expressed the opinion that "a very much shorter period" might have sufficed.

ILLEGAL FISHING—"SNIGGLING"

Although the police were not directly concerned in this case, in which the principal witnesses appear to have been water bailiffs on the Tweed, the sheriff's finding will be of interest to county constables as well as to all who are interested in salmon fishing.

The respondents were charged, in Peebles sheriff court, with contravening the Tweed Fisheries Acts by fishing for salmon otherwise than by means of the rod and line with the artificial fly only. They pled not guilty and evidence was led for the prosecution and accepted by the sheriff to the effect that, at the time libelled in the complaint, the respondents were engaged in what is locally known as "sniggling." Both were using a rod, line, wire cast and salmon hook. In the case of the first accused, the hook was not dressed in any way, at least at the time when the bailiffs challenged him. The hook of the second accused was possibly dressed with a fly. Both were allowing the hook to sink and then dragging it violently out of the water in the hope of foul-

hooking a fish. In view of the doubt as to the dressing of the hook used by the second accused, the sheriff deferred judgment until he had time to consult the relevant authorities. At the next calling of the case, he intimated that he must find both accused guilty. It was immaterial whether they were in fact using artificial flies or not, if they were using the hooks as rake hooks. In arriving at this conclusion, the sheriff proceeded upon the decision of the High Court in *Rodger*: 1879, 4 *Couper* 210.

Voluntary Acts after a Gunshot Wound of the Brain

BY PROFESSOR SYDNEY SMITH, M.D.
University of Edinburgh

WHEN a person dies from injuries to which there were no eye witnesses, the question whether the injuries were due to accident, suicide or murder is often difficult of solution. Apart from the primary considerations of how the wounds occurred, where they occurred, when they occurred, many other questions arise. One of these is concerned with the length of time the deceased could have survived after the injury, and to what extent he was able to perform voluntary acts. This is particularly the case when the injury affects the head. It is almost a natural assumption that when the brain is injured to a serious extent voluntary action must be suspended and that death probably takes place within a very short period. Such assumption may lead to a wrong appreciation of the facts surrounding the case and may indeed have an unfortunate effect in the investigation and, sometimes, the subsequent trial. Imagine a case in which a body is found with a serious firearm wound of the brain assumed to be instantly immobilising and rapidly fatal—a case in which the appearance of bloodstains on the body and about the locus indicates that the body has been moved from the place of the injury for a considerable distance. If the primary assumption is accepted, then a further assumption that it is a case of murder is almost assured. Yet it may be a case of suicide, and to illustrate this I shall now describe a case of such a nature, in which the facts are beyond dispute. It is, I think, worth recording in order to keep us from too readily giving definite opinions about what a person may or may not do after a severe brain injury.

An elderly professional gentleman, who had had considerable financial and domestic difficulties and who was, moreover, under the

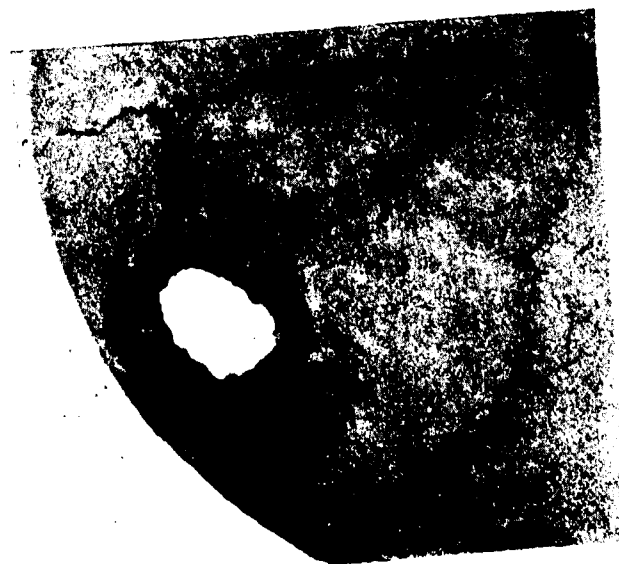


FIG. 2
Left frontal bone of skull showing exit hole of bullet.



FIG. 1
Photograph of top of deceased's head, showing exit hole of bullet.



FIG. 1

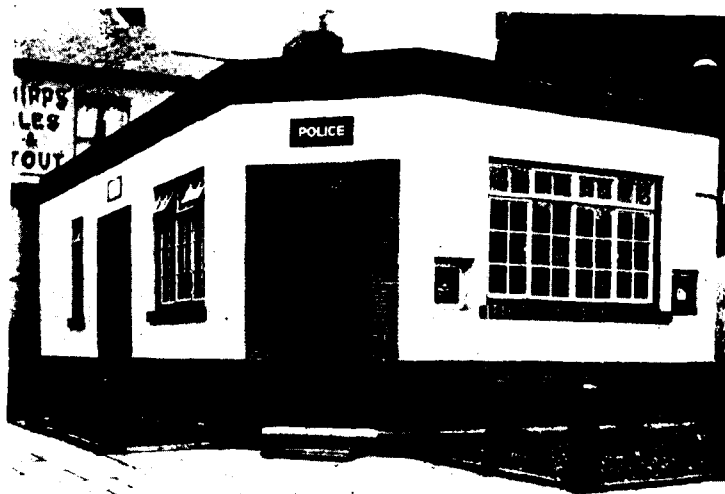


FIG. 2



FIG. 3

(face p. 109)

ACTS AFTER A GUNSHOT WOUND OF THE BRAIN 109

erroneous impression that he was suffering from cancer, walked out from his private hotel one winter evening and did not return that night. As he was a man of somewhat irregular habits, this did not occasion any great anxiety in the mind of his hostess. The next morning about 7.30 he rang the bell of the house. When the maid opened the door she saw him with his umbrella over his arm, his hat on his head and with considerable bloodstains about the face. She became very frightened and called to her mistress. The old gentleman, however, said to the girl, "I will just go upstairs," and he hung his umbrella in the hall, took off his overcoat, and walked upstairs to the bathroom, where he collapsed and lost consciousness. The Police were notified and he was removed to hospital, where he died at 10.30 a.m., without regaining consciousness.

On examination there was found a bullet wound under the chin two inches from the point and immediately to the left of the middle line. There was no powder staining or tattooing around the wound, but powder was found inside the wound amongst the slightly disrupted tissues of the floor of the mouth. The wound tracked upwards, lacerating the tongue near its base, passed into the skull just behind the roof of the left orbit, passed through the frontal and temporal lobes of the brain, which were lacerated and pulped, then passed through the skull on the left side of the frontal bone, making an exit one and a quarter inches in diameter and severely lacerating the scalp at a point three and a half inches directly above the left eye. These exit wounds in the skull and scalp are shown in Figures 1 and 2. The shape of the exit hole on the inner side of the skull indicated that in all probability the wound was made by a .45 revolver bullet, which had turned on its side before making its exit.

The police investigated the gardens near the hotel where the deceased lodged and to which a trail of blood led. In these gardens there was a shelter, on the seat of which was found a .45 Colt revolver identified as the property of the deceased, and in front of the seat a large pool of blood. A bullet hole, together with fragments of brain and bone, were observed on the roof of the shelter just above the seat. The exact spot at which the event occurred was therefore precisely located. The exact time of the occurrence was more difficult to ascertain.

The deceased left the house at an unknown time on the night of the affair, and it would appear that he spent some part of it in the shelter. Snow began to fall at 6 a.m. the following morning, and a track of footprints and blood spots was clearly outlined in the snow from the shelter to the grass in front, continuing in a circle for about 165 yards and returning to the shelter. A single track was also visible

from the shelter to the gate of the gardens and then to the lodgings of the deceased. From a careful examination of the disposition of the bloodstains inside and outside the shelter and the tracks, it could be deduced with certainty that the wound must have been inflicted some time before 6.30 a.m., and it appeared that after shooting himself, the deceased had rested in the shelter with his head forwards and then walked around the gardens, returning to the seat where he rested again for a considerable time. He then returned to his house at 7.30 a.m.

Letters written the day before the tragedy indicated his intention of committing suicide, and the fact of suicide may be accepted.

The injury to the brain was quite extensive. There was a great deal of laceration and hæmorrhage, and portions of the brain had been blown right through the top of the skull on to the roof of the shelter. I am quite certain that in such a case, many of us would be prepared to give an opinion that the shock and cerebral damage would lead to instant unconsciousness and rapid death, and yet we know without the shadow of doubt that this person, after shooting himself, remained alive for many hours, walked about for a considerable distance, made his way home, carried out definite purposeful acts, and spoke reasonably and intelligibly to the maid who let him in before consciousness was lost. It is, I think, a case which is worth remembering.

"V-Lighting"

A NEW METHOD OF PHOTOGRAPHING FINGERPRINTS

By SUPERINTENDENT F. R. CHERRILL

Fingerprint Branch, New Scotland Yard

SWEAT deposits of the fingers and palms which are known in the fingerprint world as 'latent prints' are often encountered on surfaces which provide problems of intensification or development. Moreover, factors are sometimes present which tend to make the photography of the marks a matter of extreme difficulty, if it can be accomplished at all. I have particularly in mind impressions on such articles as mirrors, roughened or scratched metal and on multi-coloured and greasy objects.

When 'latent' imprints are discovered in such circumstances or are thought to be present, they may easily be destroyed or rendered more or less illegible by injudicious treatment.

It may be argued that the development of 'latent' prints is a mere

mechanical process which can, after a little tuition, be undertaken by 'the constable on the beat.' Experience shows that this is not so. There is no doubt that many fingerprint clues are—to use an Irishman—destroyed before they are found, and no one is in a position to say that they ever existed.

This is a serious matter in major crimes as a tiny sweat deposit may be all that remains of the spoor of the criminal. It therefore behoves the officers investigating serious crimes to exercise the greatest caution and forethought in dealing with any and every article on which there may be finger-marks although there may be no visible indication that any are present.

After many experiments and much research work at New Scotland Yard, it has now been found possible to locate and photograph finger-marks which are virtually invisible to the naked eye or can only be seen with extreme difficulty.

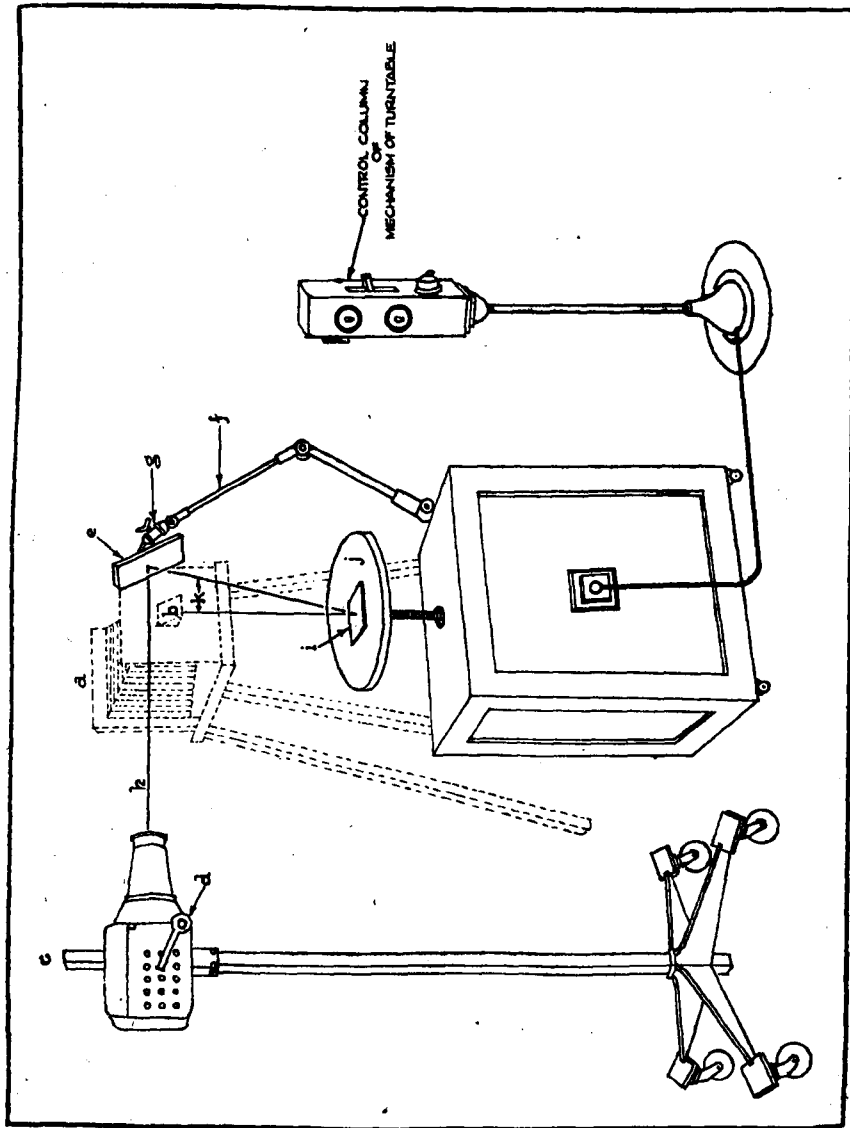
This has been made practicable by the employment of a new technique in the method of illuminating the virgin sweat deposit from the fingers and for the sake of brevity will be referred to as 'V-Lighting.'

During the experiments made in this field of research it was discovered that when a parallel beam of light was projected in a certain way on to a sweat mark from a finger or palm, the mark became intensely illuminated when viewed on the screen of the camera. This peculiar phenomenon was only observed when the ray of light was directed on the 'latent' print at a very critical angle and does not arise and should not be confused with ordinary parallel lighting. It would appear that the phenomenon is due to the incidence of the parallel beam of light on globules of the sweat deposit which causes them to scintillate in a manner somewhat similar to that of dewdrops glistening in the sunlight.

Hitherto, in order to produce a satisfactory photograph of an imprint on the surface of a mirror, it has been necessary to remove the silvering from the back of the glass, with consequent damage to the mirror, or has entailed the use of some contact method such as dactyloscopic foil or folien. In cases which precluded the employment of any of these methods, the mark was photographed by the laborious process of aligning the two images which are always present when dealing with mirrors. If there were several finger-marks each had to be dealt with individually.

The technical difficulties in making successful photographs of marks on multi-coloured objects and greasy surfaces are too well known to be enlarged upon here. The installation at New Scotland Yard of apparatus incorporating 'V-lighting' has solved many of the difficulties which militated against success in obstinate fingerprint cases.

Briefly the scheme of things is this:



A parallel beam of light projected from a spotlight is directed on to a mirror fixed to a jointed arm. This beam of light is in turn reflected on to the object on which the finger-mark appears. The object is placed on a turn-table which is capable of mechanical rotation and by the same



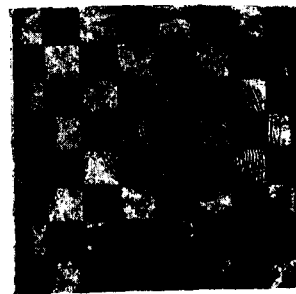
FIG. 2

"Latent" unpowdered finger-mark on mirror, "V-lighting."



(a)

"Latent" unpowdered finger-mark on black - and - white chequered object, photographed by using "V-lighting."



(b)

The same mark developed with powder and photographed, using orthodox methods.



FIG. 4

The result of photographing the imprint at (a) in Fig. 5, using orthodox methods.



(a)

(b)

The "opposite prints" on a piece of glass (shown in Fig. 4) photographed separately using "V-lighting."



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mechanism can be caused to rise or fall at the will of the operator. The illumination is so arranged that the finger-mark appears in brilliant contrast on the viewing screen of the camera.

The apparatus designed for use with ' V-lighting ' permits any surface to be rapidly explored with a beam of light the angle of which can be varied from practically vertical to horizontal. Usually two positions will be found of most interest.

In the first position, with the light vertical, the surface of any smooth material, even though it is dark coloured, will appear bright, because light is reflected back to the camera lens, just as the windows of a house will sometimes appear brilliantly lit when they happen to reflect the sun. A fingerprint lying on the surface will interfere with this reflection, however, and will appear dark against a light background. (Figure 3 (a).)

The second position of the beam, where the latter is nearly parallel to the surface, is useful with a polished surface such as that of glass. Here no light is reflected to the camera from the surface itself, but any deposit on the surface will catch the light and appear brightly lit against a dark background, just as dust particles may be seen in a beam of sunlight, although they are invisible in the rest of the room.

Figure 1 shows the approximate lay-out of the apparatus.

A half-plate double extension camera (a) with a $7\frac{1}{4}$ in. lens having an aperture of F.6.3 fitted with a 2 in. $7\cdot7$, 45 degree total reflection prism (b).

A counter-balanced focussing spotlight (c) which rotates on a horizontal axis (d) with a 500-watt illuminant.

A first quality silver-backed mirror 7 in. by 5 in. (e).

The mirror is mounted on a jointed arm (f) and is fixed to the upper end of it by means of a universal ball and socket joint (g). This joint permits movement of the mirror in any direction. In use the mirror should be adjusted as near to the prism as possible without obstructing the beam of light (h) which is being reflected on to the object (i) to be photographed which rests on the circular table (j).

The time of exposure will vary according to the quantity of sweat deposit existing in the print, but the average ' latent ' print on a highly reflective surface such as that of a mirror requires an exposure of about 25 seconds. On a normal grade of bromide paper this will give the optimum result.

Using a film or plate of normal speed, an exposure of approximately one second will be found sufficient. The aperture to use in both cases is F.11.

The best results are obtained by arranging the beam of light from the mirror and the reflected light from the object to form the most acute angle (k) obtainable.

D

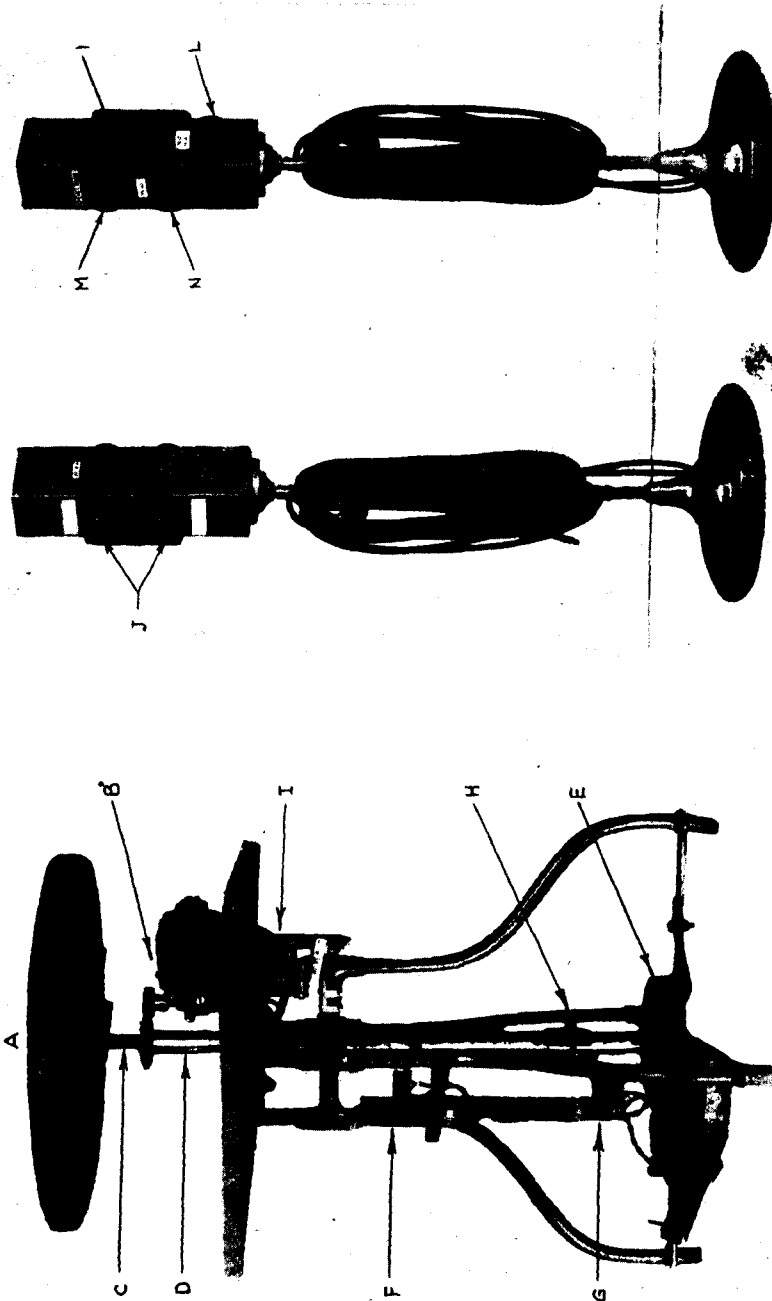


FIG. 7
Views of control column showing switches.

(face p. 113)

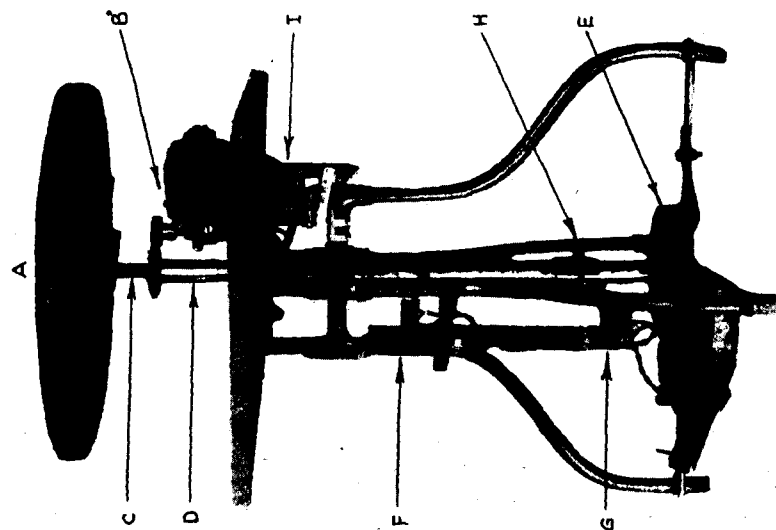


FIG. 6
Photograph of mechanism of turntable.

The object should be illuminated with the smallest circle of light compatible with the inclusion of the area it is desired to photograph.

Any increase in the field of the circle of light caused by the manipulation of the mirror at the ball and socket joint (*g*) or by the alteration of the angles of the jointed arm (*f*) is followed by a material lengthening of the time of exposure.

It is essential that the whole of the optical system which carries the image should be centralised. A spot should be placed in the exact centre of the turn-table and the lay-out of the apparatus should be so arranged that this spot coincides with a corresponding mark in the centre of the viewing screen of the camera. The article is placed on the turn-table so that the approximate centre of the print to be photographed is immediately above the centre spot on the turn-table.

The successful operation of 'V-lighting' is governed to a great extent by the care used in this centralisation and it is found to be particularly exacting in the case of mirrors. If there is a tendency for the double image to creep in when dealing with thick mirrors, it can be countered by masking the print.

Figure 2 is an example of an untreated finger-mark on a mirror photographed by using 'V-lighting.'

From what has been said it will be appreciated that any finger-mark to be photographed when using this system must not be powdered or intensified in any way, indeed, it would be fatal to do so. However faint a finger-mark may be there is no danger of destroying it, as so often happens with the slap-dash use of powders.

When bloodstains or other clues are present with fingerprints the advantages of photographically recording the prints by the new method cannot be over-estimated.

'V-lighting' can be used with advantage in fields of photography other than fingerprint work and has been used with success to record indentations and scratches.

Figure 3 shows how it eliminates undesirable backgrounds when marks are found on multi-coloured articles.

The photography of fingerprints on both sides of broken window glass and which are immediately opposite each other is another problem disposed of by 'V-lighting.'

A thumbprint on one side of a piece of broken glass and a print of a finger on the other side usually indicate that the glass has been handled after it was broken. The position of the prints in relation to each other is often valuable as evidence to rebut any 'lawful access' story by an accused person.

The difficulty so far has been to photograph one print to the exclusion of the mark on the opposite side of the glass.

Figure 4 is a typical example of the confused result of photographing 'opposite prints' by using ordinary methods. Hitherto, it has been the unsatisfactory practice to sacrifice a part or even the whole of one print in order to obtain a clear photograph of the other.

Figure 5 are the 'opposite prints' shown in Figure 4 photographed by using 'V-lighting.'

The imprint shown at (*a*) in Figure 5 was more lightly impressed than the mark shown at (*b*).

In Figure 4, the fainter mark which is nearer the camera is almost obscured by the denser print on the opposite side of the piece of glass on which both imprints appear.

It may be of interest to give a short description of the ingenious mechanism which operates the turn-table. This was constructed from scrap by the Headquarters Engineers of New Scotland Yard, and is illustrated in Figures 6 and 7.

The table (*A*) is operated by a geared motor (*B*) driving a screwed spindle (*C*) up or down a tubular shaft (*D*), thus allowing the table to rise or fall according to the direction of the motor. The table can be rotated by the motor by releasing the brake operating on the bottom pulley (*E*). Over-travel in either direction is prevented by the provision of mercury limit switches (*F* and *G*) operated by the disc (*H*) pinned to the inner spindle. Very fine speed regulation is necessary on all movements and a loading resistance (*I*) shown underneath the motor is electrically interlocked with the slow speed switches (*J*) on the control column, leaving the final speed to be regulated by the sliding resistance (*K*) shown above the main switch (*L*).

For maximum speed of the turn-table the loading resistance is cut out by operating the switch (*M*) on the control column, thus allowing full line volts to the motor.

The control of vertical movement of the turn-table is governed by the application of the brake (Switch *N*) which holds the tubular shaft.

To rotate the table the brake (Switch *N*) is released.

Thanks are due to Mr. H. D. Murray, M.A., F.I.C., of Messrs. Murray, Bull & Spencer, Consulting and Research Chemist, 20 Kinnerton Street, Wilton Place, Knightsbridge, London, S.W.1, who gave valuable advice during the experimental stages of 'V-lighting,' and to the staff of the Photographic Branch, New Scotland Yard, for practical and helpful suggestions.

The Photographic and Fingerprint Department: Its Aid in Crime Detection

By W. B. R. MORREN, C.B.E., M.V.O.

Chief Constable, Edinburgh City Police

ILLUSTRATED CASES No. 3

CASE INVOLVING IDENTIFICATION OF A FIREARM BY COMPARISON OF CARTRIDGE CASES

ON the afternoon of Sunday, July 5th, 1942, a member of a local Military Force was fatally shot while taking part in manœuvres in a district in the East of Scotland. The now deceased was one of a detachment of troops defending a wooded slope on the south side of a road. The attacking force was ensconced in a wood on the north side of the road.

Illustration No. 1 shows the deceased's position on the south side of the road, and in the background his view of the opposite side of the road. He was lying in the prone position to the right of the tree and taking cover behind the bush shown in the foreground. While lying in this position, with his head and shoulders raised and pointing his rifle in the direction indicated in the photograph, he was seen by a nearby companion to jump up suddenly, collapse and roll over a retaining wall on to the grass verge of the roadway. The sound of firing at the time when this happened was coming from the north side of the road in the direction in which the deceased had been facing. When it was discovered that the now deceased was seriously wounded, apparently by ball ammunition, the exercise was stopped and every endeavour made by the military on the spot to trace the person who had fired the shot, but without success, and the Civil Police were called in.

It is important to point out that for the purpose of this exercise blank ammunition had been issued and instructions given that no live ammunition was to be used.

The wounded man died shortly afterwards, and it was subsequently found that the bullet which had killed him had grazed his chin, entered his body above the right breast and had driven a portion of bone outwards through the right scapula. The bullet, on striking the deceased, had disintegrated in his body and the portions found in the course of the post-mortem examination were so small as to render impossible identification of the firearm from the bullet.



ILLUSTRATION No. 1

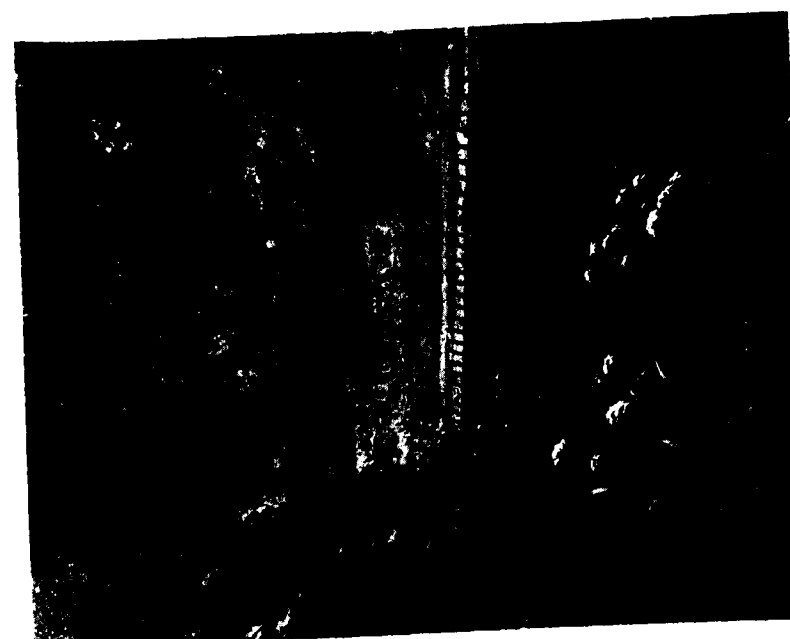


ILLUSTRATION No. 2



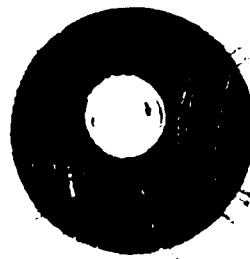
A.—Photographic enlargement of percussion cap of cartridge case found at the locus of the fatality.

B.—Photographic enlargement of percussion cap of cartridge case ejected from Rifle No. 466073.

Transposed sector.

Enlargements "A" and "B" with corresponding sectors transposed.

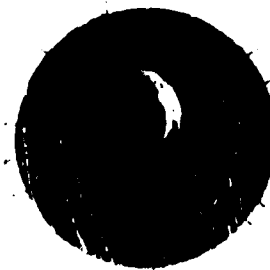
ILLUSTRATION No. 4



A.—Photographic enlargement of percussion cap of cartridge case found at the locus of the fatality.

B.—Photographic enlargement of impression made by the striker on the percussion cap of the cartridge case found at the locus.

ILLUSTRATION No. 5



A.—Photographic enlargement of percussion cap of cartridge case found at the locus.

B.—Photographic enlargement of impression made by the striker on the percussion cap of the cartridge case ejected from Rifle No. 466073.

ILLUSTRATION No. 6

A.—Photographic enlargement of percussion cap of cartridge case found at the locus.

B.—Photographic enlargement of impression made by the striker on the percussion cap of the cartridge case ejected from Rifle No. 466073.

(face p. 117)

PHOTOGRAPHIC AND FINGERPRINT DEPARTMENT 117

Detective Officers of the Edinburgh Criminal Investigation Department, including a member of the Photographic and Fingerprint Department, visited the locus of the occurrence and, from the information already given, made a reconstruction of the incident. Taking into account the position of the deceased as described by his companion, and the direction of the bullet as evidenced by his injuries, it was definitely established by the officers that the shot must have been fired from a fairly limited area immediately behind the wall on the north side of the road. Accordingly, an exhaustive search was made of this area with the result that, in the long grass behind the wall on the north side of the road, shown in the foreground of Illustration No. 2, the empty cartridge case of a .303 live round was found. About 10 feet to the left of the point where the cartridge case was found, and immediately to the right of the bush shown in the left foreground of Illustration No. 2, a marked depression was observed in the grass such as would have been made by a person taking cover behind the wall. The distance of the cartridge case from this spot was consistent with its having been ejected from a rifle fired from this position. In the central background of Illustration No. 2 is seen the tree and bush beside which the deceased had been lying and the retaining wall over which he fell on to the grass verge.

Enquiry revealed that a certain platoon, numbering in all 26 men, made up the attacking party in that part of the wood from which the shot had been fired. Arrangements were therefore made to collect all the rifles of the men in this platoon. When this had been done, sample shots were fired, the cartridge case ejected from each rifle being labelled and retained for comparison. A preliminary comparison with the cartridge case found at the locus of the incident was made by the officer of the Photographic and Fingerprint Department, with the result that one of the sample cartridge cases was identified as having been ejected from the same rifle. The rifle was taken possession of and its owner detained in custody by the Military Authorities.

The cartridge case found at the locus of the shooting, together with the rifle and sample cartridge case ejected from it, were thereafter submitted to Professor Sydney Smith, Professor of Forensic Medicine, University of Edinburgh, who, as a ballistic expert, stated that beyond all doubt, both cartridge cases had been fired in the rifle taken possession of.

For the information of the Court, and at the Professor's request, photographs were prepared in the Photographic and Fingerprint Department of the Edinburgh City Police demonstrating the basis of his findings, viz. the identical features in the markings on the percussion caps of the cartridge cases, the markings on the face of the bolt of the

rifle, and the markings on the depressions made by the striker on the percussion caps of the cartridges.

Illustration No. 3 shows photographic enlargements of "A," the percussion cap of the cartridge case found at the locus of the fatality, and "B," of the percussion cap of the sample cartridge case ejected from the rifle. Sixteen identical characteristics, which are in the same relative position, are marked on each enlargement. These marks are made by the contact of the percussion cap with the face of the rifle bolt under pressure of the explosion at the time of firing. Illustration No. 4 is a further demonstration of how the marks on the percussion caps correspond. Enlargements "A" and "B" are again shown, but in this case, to demonstrate the correspondence in the markings, the sector indicated on the enlargement "A" has been cut out from the enlargement "B" and transposed to that position, while the sector indicated in the enlargement "B" has been cut out and transposed from enlargement "A."

It will be seen that the groovings and markings fall into position as if no transposition had been made.

Illustration No. 5 shows a comparison between "A," the marks on the percussion cap of the cartridge case found at the locus, and "B," the marks on the corresponding area of the face of the rifle bolt.

Illustration No. 6 shows a comparison between "A," the impression made by the striker on the percussion cap of the cartridge case found at the locus, and "B," the impression made by the striker on the percussion cap of the sample cartridge case.

In taking the photographs of the percussion caps of the cartridge cases and of the face of the bolt, use was made of side lighting and great care had to be taken in each case to ensure that the subject, the lighting and the camera were in exactly the same relative positions. The exceedingly fine nature of the markings made this necessary, as the least variation of position would have resulted in the loss of some of the detail. The photograph shown in Illustration No. 5B, that of the face of the rifle bolt, is a negative both in direction and colour, for comparative purposes.

A Military Court of Enquiry was held into the circumstances of the shooting. Evidence was given by Professor Smith and photographs, including those of which illustrations are given, were produced. It was found by this court that the bullet which had caused the death of the victim had been discharged from the rifle later seized by the Police.

As a preliminary to the holding of a Court Martial, the soldier who was in possession of the rifle during the exercise was examined by a Psychiatrist at the instance of the Military Authorities. The Psychiatrist's finding was that the soldier was of diminished responsi-

bility. He was accordingly tried summarily by the Military Authorities, charged with discharging ball ammunition without authority and, on being convicted, was sentenced to twenty-eight days' detention and transferred to a branch of the service in which he would not be required to bear arms.

Training and Man-power

THE decision to release more policemen to the Armed Forces, even at the risk of sacrificing police efficiency, makes it desirable to review the facilities for training within the service. Many police forces may now be deprived of some of their most energetic detectives, special branch officers and clerks; and the beats will lose many reliable constables on whose vigilance and unobtrusive efficiency the general freedom from crime and complaints is largely due.

Women will doubtless have to be employed over a wider range of duties than have ever before been performed by women, and the War Reserve will be called upon to perform duties for which only a limited number have the mental equipment and physical stamina to perform with any degree of efficiency, and for which few of them have yet had opportunities for general or specialised training and experience.

The training of police auxiliaries has hitherto been limited to courses in which the syllabus has ranged over the general principles of police duties under war conditions. Some war reserve constables of superior intelligence and special aptitude have been introduced to offices, the C.I.D. and other specialist branches, but they have been denied the extensive training which was available in pre-war years at the detective training courses at Birmingham, Hendon and Wakefield. Owing to promotions, etc., only a few of the regular constables now employed on detective duties will be found to have attended a detective training course, and while the range and complexity of criminal investigation continues to expand, facilities for courses of instruction are still left to local resources and initiative.

Compared with other services, the confession must be made that as a Service we lack a "Training Plan." This is due mainly to the fact that Police authorities are unable and unwilling to take the initiative and to pool their financial resources to meet the cost. In other spheres the maintenance of training establishments is a Government responsibility. In the Civil Defence services the A.R.P. Schools at Falfield and Easingwold, the Civil Defence Staff College and the Regional Schools, as well as such specialised instructional establishments as the

Bomb Reconnaissance and Bomb Recognition courses, are all maintained by the Ministry of Home Security. With the nationalisation of the Fire Service the Home Office set up the schools required for the several grades and needs of that service. In the Armed Forces, and even in Youth Training organisations, plans for training instructors, officers and personnel are naturally organised centrally. The result is that in all these services a high and uniform level is attained in the staff work and qualifications of instructors, in the quality of instruction, and, therefore, in the general efficiency of the trainees.

Attempts to organise a "Training Plan" for the Police service have been made before. A memorandum laid before the Police Council in 1930 suggested a Police College, with a resident two-year course. The memorandum was examined by a Sub-Committee, under the Chairmanship of Mr. (now Sir Arthur) Dixon, for present convenience referred to as the "Dixon Committee." The Dixon Committee unanimously recommended that a Police College would conduce to a higher standard of police efficiency as affording facilities for the higher instruction and training of officers in various positions and as a centre for research. Details were worked out, but the whole scheme collapsed through the proposal that the cost should be met as normal police expenditure in equal parts by the Exchequer and by Police authorities. The scheme for the Regionalisation of certain police services, recommended in 1938 by the Committee on Detective Work and accepted by Police authorities by which a *per capita* deduction from the 50 per cent. police grant is made by the Home Office to cover the cost of wireless, forensic science laboratories and other regional police services, had not (in 1930) been thought of. In 1930 the police authorities, many of them acting on the advice of their chief constables, refused to contribute to what came to be generally regarded as a grandiose scheme designed to set up an "officer" class. If we reflect on the value which the service would have derived from the College on the broad lines recommended by the Dixon Committee, we can better appreciate the deficiencies in training which have continued since and to-day are in urgent need of attention.

The Dixon Committee's proposals having been shelved, Lord Trenchard introduced his scheme for a Police College exclusively for the Metropolitan Police, and the College was opened at Hendon and remained in use until its closure at the outbreak of war. The Hendon College aimed at providing an "officer" class for the Metropolitan Police. The Dixon Committee planned a "Camberley," whereas Lord Trenchard conceived and created a "Sandhurst." Whatever its merits for the Metropolitan Police Force, and it undoubtedly had many, there remains a strong body of opinion within the service that

the Hendon Police College scheme is not the pattern of the training college required for the Police Service.

As a result of the Report of the Committee on Detective Work and Organisation (1933-8), "Detective Training Schools" were organised by the Commissioner of Police of the Metropolis at Hendon, and by the Chief Constables of the West Riding and Birmingham at Wakefield and Birmingham, the students being drawn from police forces throughout the country. These schools were closed down at the outbreak of war.

The problem now merits consideration from two aspects (i) the immediate war needs, or short-term planning; and (ii) the long-term requirements, envisaging also a post-war training plan. In working out a scheme to meet the needs of war-time duties regard should be had to the period which will follow the cessation of hostilities, when the demands on the Police are almost certain to be heavy, and will call for a very high degree of loyalty, efficiency and economy. None of these three essentials can be achieved unless a training plan is prepared beforehand and adapted to meet the changing circumstances of the times. To wait and improvise when the need comes will be folly, or worse.

In drawing the Plan, both short-term and long-term, we should be careful to avoid the grandiose; the ideal must be modified to blend with the reality. It should therefore be drawn with four main heads: (i) the training and qualifications of instructors; (ii) the training in their duties of war-time personnel; (iii) specialised training courses such as in war-time detective duties, security, military liaison, weapon training, etc.; and (iv) training in general police duties and post-war police problems.

(I) THE TRAINING AND QUALIFICATIONS OF POLICE INSTRUCTORS

The Dixon Report proposed a Police College which would provide (1) a two-year college course for the higher training of officers for their work as instructors, detectives, staff officers, and chief officers; (2) the creation of facilities for higher instruction in particular subjects or for particular purposes, to be adapted, more particularly, to the needs of senior officers who are not entered for the full course; and (3) the institution of a centre for research. The Dixon Report deals mainly with the first of these proposals, and the syllabus suggested for the first year of the college covered (i) *General subjects* (English, history, law, administration, office methods, geography, ethnology and modern languages); (ii) *Police administration* (history of Police, organisation, Police Acts and Regulations, Police buildings, clothing and uniform, supplies and stores); (iii) *Police duties* (criminal law, evidence and

procedure, prevention of crime, criminal investigation and detection, traffic, emergency duties, special constabulary and reserves); and (iv) *supplementary subjects* (psychology, treatment of offenders, firearms, drill and physical training, horses and animals).

A syllabus of this length and range would be too comprehensive for war-time, but the aim should be, first, to ensure that the Service is provided with instructors who are qualified in the subjects which they teach, and, most important, are skilled teachers. In the Armed Forces and Civil Defence every instructor must qualify in his subject. For instance, police officers and others who pass through the Home Office A.R.P. Schools are graded as special, first or second class instructors, A.R.P.S. As a result, not only is a good standard of instructional efficiency maintained, but efficiency in these subjects is also maintained at a high level. The same can be said of musketry, weapon training, signalling and other specialised departments of military training. Many police instructors are potential senior officers, and are rightly selected for their experience, keenness and knowledge of Police duties. Many of them, however, lack training as teachers. In framing a syllabus and selecting candidates for the Instructors' course, this need should be paramount. The immediate need is the training of war reserves both in their primary course on enrolment and in the further training necessary to make them as competent as possible in replacing constables released to the Armed Forces. A standard syllabus should therefore be agreed and qualifications laid down for instructors eligible to teach on the prescribed subjects.

To meet this requirement, courses should be organised at which instructors will attend to qualify as teachers in their particular subjects. The subjects should be classified in four main grades, an instructor who is qualified in all subjects being known as "first-class instructor." The remaining three grades should be known in police records as Police Instructor (Drill); Police Instructor (Police Duties); Police Instructor (Educational subjects). In addition, provision should be made for supplementary instructors designated respectively as Police Instructor (First Aid); Police Instructor (A.R.P.); and Police Instructor (Swimming).

The qualification of "Police Instructor (Drill)" should be conferred on a police instructor certified to be competent to teach military foot-drill, small arms drill (based on infantry training manuals), physical training (based on the Board of Education Physical Training Series No. 15, *Recreation and Physical Fitness for Youths and Men*, published by H.M. Stationery Office, 1938), instructional methods in jiu-jitsu and training for games.

The qualifications "Police Instructor (Police Duties)" and

"Police Instructor (Educational Subjects)" should be granted respectively to men who pass through the Instructors' Course and show aptitude and ability as teachers of police war reserve constables in these subjects.

The designation of instructor in the subjects of First Aid, A.R.P. and Swimming, should be conferred on officers who already hold the Instructor's qualifications in these subjects as recognised by the St. John Ambulance Brigade, the Home Office A.R.P. Schools and the Royal Life Saving Society.

Certificates should be issued to officers who attend Instructors' Courses and satisfy a Board of Examiners that they are qualified as teachers in their respective subjects. The Board should be formed by a selected number of Chief Constables, not exceeding three, who would undertake to visit the Schools during the progress of the Instructors' Course. A syllabus for a course for instructors, with brief details of the range of subjects, is suggested below:

Syllabus for Qualifying Course for Police Instructors

The Course of Instruction is designed to raise and confirm the teaching qualities and instructional ability of Police Officers who desire to qualify for the designation of "Police Instructor." The selection of students for the Course should be made by Chief Constables from inspectors or sergeants who have qualified in the examinations laid down in the Police Regulations for promotion to the rank of inspector, or are the holders of a University degree in arts, science or law.

Candidates selected and nominated to attend the Course should be certified by the Chief Constable to be police officers of ability, sound practical experience and with a good knowledge of law, evidence and practice. Candidates nominated for the Course should preferably be holders of a Special or First Class Certificate as an Instructor, A.R.P.S.

Students who satisfy the Board of Examiners of their instructional qualifications will be awarded a certificate showing that they are qualified and competent to give lectures or to instruct in all or some of the subjects laid down in the Syllabus of Instruction prescribed for Police Training Schools for the Police War Reserves, Refresher Training for members of the Regular Force and Police Auxiliaries. Certificates will designate the officer as First Class Police Instructor; Police Instructor (Drill); Police Instructor (Education); or Police Instructor (Police duties). The subjects covered by the syllabus include the following:

- (1) Organisation of the training school.
- (2) The art of and aids to teaching law and police practice.
- (3) The importance of drill and deportment, welfare and recreational training.

- (4) Visual training.
- (5) Syllabus of training for War Reserve Constables.
- (6) Preparation of a syllabus.

The daily routine will be as follows:

- (a) 9 a.m. to 10.15 a.m.—Lecture in class-room.
- (b) 10.20 a.m. to 11.30 a.m.—Drill, small arms or foot-drill and physical training.
- (c) 11.45 a.m. to 12.45 p.m.—Lecture or demonstration.
- (d) 2 p.m. to 3.45 p.m.—Demonstration or visual training.
- (e) 4 p.m. to 5 p.m.—Lecture or visual training.
- (f) 6.30 p.m. to 7.30 p.m.—Organised visit (two evenings) or preparation (three evenings).

Syllabus (Three-week Course)
FIRST WEEK

Monday

- (a) Opening address on object and scope of Course.
- (b) Squad drill and physical training.
- (c) The art of teaching.
- (d) Visual training: staging and setting a demonstration.
- (e) The preparation of a lecture précis.
- (f) Preparation.

Tuesday

- (a) The organisation and equipment of a Police Training School.
- (b) Squad drill and physical training.
- (c) Aids to teaching.
- (d) The syllabus of initial training of Police War Reserves.
- (e) The Police Reference Library.
- (f) Visit to Police Headquarters.

Wednesday

- (a) Organisation of Police Forces—Ranks and duties (model lecture, with précis, for Police War Reserves).
- (b) Squad drill and games.
- (c) Official note-books—object and use (model lecture, with précis).
- (d) Lecturettes by Trainees on "Elements of Criminal Law."
- (e) Revision and questions.
- (f) Preparation.

Thursday

- (a) General and Local Organisation of Civil Defence Services.
- (b) Squad drill and physical training.
- (c) Discipline, deportment and welfare in the Police War Reserve.
- (d) Staged breach of motoring law. Failure to obey traffic sign (with pocket-book entries and report).

- (e) How to consult and use legal text-books.
- (f) General knowledge Bee.

Friday

- (a) Enforcement of Defence Regulations (1st lecture).
- (b) Squad drill and physical training.
- (c) Scientific aids in detective work (model lecture for Police War Reserves).
- (d) Court Procedure and Deportment (lecture *in situ*).
- (e) The Laws of Evidence.
- (f) Social evening.

Saturday

- (a) Assaults and kindred offences and complaints (model lecture).
- (b) Squad drill and games.
- (c) Revision of week's work. Any questions?

SECOND WEEK

Monday

- (a) Crime complaints and the preparation of report forms by War Reserve Constables.
- (b) Small arms drill.
- (c) Driving licences and certificates of insurance.
- (d) Lecturette, with précis, on Temporary Constables' Regulations.
- (e) Traffic signals—drill.
- (f) Preparation.

Tuesday

- (a) Procedure—summonses and warrants (model lecture).
- (b) Small arms drill.
- (c) Vagrancy—begging. Offence, arrest and charge.
- (d) Staged case of larceny of bicycle; complaint, report, enquiries, arrest and charge of prisoner.
- (e) Taking statements from witnesses and suspected persons.
- (f) Visit to Central A.R.P. Control.

Wednesday

- (a) The Judges' Rules.
- (b) Physical Training.
- (c) Motor Vehicles—classification, use and construction (model lecture).
- (d) Lecturettes on staged road accident.
- (e) Revision and questions.
- (f) Preparation.

Thursday

- (a) First at the scene of crime (model lecture to Police War Reserves).
- (b) Small arms drill.

- (c) Police War duties (model lecture).
- (d) Demonstration—road accident involving private and goods vehicles; Police action.
- (e) Police powers in relation to road traffic.
- (f) Debate.

Friday

- (a) Enforcement of Defence Regulations (2nd lecture).
- (b) Small arms drill.
- (c) Arresting and charging a drunken and disorderly person.
- (d) Court procedure: evidence in Court—demonstration *in situ*.
- (e) The Law of Larceny.
- (f) Social evening.

Saturday

- (a) The Incident Officer.
- (b) Games.
- (c) Revision of week's work. Any questions?

THIRD WEEK

Monday

- (a) Police duties in the event of invasion and military operations.
- (b) Squad drill and physical training.
- (c) Law relating to children and young persons.
- (d) Demonstrated scene of crime. What to do and what to avoid.
- (e) Lecture, with précis, for Police War Reserve on writing Police reports.
- (f) Preparation.

Tuesday

- (a) Offences against women and girls.
- (b) Small arms drill.
- (c) Personal descriptions (epidiascope).
- (d) Musketry—discipline of the rifle range.
- (e) Preparing a précis for a lecture on the Lighting (Restrictions) Orders.
- (f) Visit to a Military or other local Headquarters.

Wednesday

- (a) Incident Control.
- (b) Games.
- (c) Traffic signs (epidiascope).
- (d) Lecturettes on Lighting (Restrictions) Orders.
- (e) Organising a "Passing-out Parade."
- (f) Preparation.

Thursday

- (a) Intoxicating Liquor Laws—offences by licensees.

- (b) Rehearsal for Passing-out Parade.
- (c) Planning and preparing a syllabus.
- (d) Oral tests—lecturing on Police duties, evidence and Police practice.
- (e) Revision.
- (f) Bee—Instructors *v.* Students.

Friday

- (a) Enforcement of Defence Regulations (3rd lecture).
- (b) Passing-out Parade and March Past.
- (c) Revision of work on aids to teaching.
- (d) Visual training tests—setting up demonstrations for training Police War Reserves.
- (e) Revision.
- (f) Social evening.

Saturday

Written Examinations and Final Lecture and Dispersal.

This would, of course, be only a beginning. It would, however, be a concerted effort to ensure that all War Reserve Constables throughout the Region, or Co-ordination District, are trained on a uniform syllabus and with a standard quality of instruction. Should men be transferred from one Force to another, the Chief Constables to whom they were posted would know the measure of training given them. In other respects the general level of efficiency amongst the war reserves would undoubtedly be raised.

Ultimately the aim should be to secure premises suitable for a residential training school, with accommodation for three or four "houses" each of sixteen trainees, but to suggest this at the present stage would merely hold up the plan. The practicable course to be taken now is to arrange for instructors' courses at existing police training schools which have residential accommodation for a class of from twelve to sixteen students. An instructors' class should not exceed sixteen students, since a great deal of time should be taken up in lectures given by the trainees to demonstrate and improve their own teaching qualities.

(II) THE TRAINING OF WAR-TIME PERSONNEL

(a) *Police War Reserves*

In a circular issued shortly after the decision to create a Police War Reserve, the Home Office suggested to Chief Constables a twenty-hours' training syllabus, recommended as the minimum which a member of the Police War Reserve should receive during his first year. The syllabus covered the subjects of general organisation of the force; system of war beats and special patrols; vulnerable points; police

transport and traffic control; police communications; elementary first aid; powers of arrest; traffic duty; anti-gas; air-raid warning system; A.R.P. organisation; lighting restrictions; crashed aircraft; and emergency regulations. The syllabus provided for three hours patrol in company with a regular constable.

It has since been generally accepted that this limited pre-war syllabus was quite inadequate to equip the Police War Reserve with the knowledge required to make them proficient. Since the early months of the war, when war reserves were mainly employed on the protection of vulnerable points and on immobile or static duties, demanding little initiative or tact or any general Police knowledge, the war reserves have been increasingly employed on general beat and patrol duties. It is now generally the practice to provide an initial training period of four weeks. Training schools are maintained and war reserve courses organised in most of the larger forces, and the practice has steadily grown by which men posted from the pool to the war reserve of the smaller forces have been sent to the recognised training schools for their initial training.

No steps have yet been taken to produce a common syllabus of initial or refresher training. This is obviously desirable and the model syllabus which is set out below is suggested as suitable for general adoption. This provides for a course of four weeks' duration, and embraces the following subjects:

Drill, deportment and physical training	...	31	hours.
Police practice, evidence and procedure	...	27	"
Criminal law, Defence (General) Regulations and general statutes	...	31	"
Air Raid Precautions (full course)	...	17	"
First Aid (practical short course)	...	11	"
Practical exercises in report writing and incidents of police duty	...	11	"
Revision and examination	...	18	"
Visits to Police, Civil Defence and N.F.S. stations, etc.	...	8	"

Police War Reserve: Syllabus of Initial Training (four weeks)

The class should consist of 20-24 trainees, accommodated preferably in a hostel or section house near or within walking reach of the training school. The syllabus is designed to balance the mental and physical energies and needs of the trainees, most of whom will be in the age groups 35-50.

A rough note-book will be provided for the class-room and a note-book for evening use in entering up précis, diagrams and notes for

preservation. "P" marked against a subject indicates that a précis will be issued with the lecture and retained by the student. The following text-books will be issued to trainees for use during the course, and retained at the school on dispersal:

Moriarty's *Police Law* (7th Edition).

Moriarty's *Police Procedure and Administration* (3rd Edition).

First Aid to the Injured (39th Edition), St. John Ambulance Brigade.

A.R.P. *Training Pamphlet No. 3*, and A.R.P. *Training Memoranda*.

Highway Code.

Half-holidays will be taken on Saturdays and rest-days on Sundays. The daily routine will be as follows:

- (a) 9 a.m. to 10.15 a.m.—Lecture in class-room.
- (b) 10.20 a.m. to 11.30 a.m.—Drill, small arms or foot-drill and physical training.
- (c) 11.45 a.m. to 12.45 p.m.—Lecture or demonstration.
- (d) 2 p.m. to 3.45 p.m.—Demonstration or visual training.
- (e) 4 p.m. to 5 p.m.—Lecture or visual training.
- (f) 6.30 p.m. to 7.30 p.m.—Organised visit (two evenings) or preparation (three evenings).

FIRST WEEK

Monday

- (a) Opening of course and introductory observations.
- (b) Squad drill.
- (c) Organisation of Police forces, ranks and duties (P).
- (d) Deportment and discipline; court procedure.
- (e) Policeman's note-book, its object and use.
- (f) Preparation.

Tuesday

- (a) Beat patrols and Police communications.
- (b) Foot-drill.
- (c) Temporary Constables' Regulations and duties of Police War Reserve (P).
- (d) Practical first aid.
- (e) Police powers of arrest.
- (f) Visit to Police Headquarters.

Wednesday

- (a) Law of Evidence (first part) (P).
- (b) Physical training.
- (c) General and local organisation of Civil Defence Services.

- (d) Simple road accident demonstrated, with examination of licences.
- (e) Preparation of road accident report.
- (f) Preparation.

Thursday

- (a) Classification of motor vehicles.
- (b) Foot-drill.
- (c) Incendiary bomb control (lecture).
- (d) Breach of motoring laws demonstrated (failure to obey traffic sign, with pocket-book entries and report).
- (e) Evidence in court in motoring case demonstrated.
- (f) Visit to A.R.P. Control Centre.

Friday

- (a) Defence (General) Regulations enforcement (1st lecture) (P).
- (b) Small arms drill.
- (c) War gases; their nature and properties (P).
- (d) Practical First Aid (1st hour) and elementary jiu-jitsu (2nd hour).
- (e) Revision of week's work and notes.
- (f) Preparation.

Saturday morning

Weekly Progress Examination.

SECOND WEEK

Monday

- (a) Procedure: Informations and summonses.
- (b) Foot-drill.
- (c) Elementary protection against H.E. bombs.
- (d) Incendiary Bomb Control (demonstrated).
- (e) Statements: how to take them from witnesses (P).
- (f) Preparation.

Tuesday

- (a) Driving licences and certificates of insurance.
- (b) Foot-drill.
- (c) Personal protection against gas.
- (d) First Aid (practical).
- (e) Fitting and disinfection of respirators.
- (f) Visit to Town Hall (or Local Government offices).

Wednesday

- (a) Offences relating to drunkenness (P).
- (b) Physical training.
- (c) Assaults and kindred offences and complaints.
- (d) Arrest, charge and custody for drunkenness demonstrated.
- (e) Evidence in court on charge of drunkenness.
- (f) Preparation.

Thursday

- (a) Motor Vehicles (Construction and Use) Regulations.
- (b) Foot-drill.
- (c) Detection of war gases.
- (d) Road accident involving goods vehicles demonstrated.
- (e) G.S. respirator drill and standard tests.
- (f) Visit to Criminal Record Office at Police H.Q.

Friday

- (a) Defence (General) Regulations enforcement (2nd lecture) (P).
- (b) Small arms drill.
- (c) Elementary criminal law (P).
- (d) Practical First Aid (1st hour); Elementary jiu-jitsu (2nd hour).
- (e) Revision of week's work and notes.
- (f) Preparation.

Saturday morning

Weekly Progress Examination.

THIRD WEEK

Monday

- (a) Warrants, procedure to obtain for search or arrest.
- (b) Foot-drill.
- (c) Crime complaints and preparation of report forms.
- (d) Vagrancy, begging, demonstration of offence, arrest, charge, etc.
- (e) Evidence in court on arrest for begging.
- (f) Preparation.

Tuesday

- (a) Deportment and discipline of Police War Reserve (P).
- (b) Foot-drill.
- (c) Police powers in relation to Road Traffic (P).
- (d) Practical First Aid.
- (e) Marching with respirator and test in gas chamber.
- (f) Visit to police communications room.

Wednesday

- (a) Law of Evidence (2nd lecture) (P).
- (b) Physical training.
- (c) Law of Larceny (1st lecture) (P).
- (d) Stealing a bicycle; complaint, report, enquiries, arrest and charge of prisoner demonstrated.
- (e) Evidence in court on charge of stealing a bicycle.
- (f) Preparation.

Thursday

- (a) Motor Vehicles (Construction and Use) (2nd lecture).
- (b) Foot-drill.

- (c) Lighting (Restrictions) Order.
- (d) Road accident involving careless or dangerous driving demonstrated, with preparation of report and statements.
- (e) Protection of the body; anti-gas clothing demonstration.
- (f) Visit to decontamination centre.

Friday

- (a) Defence (General) Regulations enforcement (3rd lecture).
- (b) Small arms drill.
- (c) The incident officer's duties.
- (d) Practical First Aid (1st hour); elementary jiu-jitsu (2nd hour).
- (e) Revision of week's work.
- (f) Preparation.

Saturday morning

Weekly Progress Examination.

FOURTH AND FINAL WEEK

Monday

- (a) Police duties in the event of invasion and military operations.
- (b) Foot-drill.
- (c) The law relating to children and young persons (P).
- (d) Operational control in air-raid incidents (visit to Police and A.R.P. control centres; alternative communications to be explained).
- (e) Fire Prevention Orders.
- (f) Preparation.

Tuesday

- (a) The Judges' Rules (P).
- (b) Foot-drill.
- (c) Offences against women and girls.
- (d) Practical First Aid.
- (e) Personal descriptions.
- (f) Visit to N.F.S. station and control room.

Wednesday

- (a) Law of Evidence (3rd lecture) (P).
- (b) Physical training.
- (c) Law of Larceny (2nd lecture) (P).
- (d) Traffic signs and the Highway Code demonstrated (P).
- (e) Treatment of gas casualties.
- (f) Preparation.

Thursday

- (a) Intoxicating liquor laws; offences by licensees and their servants (P).
- (b) Foot-drill and rehearsal for passing-out Parade.

- (c) First at the scene of crime.
- (d) The detection of crime (specialist services available to be called to scene of crime) demonstrated.
- (e) Care and maintenance of service respirator.
- (f) Supper and social evening at Police Club.

Friday

- (a) Defence (General) Regulations enforcement (summary of Police duties).
- (b) Small arms and foot-drill.
- (c) Review of duties of Police War Reserve.
- (d) Passing-out Parade (foot-drill, small arms drill, elementary jiu-jitsu, stretcher drill and respirator drill), followed by inspection and march past.
- (e) Revision and preparation for final examination.

Saturday morning

Final Examination and Dispersal.

Refresher training is obviously necessary and, in addition to occasional lectures, drill parades, etc., it is desirable that every member of the war reserve should be seconded from his normal duties to the training school for a period of two weeks in each year following that of his enrolment and initial training. Secondment to the school involves mental and physical changes from routine, which are necessary to the man's health and mental fitness equally as the change is useful from the educational standpoint. A syllabus for a two-weeks' refresher course for war reserves is given below:

- (a) 9 a.m. to 10.15 a.m.—Lecture in class-room.
- (b) 10.20 a.m. to 11.30 a.m.—Drill, small arms or foot-drill and physical training.
- (c) 11.45 a.m. to 12.45 p.m.—Lecture or demonstration.
- (d) 2 p.m. to 3.45 p.m.—Demonstration or visual training.
- (e) 4 p.m. to 5 p.m.—Lecture or visual training.
- (f) 6.30 p.m. to 7.30 p.m.—Organised visit (two evenings) or preparation (three evenings).

FIRST WEEK

Monday

- (a) Elements of Criminal Law.
- (b) Foot-drill.
- (c) Offences by children and young persons—ages in law.
- (d) Temporary Constables' Rules (1st hour) and traffic signals (2nd hour).

(e) Police Reports.

(f) Preparation.

Tuesday

(a) Road Traffic Act—Police powers.

(b) Foot-drill.

(c) Crime Reports and Complaints.

(d) Court Procedure—deportment of Police Officers.

(e) Lighting Restrictions.

(f) Visit to Criminal Record Office.

Wednesday

(a) Laws of Evidence (1st lecture).

(b) Foot-drill.

(c) Law of Larceny (1st lecture).

(d) Motor Vehicles (Classification) (1st hour); Respirator Drill (2nd hour).

(e) War Duties (1st lecture).

(f) Preparation.

Thursday

(a) First at scene of crime.

(b) Foot-drill.

(c) War gases.

(d) Procedure—Summonses (1st hour); Offences of drunkenness (2nd hour).

(e) Police Reports.

(f) Visit to Police Headquarters.

Friday

(a) Judges' Rules.

(b) Foot-drill.

(c) Looting.

(d) Court—students giving evidence for prosecution.

(e) Motor Vehicles (Use and Construction).

(f) Preparation.

Saturday

(a) Assaults.

(b) Small arms drill.

(c) Fire Prevention Orders.

(d) Traffic Signs (1st hour); Care and maintenance of respirator (2nd hour).

(e) Revision.

SECOND WEEK

Monday

(a) Local Regulations and Bye-laws.

(b) Foot-drill.

(c) Offences by children and young persons.

(d) Demonstrated complaint, enquiry, charge, custody and bail of prisoner for larceny.

(e) Police Reports.

(f) Preparation.

Tuesday

(a) Goods Vehicle licences.

(b) Foot-drill.

(c) Statements by witnesses and accused persons.

(d) Gas casualties and use of protective clothing.

(e) Musketry—rifle range.

(f) Visit to Police Control Room.

Wednesday

(a) Laws of Evidence (2nd lecture).

(b) Foot-drill.

(c) Law of Larceny (2nd lecture).

(d) Demonstrated offence of dangerous driving in road accident.

(e) War Duties (2nd lecture).

(f) Preparation.

Thursday

(a) Public Service Vehicles.

(b) Foot-drill.

(c) *Modus Operandi*.

(d) Procedure Warrants (1st hour); 'Intoxicating Liquor Laws—offences by licensees (2nd hour).

(e) Police Reports.

(f) Social evening at Police Club.

Friday

(a) Personal descriptions.

(b) Small arms drill and Inspection.

(c) Suspected persons—loitering—(Vagrancy Act).

(d) Court—students giving evidence for prosecution.

(e) National Registration Identity Cards.

(f) Preparation.

Saturday morning

Final examination and dispersal.

The approved strength of war reserves in each force should be drawn to carry the additional numbers required to facilitate the seconding of the necessary numbers to training schools.

(b) *Women Auxiliaries*

The training of women for Police duties requires different treatment from the methods suggested to be employed for the training of

war reserves. The majority of the women so far taken into the Women's Auxiliary Police Corps have been selected by reason of their particular fitness as shorthand typists, clerks, canteen workers, motor drivers, etc., but it is important that every woman enrolled should be imbued with the comradeship, deportment and discipline of the Corps. Initial and refresher courses of training in deportment, foot-drill, first aid, anti-gas and incendiary bomb measures are therefore necessary. Women employed on court and traffic and outdoor duties require the same measure of training as men, and where there is an insufficient number of women to form a special class in outdoor duties there is no objection to a mixed class for the majority of the lectures.

Whenever practicable, women auxiliaries should attend an initial training course, the syllabus for which is suggested below and including the following subjects:

Drill, deportment and discipline	...	...	...	14	hours.
Anti-gas, and I.B. training—full course	...	...	...	17	"
First Aid—practical short course	...	...	...	11	"
Police Office and Station routine; public enquiries; telephone duties and Police administration	...	...	...	8	"
Police Duties in Invasion; Emergency Law; operational control; air-raid reporting, etc.	...	...	...	6	"
Relations with other Services; inter-Service games; and relations with Women's Services	...	...	...	4	"

Syllabus of Initial Training for Auxiliary Policewomen

The object is to provide for women, on enrolment for duties in the W.A.P.C., an appreciation of the traditions of the Police Service, and to initiate them into the deportment, discipline and efficiency of the Corps. The following syllabus provides for a twelve-day course at a Police Training School, the daily routine being as follows:

- (a) 9.30 a.m. to 10.20 a.m.—Lecture.
- (b) 10.30 a.m. to 11.20 a.m.—Squad drill.
- (c) 11.45 a.m. to 12.45 p.m.—Lecture.
- (d) 2.30 p.m. to 4 p.m.—Demonstration or visual training.
- (e) 4.30 p.m. to 5.15 p.m.—Lecture.

If the students are housed in a hostel, evening preparation and social amenities should be included in the syllabus.

FIRST WEEK

Monday

- (a) Introductory; the W.A.P.C.—conditions of service, organisation and duties.

- (b) Physical training and foot-drill.
- (c) First Aid (L.34) principles and practical.
- (d) Fitting of respirator and disinfection (Lessons 19-20).
- (e) Police Office routine and administration.

Tuesday

- (a) Organisation, ranks and duties of the Police Force.
- (b) Physical training and foot-drill.
- (c) Telephone duties in Police Stations.
- (d) Respirator drill and standard tests: protection of eyes and lungs (L.21-22).
- (e) Police forms, books; preparation and use of.

Wednesday

- (a) Deportment and discipline; care of uniform and equipment.
- (b) Physical training and foot-drill.
- (c) First Aid—circulation of the blood and treatment of fractures (L.35).
- (d) Games: netball in winter; stoolball in summer.
- (e) Test in Gas Chamber (L.23).

Thursday

- (a) Police Orders.
- (b) Physical training and drill.
- (c) Police forms and books—preparation and use of.
- (d) Visit to Police Headquarters.
- (e) Police Telephone Box system and switchboard.

Friday

- (a) Elements of Criminal Law.
- (b) Physical training and drill.
- (c) Protection of the body (L.24).
- (d) First Aid: burns and scalds; asphyxia; wounds and artificial respiration (L.37).
- (e) Duties of policewomen in relation to women and girls.

Saturday morning

Revision (1st hour) and Progress Examination (2nd hour).

SECOND WEEK

Monday

- (a) Incendiary bombs.
- (b) Physical training and drill.
- (c) Police Station routine.
- (d) Preventive Cleansing and gas protection in buildings (L.25-26).
- (e) Use of stirrup pump and sand mats.

Tuesday

- (a) Police duties in invasion.

- (b) Physical training and drill.
- (c) Operational control in air raids.
- (d) Fire House—control of I.B. and fires.
- (e) First Aid—practical and revision.

Wednesday

- (a) Emergency Law.
- (b) Physical training and drill.
- (c) Air-raid damage reporting.
- (d) Games : netball in winter ; stoolball in summer.
- (e) Relations with other Services and inter-Women's Services co-operation.

Thursday

- (a) The preparation of Police reports.
- (b) Physical training and drill.
- (c) Police telephone duties and tests.
- (d) Smoke House—how to approach scene of fire.
- (e) First Aid—practical and revision.

Friday

- (a) Air-raid damage reporting.
- (b) Passing-out Parade.
- (c) The Highway Code.
- (d) Rescue of insensible persons from fire.
- (e) Revision of work.

Saturday morning

Final examination and dispersal.

III. SPECIALISED WAR-TIME TRAINING COURSES

In war-time many lessons are learned from omissions and errors on the part of all manner of people and departments, and, it being easy to be wise after the event, it is now a simple but correct admission to make that the closure of police training establishments, and particularly the suspension of detective training schools, should have been avoided. It may be that even now the resumption of the eight weeks' detective training course, adopted on the recommendation of the Committee on Detective Work, may be impracticable, but there can be no doubt about the need for a more systematic training for those police officers who are engaged in the enforcement of the criminal law, as extended and amended by the Emergency Powers (Defence) Acts, the Defence (General) Regulations, and Orders and Directions made thereunder. The detection and prosecution of offences of looting and in respect of food, clothes, fuel, timber and the many other commodities subject to rationing and control, require skill and knowledge, energy and zeal, which, indeed, are seldom possessed in full measure unless the officer

has attended a specialised course of instruction such as those introduced on the plan evolved by the Committee on Detective Work.

Moreover, courses of instruction in war-time detective or law-enforcement duties are an invaluable medium through which co-ordinated work can be promoted between the police and the numerous bodies of officials and sub-departments now employed in the several government departments as "enforcement officers." in particular branches of emergency law, petrol, fuel and powers, food, clothes, etc. Such enforcement officers are vested with authority, analogous to those of constables, enabling them to inquire, search and in some cases seize or detain, but their powers may be used only in respect of the particular branch of law for which they are appointed to "enforce." Constables, on the other hand, have the duty of enforcing the criminal law generally, including all the provisions of the emergency penal legislation. Hence the need for the police to be given special facilities to equip themselves with a wide knowledge of emergency legislation, and, in appropriate cases, for officers with special qualifications and ability to specialise in particular branches of war-time law. This can best be promoted by the organisation of war-time detective training courses, on lines which have already been put in hand in some forces, but so far without co-ordinated direction and uniformity for the service as a whole.

IV. TRAINING IN GENERAL POLICE DUTIES AND POST-WAR PROBLEMS

From many quarters the suggestion is made that the time is ripe for plans to be examined and drawn for the post-war organisation of this service and that, this industry and that profession, and in their several spheres the Scott, Uthwatt and Beveridge Reports have stimulated public discussion and thought on the subject. Many of the views expressed by the people at large are confused ; most are diverse and nearly all lack appreciation of reality. In the Police Service we shall do well, in trying to reach the ideal, to aim at the practical. Upon the solid, steadfast, stoic who makes the hard core of our police forces much will depend. Security will not come to the nation, let alone Europe and the world, unless the individual, the family, the village and the townspeople in our own England go about their business and go home to sleep assured of that quiet, unobtrusive and organised vigilance which they have found by experience is symbolised by the policeman on the beat. We policemen know that this vigilance, unobtrusive and often unnoticed by the public, is maintained only by (i) the selection of good men for the task, and (ii) giving those good men the knowledge, communications, and organisation which equips them to prevent crime, maintain order, to catch thieves and secure

the safety and protection of the lives and property of rich and poor, righteous and wicked, alike.

Although the pattern of policing may well be varied in the immediate post-war years, no one will wish to see changes in the fundamentals. Criticisms may fairly be made at the lack of uniformity of police practice in different forces, at anomalies resulting from various developments in local government, and at shortcomings of which those charged with the administration and command of police forces are well aware. But one achievement may be claimed. In the past twenty years, since the Desborough Committee founded a uniform condition of pay and service, discipline and status for the police of England and Wales, candidates for the office of constable have been subject to a scrutiny and test which eliminated all but men of proved personal character and integrity. In consequence the Service is made up of men of personal character, integrity, adaptability, faithfulness, courage and common sense, the like of whom, in these qualifications, are not equalled in any other service or vocation. All ranks in the service, from the lowest up, are imbued with a sense of loyalty and service which in crisis becomes command and leadership. In air raids the police have proved the bedrock of the civil defence services. It is testified to by the selection boards of the Fighting Services who are sending to Officers' Training Units those of our young policemen who have been released to the Armed Forces to take their places as leaders of fighting men in the march to victory.

In the post-war period the Police Service will not lack men of quality. Not only will our policemen return from the Armed Forces with widened experience, but recruits will be drawn largely from men who have served in the Armed Forces. Character, courage and the quality of common sense will continue to be the essentials for entry and advancement. To those who return, as well as to those who have served the nation so well in the war, it is due that the training plan shall provide for advancement on merit to the highest posts in the Service. Before the details of the post-war training plan are prepared, an examination is necessary of all comparable plans, as well as a review of proposals made in the past. The Dixon Report will make a good basis for the latter. Lord Trenchard's scheme and the six years of existence of the Hendon Police College will need impartial and penetrating examination. The respective procedures adopted by the Army and Air Councils and the Admiralty for the grading, posting and initial training of personnel, and the selection and training of potential officers should be studied. The quite remarkable advance made in recent years by the United States Department of the Interior in planning and promoting the vocational training of instructors for the Police Service merits

examination. Finally, the Police Service should not hesitate to seek the advice of and obtain help from our university and educational institutions.

To sum up, a training plan is required for the immediate future, to ensure (i) that qualified instructors are available to train the police and police auxiliaries in their immediate war tasks of policing the country with less men but with no less vigilance and with the least possible sacrifice of efficiency; and (ii) that a long-term plan is worked out by which the Police Service will be ready to meet its post-war duties.

In the past three years the police war reserve has provided much evidence of devotion to duty and of the ability of the plain Englishman to turn his hand to a new task. It is due to these men and those who join their ranks that they are given full opportunity to acquire that skill and knowledge without which police duty cannot be efficiently performed.

FORESIGHT.

The Writing of Reports and Minutes

By H. M. HOWGRAVE-GRAHAM, C.B.E.

Secretary, Metropolitan Police

HOW often we hear people say after reading a book, seeing a play or a film or listening to a speech, "Yes, pretty good, but too long." Sometimes they go further and say "It would have been twice as good if it had been half as long."

With "works of art," novels, plays, films and so forth, brevity is not necessarily a virtue in itself. We want entertainment for an hour, two hours or many hours, and if our verdict at the end is "Too long," it means that the author has failed to entertain us all the time. There have been patches of boredom.

But with official documents—reports, minutes and letters—brevity is definitely a virtue—a virtue second only to accuracy. The object is to inform and not to entertain, and the perfect document gives all the information needed in a form which will be readily and quickly assimilated.

The writer has certain facts and thoughts in his head and his task is to convey those facts and thoughts to other heads by means of words written on paper. If he makes the effort of absorbing the facts and thoughts greater than it need have been, the document is to that extent imperfect.

Brevity can of course be overdone. It is possible to condense the matter to such an extent that the meaning is not clear or is difficult to extract. Such excessive brevity is as bad as excessive length because it has the same unfortunate effect on the reader. It compels him to expend needless mental effort.

But in official documents excessive brevity is an extremely rare fault. Verbal diarrhoea is much more common than verbal constipation.

After brevity (and accuracy, which is so obvious a requirement in a police document that it needs no comment) clarity is the next in order of importance.

This is a much more difficult thing to secure than brevity. To secure brevity it is only necessary to eliminate every word and every sentence that is not required in order to convey the facts and thoughts to the mind of the reader. The aim at any rate is simple though the achievement of it is, in practice, not always quite so easy as it sounds.

But clarity is a matter of practice. There are certain rules or maxims which may be followed, but the achievement of maximum clarity depends on skill in "word-spinning" and that skill in its highest form takes time to acquire.

Edgar Wallace had no education worth the name. Left an orphan at 9 days old, he was adopted by a Billingsgate porter. He attended a Board School until he was about 11, but even in this short period of education there were gaps during which he sold newspapers in the London streets instead of going to school. After various casual jobs he joined the Army and found himself at the age of 21 as a nursing orderly in a South African hospital (before the Boer War) with time on his hands.

He had always been a voracious reader (though mostly of the Deadwood Dick type of literature) and at this stage he developed a desire to write. He had done a little already and had even secured the publication of some of his efforts, but he realised that for serious writing a mental equipment was needed which he had not got, and he therefore set to work to make good the deficiency.

He was befriended at this time by a lady of literary taste who lent him books and guided his studies to some extent. Amongst the books she lent him was one by Trench called *The Study of Words*.

This is what Edgar Wallace says of his method of training himself for writing :

"Trench helped me very considerably, for he made me examine the tools of my trade with closer attention than I should have done, and he taught me that the English language is a very beautiful inheritance. He taught me that words are keys that will only fit their own locks. It was an easy lesson, to learn—a hard one to practise. My vocabulary was a very small one. I

discovered this when I found that in a leading article of the *Cape Times*, consisting of 700 words, there were twenty words I did not understand and eleven sentences which conveyed nothing to me. For six months I rewrote the *Cape Times* leaders, reducing them to understandable terms—it was a very useful exercise. At the same time I practised condensing them to forty words, no more and no less, and that was the best exercise of all. I did the same thing with the more profound of the English reviews."

By perseverance on these lines he learned to write English and when the South African war broke out a few years later he got a job as a war correspondent. As we all know, he made afterwards a big fortune by writing of all kinds. Not only the detective stories for which he is most famous, but poetry, plays, newspaper articles and all kinds of journalistic work.

I only mention him because he affords an example of a man who, starting well behind scratch, achieved notable success in the art of word-spinning.

To the police officer of ambition the power of writing accurately, briefly and clearly is an essential of success. He is fortunate in that writing reports is a feature of his job from the start. He can practise as he goes and if he has a natural aptitude for words and a critical mind, he may find himself writing well after a time without making the study of writing a separate spare-time occupation.

But the man who can write well, by nature as it were, is rare and there are few, if any, who would not benefit by giving a certain amount of thought to the subject from time to time. For C.I.D. officers especially, the capacity of setting out complicated matters in logical sequence, in clear language and without any verbal superfluities, is a great asset. In fact, it is almost impossible to make any real progress in the Criminal Investigation Department without reaching a fair degree of proficiency in the composition of reports and the standard now reached in these reports is as a rule a very high one.

The first duty of a detective is to detect, but a detective who cannot present his case in a readable and concise form is like an actor with a stammer or a politician who can't make speeches.

It is appreciated that C.I.D. reports must often cover a number of pages because of the necessity of presenting the *whole* truth. Every relevant fact and conversation has to be set out in detail as it occurred, but, even so, there is usually scope for condensation and the attitude of mind should always be that length when unfortunately necessary is not in itself a merit.

Reverting to the question of clarity, perhaps the first requisite in clear writing is the correct selection of words. As Edgar Wallace said in the passage quoted above, "words are keys that will only fit their

own locks." By this he obviously meant that there is only one perfect way of expressing any particular thought.

We all know what it is to grope for a word. What we want to express is clear in our minds but the words which come readily to hand do not satisfy us. Either they don't say precisely what we mean or they say it in an awkward way. The effort of searching for the key that will open that particular lock is well worth while, not only because we get the result we want at the time but also because every fence of this kind we surmount brings us nearer to becoming writers of good English.

The careful reading of good prose is an excellent way of improving the vocabulary and learning to detect the shades of difference between words which have seemed to us to be synonymous.

"Jackdaw," of *John o' London's Weekly*, discusses points of grammar and good English, and I think it was he who said that there is no such thing as a synonym in the English language. No two words, though they may appear to be identical in their meaning, are in fact precisely so. There is always a shade of difference. Whether we agree to that proposition or not, it is undoubtedly a good basis on which to work in our efforts to find the right key for every lock.

I have suggested the reading of good prose. This can be done with no great effort and as a habit, by taking a good newspaper (I won't lay myself open by stipulating which newspapers are "good") and reading the leading articles slowly—word for word—if possible aloud. (This may have to be done in solitude if, as is likely, the family won't stand for it.)

One of the most skilful word-choosers is our Prime Minister, and although the language he uses in Parliamentary or B.B.C. utterances is hardly appropriate for imitation in a police report, anyone who wants an enjoyable lesson in the use of words might do worse than spend a little time studying one of the published volumes of Mr. Churchill's speeches. Some of his sentences will live in history and will be repeated by students of English long after we are all dead.

Another valuable aid in the word hunt is a book like Roget's *Thesaurus* (much used by crossword puzzle fans). It might be described as a dictionary the other way round. A dictionary gives the correct meaning of a word. Roget's *Thesaurus* gives us the correct word for a meaning. It contains lists of words and phrases which may be used in expressing a particular idea and leaves the user to choose the one which he considers most appropriate. The original Roget began the compilation over a hundred years ago and its usefulness may be judged from the fact that it has been revised and brought up to date several times since its first publication and is still widely used.

The original introduction, which is reproduced in current editions,

includes in pleasant, old-fashioned language, some sound thoughts on the art of writing :

"The communication of our thoughts by means of language, whether spoken or written, like every other object of mental exertion, constitutes a peculiar art, which, like other arts, cannot be acquired in any perfection but by long and continued practice. Some, indeed, there are more highly gifted than others with a facility of expression, but to none is it at all times an easy process to embody, in exact and appropriate language, the various trains of ideas that are passing through the mind, or to depict in their true colours and proportions, the diversified and nicer shades of feeling which accompany them. To those who are unpractised in the art of composition, these difficulties present themselves in their most formidable aspect. However distinct may be our views, however vivid our conceptions, or however fervent our emotions, we cannot but be often conscious that the phraseology we have at our command is inadequate to do them justice. We seek in vain the words we need, and strive ineffectually to devise forms of expression which shall faithfully portray our thoughts and sentiments. The appropriate terms, notwithstanding our utmost efforts, cannot be conjured up at will. Like 'spirits from the vasty deep,' they come not when we call; and we are driven to the employment of a set of words and phrases either too general or too limited, too strong or too feeble, which suit not the occasion, which hit not the mark we aim at; and the result of our prolonged exertion is a style at once laboured and obscure, vapid and redundant, or vitiated by the still graver faults of affectation or ambiguity.

"It is of the utmost consequence that strict accuracy should regulate our use of language, and that every one should acquire the power and the habit of expressing his thoughts with perspicuity and correctness."

In the passages quoted Roget clearly had in mind literary compositions of wide scope and permanent importance, but his exhortations are equally applicable to the more limited field covered by official reports.

Much help may also be obtained from Fowler's *Modern English Usage*. This valuable and delightfully written volume includes articles on such general subjects as punctuation, hackneyed phrases, mixed metaphors, humour, pedantry and so forth, and gives sound advice on a vast number of points connected with the proper (and improper) use of particular words and phrases. If ever, in the process of writing, one comes up against a point of doubt (as for instance whether to say "farther" or "further," "learned" or "learnt," "historic" or "historical," etc.) it is long odds that Fowler will give the answer, and often in an entertaining and amusing way. His advice is always in the direction of simplicity and the avoidance of any kind of affectation. His article, for instance, on what he calls "Genteelisms"—the use of "edifice" instead of "building," "inquire" instead of "ask,"

"lady dog" instead of "bitch," "perspiration" instead of "sweat," and many others—is well worth reading.

It has been, as we all know, for many years a popular gibe against the police that they use needlessly long words in giving evidence, that a policeman never "goes to the place" but always "proceeds to the scene of the occurrence," that he does not "live" but "resides," that he doesn't "see what happened" but "witnesses the occurrence"—and so on and so forth.

In the writer's view there is something to be said for the use of stately—perhaps even pompous—language in the Courts. It is part of the "business"—part of the pageantry and paraphernalia of justice. It "goes" with wigs and trumpeters and black caps.

But the police officer's reports to his chiefs are another matter. In these it is a good rule to use the simplest and shortest words and to avoid all verbal frills and decorations.

Usually this is done nowadays. Most reports are business-like documents but cases still occur, from time to time, of an officer "letting himself go" in picturesque language. It generally fails to come off and the safer course is to stick rigidly to everyday words and short sentences.

It goes without saying that reports should be grammatical. Admittedly if a sentence is absolutely clear and concise, an error of grammar doesn't really matter much in itself, but it mildly offends the ear (or the eye) of the reader and suggests slovenliness—or possibly ignorance. An ungrammatical sentence is like an unwashed face. It may serve its purpose but reflects no credit on its proprietor.

Grammar is an interesting subject. It is as possible to be too grammatical as to be not grammatical enough. Pedantry is as undesirable as carelessness. The "rules" of grammar as we call them are more like the Highway Code than the Traffic Acts. We can't make a habit of infringement and, when we do infringe, it must be with our eyes open and for good and sufficient reasons.

For example, the excellent rule that a singular subject must be followed by a singular verb is sometimes applied rigidly where the singular subject is a collective noun, such as "a number," "a crowd," or "a Committee." "A number of people *were* present" is much better than "a number of people *was* present." If the "thought" is plural the verb should be plural; otherwise the sentence *sounds* awkward, and a sentence which *sounds* awkward is a bad one.

The same applies to "none." Some insist (including, I think, the B.B.C.) on saying "none is . . ." or "none was . . ." Take an example: "A thousand people were present and none of them *was* more than 20 years old." The argument is that none = not one. That is so, but the thought is plural and "were" is, I suggest, preferable.

Then there is the old bugbear of the split infinitive. The brains trust recently exploded—I hope finally—the notion that it is a major crime "to shamelessly insert" an adverb between the "to" and the verb. It is often ugly and should be avoided as much as possible, but the splitting of an infinitive is better than ambiguity.

But this article did not set out to be a discourse on grammar and these illustrations are only given to point the moral that grammar should be regarded as a tool of the trade and not a taskmaster.

I have referred particularly to reports because police officers' writings are more likely to be in this form than in that of minutes.

Most of what has been said applies to any form of official writings, but it may be worth while to add a thought or two on points arising more especially on the composition of minutes.

Minutes may range from one or two words—such as "Yes," "No," "I agree," or "Rubbish"—to ten pages of closely reasoned argument. It is sometimes said that Civil Servants spend their time in writing long minutes to one another, when a brief discussion would settle the matter. There may be some basis for this criticism, but actually the writing of minutes and memoranda is not a purposeless occupation. It is very often, in fact, the quickest way of disposing of a piece of business, and it has the advantage that the considerations which lead up to the decision are recorded for future reference. This point is frequently of much importance and saves a great deal of time and thought if the same—or a similar—question arises again. There are few things so time-wasting as inability to discover the reasons which led to some action in the past.

In the writer's experience no administrator had such a power of disposing of business rapidly as Lord Trenchard. He could get through in a month as much as an ordinary man could accomplish in a year. And yet he insisted on every detail being faithfully recorded. He believed in discussion, but every conference and every interview had to be properly set down on paper so that all the opinions and developments leading up to a final decision might be available for reference at any time.

As with a report, so also with a minute, brevity is a virtue, but only in so far as it assists the reader. If, through the brevity of a minute, the person to whom it is addressed is compelled to wade through a lot of other documents the gist of which he might have been given in the minute itself, then brevity is overdone.

A minute in which a subordinate officer refers a matter for the decision of his chief, should if possible present the whole business, stating (a) what precisely is the point at issue, (b) how it originated (e.g. by an inquiry, a complaint, a question in the House, or what not),

(c) what are the relevant decisions (Acts of Parliament, regulations, standing orders or precedents), (d) what new considerations arise and (perhaps) (e) what is the writer's suggestion.

If, before a decision can be taken, other documents must be referred to, the minute should say which they are, where they are, and how much of them it is necessary to read.

All this may sound very obvious, but the most obvious things are sometimes the ones that are most likely to be forgotten.

Quite apart from the *practical* value of high quality in official documents of all kinds, the cultivation, by study and practice, of skill in putting words together—so that they express what is intended clearly, briefly and pleasantly—has value far beyond the immediate purpose of efficiency.

There is a certain satisfaction in the acquisition of any kind of skill, from table tennis to higher mathematics, and as it increases, it brings with it the power of enjoying and criticising the performances of others. To the person who has cultivated a taste for good English, a perfectly written passage gives something of the same sort of pleasure that a good piece of music gives to the trained musician.

Modern Police Accommodation and Communications

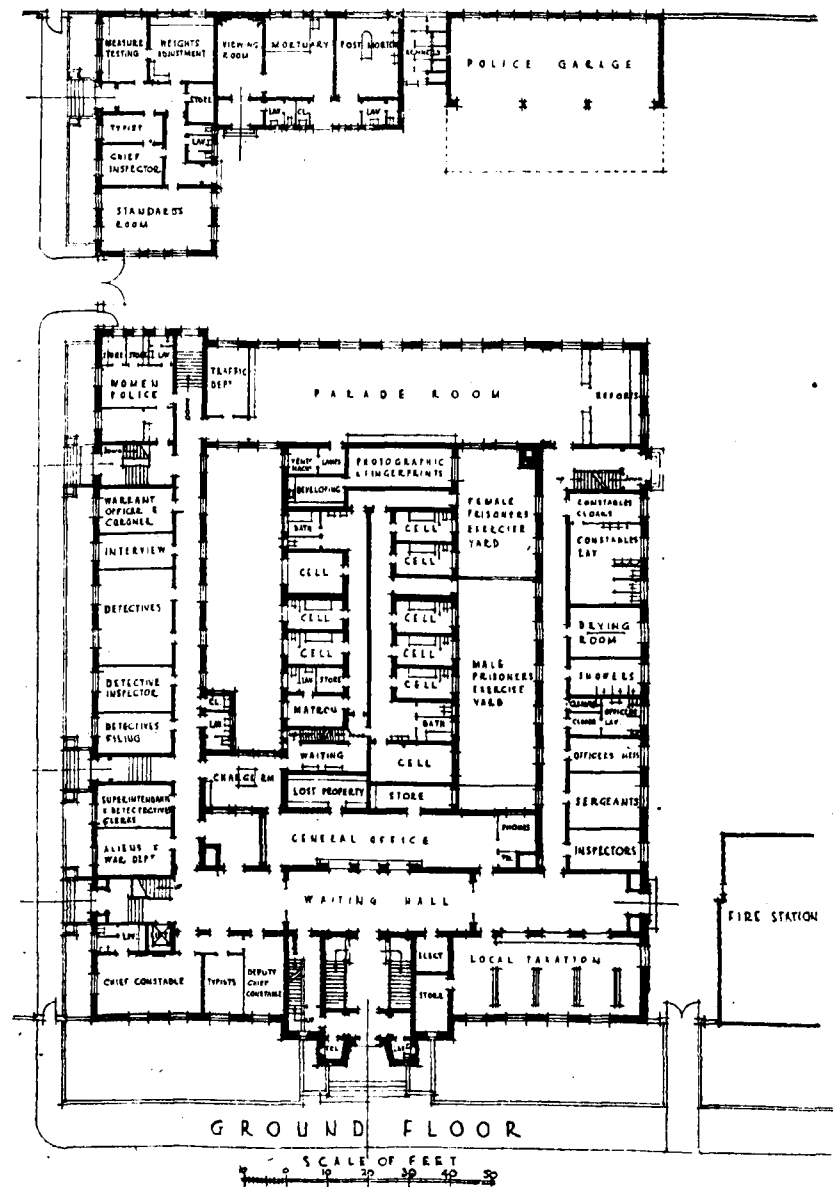
By JOHN WILLIAMSON, O.B.E.

Chief Constable of Northampton

THE new Headquarters of the Northampton County Borough Police have aroused great interest in Police circles. Competent persons who have looked over the new Police accommodation have expressed themselves variously respecting the style of building, but there is unanimity on this point—that the building provides the “last word” in police architecture.

The ideas comprised in the building are not new by any means; but the treatment of the ideas, of course, is another matter. What has been provided at Northampton is probably an all-round improvement on the pioneering work done elsewhere.

In providing new Police Headquarters each town or city has limits set according to the site available. Here in Northampton the Prison was closed, acquired by the Local Authority, and demolished. The site then available was of about $3\frac{1}{2}$ acres and was adequate for new Fire



Brigade Headquarters and Police Headquarters, in the geographical centre of the town. The site has further possibilities as a fine Municipal

Centre; the Baths Committee added to the scheme fine bathing facilities, including Turkish baths.

The Police and Fire Brigade being under single direction, it was possible to provide Yard and Drill Ground space without either Service encroaching upon the needs of the other. The two buildings were entirely separate, although closely linked for administrative purposes.

Incidentally, the well-equipped and arranged Fire Brigade Headquarters were occupied long before the advent of the A.F.S. and subsequently the N.F.S., and it was happily so in view of the trend of events in the fire-fighting world. It is not, however, the purpose of this article to dwell upon the accommodation required for modern fire fighting purposes. The fact, however, remains that a monumental provision in this respect stands, in spite of the changes and chances brought about by the present war.

The accommodation about to be described was proposed and planned in 1931, but for financial reasons could not be proceeded with until a few years later. However, it was ready for occupation on December 1st, 1941.

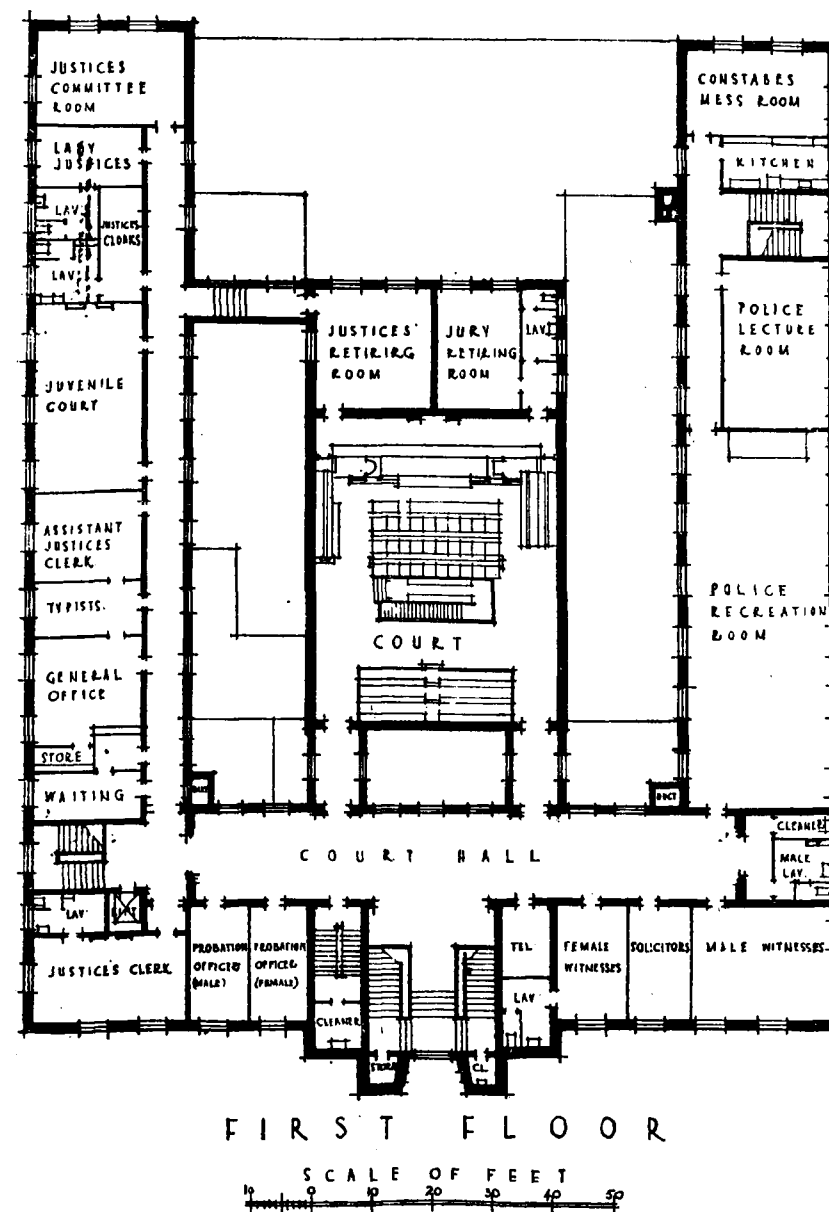
The architectural work was carried out by Messrs. J. C. Prestwich & Sons of Leigh, Lancashire, whose design was accepted as a result of an open competition, and the building was erected by Messrs. A. Glenn & Sons Ltd., of Northampton.

The requirements of the various Departments to be housed in the building were carefully considered and a schedule of accommodation prepared. It was realised that the duties of the Police are constantly changing and, too often, being increased in many directions. Provision was made for future extensions and, in addition, all internal partitions are non-structural and can, at little expense, be altered as requirements demand. The outbreak of war laid new and heavy demands on the Police, and here, in Northampton, we at least have had no difficulty in meeting all demands.

The main entrance is placed centrally. On the left, approached from the vestibule, a separate staircase is provided down to the basement and to the public gallery of the Court. This is considered a very desirable arrangement, preventing the public having contact with either the Police or others intimately connected with the business of the Court.

Ample accommodation is made in the main Police Hall for interviews. The counter is divided by piers into three sections, affording an often desired privacy for enquiries. Seats are provided where persons can wait in comfort without encroaching upon the counter space where interviews are proceeding.

The Charge Room has its own external entrance; it is quite separate from the General Enquiry Office except for a connecting door for the



convenience of the sergeant-in-charge, who can be summoned by bell when required. This is a distinct improvement on the old type of plan where the Charge Room is also the General Enquiry Office, and is an arrangement which had previously been adopted at Bradford and Newcastle.

To the right-hand of the entrance to the Police Hall is the Department for registration and licensing of motor-cars, which can be approached from the main Police Hall with direct external access on the east side.

The Chief Constable's Room, the Deputy Chief Constable's Room, with the accommodation for the secretarial staff between, are on the left-hand side of the Police Hall, closely associated with the Justices' Clerk's section, the lift and the stairway leading to the Court and attendant offices.

The section accommodating the staff engaged in the Criminal Investigation, Coroner's Officer and Warrant Officer's Room, as well as accommodation for the Women Police, are all on the left wing of the building.

The Coroner's Office is in a position within easy approach to the up-to-date Mortuary, which also provides a well-equipped room where those responsible for the Forensic Laboratory Service can work when they are called in to deal with the investigation of important cases.

Persons can reach the Coroner's Officer without feeling that they are going through the ordinary formalities of the Police Office, and persons seeking advice of Women Police can reach their suite without feeling they are "going to the Police Station," and if they have children in perambulators they can leave their perambulators in a space provided.

It will be seen that the Parade Room is at the back of the building with direct access from the Police Yard and also to the large Drill Yard used in common with the Fire Station. One end of the Parade Room is screened off as a Reports Room. Ample provision is made for cycles under the Parade Room, with inclined approach from the Police Yard.

The Traffic Department adjoins the Parade Room within easy reach of the Police Garage.

In the basement, already described in another article in this JOURNAL, is a large Lumber Room where bulky and unsightly "Found Property" can be stored, leaving offices free for the purpose they were designed. The Detective Department has its own separate Store, as have the Administrative and Licensing Departments.

The Uniform Store was designed to accommodate Special Constabulary uniform and equipment, and when the uniform and equip-

ment was issued the space was capable of being converted into a Canteen. This has been done and adds considerably to the amenities of the building at the present time.

In addition to the Cloakroom in the Uniform Section there is provision for drying wet uniforms and also shower baths. The accommodation for inspectors and sergeants is so placed that at night the senior officer can easily be called to the Charge or Enquiry Office in case of necessity.

Reference to the plan immediately reveals the relation of one office to another and shows the lay-out of the Magistrates' Clerk's Department, the Courts, the Mess Room, the Police Recreation Room, and their relation to the appropriate sections on the ground floor. Facing page 109 is a photographic reproduction showing a general view of the outside of the building.

The accommodation for prisoners is arranged in the heart of the building, and those required at Court can be produced in a minimum amount of time up a central staircase without them being unduly humiliated by being brought into public view. In case of emergencies they can be removed to special accommodation in the "basement" by the central staircase, which is continued for this purpose.

Adequate provision is made for the exercising of prisoners in open spaces in the centre of the building, and the corridor on each section, it will be seen, opens out into a common corridor adjoining the Photographic and Fingerprints Section.

The whole of the staff of the Police Section of the building can be accommodated in case of emergency in the basement, and by unplugging their telephones and replugging them in the appropriate jack, the normal work of the offices can be carried on downstairs. The space, of course, is restricted, but the general Police arrangements upstairs are duplicated in protected space below.

This scheme, which can be only briefly touched upon here for reasons which will be well understood, is part of a well thought out arrangement for Police Control as well as for Civil Defence Control in emergencies.

Embraced in the scheme for control is the Headquarters of the Special Constabulary (Foot, Mobile and Incident Officers Sections).

Many organisations suffer from lack of suitable central accommodation. Where suitable accommodation is lacking those employed in the organisation must feel that they have no standard to live up to. What is said in a general sense is particularly applicable to any unit in the Police Service. If the administrative centre of the Police is dignified, then it need hardly be commented upon that the public do not expect mean, paltry or cramped views or treatment, and the Police themselves

cannot fail to respond to what is required of them by way of courtesy and service.

The centralisation of the Police has been taken in some large Forces, in the period before the war, to the limit.

In 1925 it occurred to the writer that the Police Box was not exactly the answer to modern requirements and the Section Box was designed (see illustration facing p. 109), the fault being that between pure centralisation and the Police Box there was something left to be desired, and the Section Box is believed to be the answer—at least, it has proved so in Northampton.

In these buildings, which also provide, by agreement with other Corporation Committees, certain other public services, there is comfortable accommodation for a dozen men. There is lavatory accommodation, heating and cooking facilities, provision for hanging up heavy clothing, writing accommodation, fire extinguishers, a stretcher and other ambulance equipment.

Based upon each Section Box are a number of Police Boxes according to the number of beats or patrols, and smaller boxes sited on the outskirts of the town. A slightly larger type, less elaborate than the Section Boxes but with certain features included, are located in accordance with the requirements of the more densely populated districts.

In this town, which is over 6,000 acres, there is a Police Headquarters, six Section Boxes, five large Police Boxes and ten small ones.

The Section Boxes are located on strategic main roads which are constantly required to be manned in case of serious crimes being committed. They also can be occupied with comfort by personnel for long periods if necessary.

Interspersed, and at points where it would be difficult to find accommodation for Police Boxes, are twenty Pillars.

At each point where Section Boxes, Police Boxes (large and small) or Pillars are situated, a flasher is fixed so that attention may be called when the services of patrols are required.

In addition to this means of communication, the number of the telephone in each public telephone kiosk is known, and beats and patrols are so laid out that at least every few minutes of the day and night it is possible to make contact with men during their ordinary patrols. This removes the necessity for the constant ringing in to Headquarters and prevents undue waste of time in making needless calls. By a system of test calls it is possible to ensure that everybody is doing his job, and this, in addition to the usual visits by officers, proves to be in every way satisfactory.

This Force has remained at its present authorised strength for over thirty years, although the Borough Boundary has been extended twice

in that period. This has been achieved by working the residential areas and less congested beats by cycle patrols, which makes for easy concentration.

From the foregoing it will emerge no doubt, to the minds of those with Police interests at heart, that a well-balanced Police Service should be well housed, well administered (informed), show evidence of good welfare and should have sufficient well-placed fixed points where the public can make contact with the Police and where the Police can have opportunity to take members of the public who wish to speak to them privately or make statements in writing.

These contacts would be made at Police Boxes or Section Boxes and provide sufficient space for the units of the Service operating in the area to rest, to refresh themselves, to interview members of the public on matters requiring written statements, where prisoners can be taken to await conveyance by vehicle to the regular place of detention, and to provide a medium to call attention in emergencies of men doing their ordinary patrols.

It must be left to the imagination what can be done by the provision of Police vehicles to provide for rapid concentration and a well-established system of tie-lines between neighbouring Forces, as well as what can be done with wireless developed so that it could be used regionally as well as locally.

The day may come when Police main telephone lines with appropriate junctions will be run up, down and across country, so that when important urgent messages are to be sent, these lines will be used and the message sent by teleprinter instead of the telephone with all its attendant difficulties of accent and faint lines.

The foregoing, of course, is just an outline of the subject "Accommodation and Communications," and it might be useful just to record that the organisation which has grown up and is known as the Mobile Section of the Special Constabulary, as well as the Police Messenger Service, has great possibilities as Auxiliaries, not only in times of stress like those through which we have been passing but, particularly, in the case of the Messenger Service, if rightly handled, it may provide a field of recruitment from which vacancies in the Service can be filled by those who must have been growing up in our midst with an accumulating Police sense.

Consolidation of Powers of Arrest

BY INSPECTOR FRED CALVERT

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IF asked to supply reasons for the participation of this country in the present war it is likely that, sooner or later, most of us would make reference to "the principles of freedom" or "the liberty of the subject." Post-war planning is the fashion at the moment and, in this connection, might it be suggested that much could be done to clarify the legal position in regard to "the liberty of the subject"? Any removal of the freedom of the individual has always rightly been regarded as a matter of grave importance, but, when reference is made to legal text-books, one is confronted by a mass of complex, and sometimes contradictory, legislation which can only cause confusion in the minds of many.

The position is common to the powers of arrest as they apply to both the constable and the private individual alike. Common law powers are closely interwoven with statutory powers, and many Acts of Parliament are so framed that it is necessary to consult several other Acts before the extent of the right to arrest in respect of a particular crime can be established.

To quote a typical example:

The Offences against the Person Act, 1861, includes the misdemeanour of indecent assault, but the Act gives no power to arrest. When reference is made to the Prevention of Offences Act, 1851, it is found that any person can arrest for the crime when the offender is found in the act of committing the assault between 9 p.m. and 6 a.m. If yet another Act—the Children and Young Persons Act, 1933—is consulted, it reveals, in brief, that a constable can arrest the assailant if he finds him committing, or reasonably suspects him of having committed, the assault upon a person under the age of 17 years, provided the constable is not satisfied as to the offender's identity or if he has reason to believe that there is a possibility of him absconding. Still another authority is provided by the Common Law, which permits the arrest of the indecent assailant when a breach of the peace accompanies the assault, provided he is found in the act of committing.

Surely such a position justifies the urge that something should be done to simplify and consolidate the law relating to powers of arrest.

Let us consider the position of the private individual who effects an arrest. In practice it is found that he usually detains the wrongdoer only when his own interests are involved or when the crime committed

is particularly serious. Yet even in these instances he often exposes himself to the risk of a civil action for illegal arrest. It is demanded that every member of the community shall know the law, but the writer suggests that the man in the street cannot be expected to appreciate his powers in their present state. Does the private individual know that while the law will give him full support when he arrests a thief and is able to prove that a theft has been committed, it will not support him if he makes a similar arrest when he cannot definitely prove that property has been stolen? Similarly, can he be expected to understand that while he can arrest the two men whom he dimly sees committing some filthy act of indecency during the night time, he has no power to arrest on view of the same act committed in broad daylight? Finally, it would appear incongruous that while a conscientious parent has a power to arrest the man whom he sees exposing his person to his child's governess, he has no such right if he sees the same act committed within view of his young and impressionable son.

It may be submitted that actions for wrongful arrest are the exception rather than the rule, but, in spite of this, it is suggested that the public-spirited individual should have some easily understandable legislation which fully describes and standardises the limits of his powers.

The authority of the police-constable is necessarily greater than that of the private person, and this, together with the frequency with which he effects arrests, makes his problem all the more difficult. He is regularly required to decide whether to arrest at a moment's notice and his decision is not infrequently a matter for long and involved judicial argument. In pursuit of the maxim "The proof of the pudding is in the eating," consider the legal aspects of the following incidents:

(a) On a certain afternoon the constable sees an intending thief on the roof of some private premises. In the absence of evidence showing an attempt to effect an entry, the constable must establish whether the premises concerned come within the description of "dwelling-house, warehouse, coach-house, stable or out-house" before he can legally arrest.

(b) The constable catches a thief in close proximity to a cemetery. He is discovered to be in possession of some cultivated flowers, obviously stolen from a grave. The law will recognise the constable's power to arrest if they have been filched from a jam jar, but not if they have been plucked from the grave in a growing state.

There are other similar inconsistencies, and while the officer can usually be relied upon to do the right thing, there is little doubt that he would welcome some protection against the uncomfortable moments he

is likely to experience if some vindictive individual takes advantage of the letter of the law.

It has been properly held that a constable's most important duty, excluding the saving of life and the protection of property, is the prevention of crime. His powers in this direction are worthy of consideration. Most of the preventive authority given to him is applicable only during the night-time (*i.e.* between 9 p.m. and 6 a.m.). Three Statutes—the Malicious Damage Act, 1861; the Offences Against the Person Act, 1861; and the Larceny Act, 1916—authorise arrest by the constable when he finds an intending offender "lying or loitering" during the night under circumstances which indicate that he was about to commit some felony against these Acts. The Larceny Act, 1916 also gives him power to arrest any suspect encountered by night in possession of house-breaking tools without "lawful excuse" (s. 28), and still another Act, the Prevention of Offences Act, 1851, contains a power which enables him to arrest an offender who is found committing any indictable offence by night. Compare these wide powers with the constable's preventive authority at other times of the day. Probably his only effective powers are those contained within the Common Law and the Vagrancy Act, 1824. The Common Law authorises him to detain anyone seriously threatening to commit a felony in his presence, but this power lapses immediately the felonious intent leaves the mind of the prisoner. The Vagrancy Act powers become operative when the would-be offender is discovered (*a*) in possession of an offensive weapon with intent to commit a felony; (*b*) in possession of a house-breaking implement with intent to break into a building; (*c*) on enclosed premises for an unlawful purpose (*i.e.* criminal purpose); or (*d*) if he is a "suspected person" or "reputed thief" found frequenting or loitering in any public place with the intention of committing a felony. Present-day experience indicates that many crimes once peculiar to the night-time are now frequently committed at other times of the day. It is suggested that new preventive legislation to apply at all times of the day and night would be of considerable help in covering this development.

Mention has already been made of certain curious limitations imposed by Statute and Common Law, and this phase of the subject is probably worthy of more deliberation. When one appreciates the real purpose behind the various enactments concerned, it would appear that the flaws were never intended, but, in the absence of High Court rulings, these shortcomings must cause some misgivings in the mind of the officer whose policy is "look before you leap." May the writer be pardoned more examples to prove his point?

(*a*) The Larceny Act, 1916, gives authority to any person to arrest

an offender found in the act of obtaining money, chattels or valuable securities, by means of false pretences. The power does not specifically extend to the crime of "attempt false pretences." Is doubt therefore to be entertained as to the right of arrest vested in the individual who has sufficient intelligence to perceive the deceit and so make the complete commission of the crime impossible?

(*b*) The Common Law provides the power to arrest anyone found in the act of committing a felony. How is this intended to apply where the offender is interrupted in the middle of a felonious transaction and, as a result, is only amenable for the misdemeanour of "attempt felony"?

The writer fully agrees that any competent legal authority would doubtless countenance and uphold a decision to arrest under such circumstances, but a clarification would at least satisfy the careful individual who demands a definite authority for any action which he takes.

While the difficulties cited only represent a part of the total problem, it is suggested that a comprehensive "Powers of Arrest Act" would fill a long-needed want—even if only made applicable to indictable offences. If all the proposals of the writer were acted upon it would mean a considerable extension of the powers of the police and resultant doubts as to the possibility of abuse. In refutation of such a possibility the reader is referred to the much wider police powers contained in the Defence (General) Regulations, 1939, and amendments. This wartime legislation has been operative for over three years and there is nothing to suggest that the powers contained in it have been improperly used. If this can be taken as a true indication of the practical application of the powers of the police, it is suggested that there should be no need to apprehend the unfair exploitation of any authority given to them in the future. At the moment many people are advocating the complete revision of the laws of the country, but such a task would be tremendous and probably take some years to complete. The same principle, applied to powers of arrest only, would be comparatively simple, and the present procedure of Courts of Law and legal practice would not be materially affected.

Arguments against the adoption of the scheme can be found, but it is submitted that it contains much of practical value, particularly in its relationship to the powers of the constable. In the past hundred years the British "peeler" has slowly but surely built himself a reputation as one of the most worthwhile influences in the community, and he pursues his difficult duty with the support and confidence of the public. To simplify and extend the legislation along the lines suggested would assist him in obtaining a comprehensive understanding of his

powers. In addition, it would equip him more adequately for the performance of his duties of preventing and detecting crime and the law-abiding citizen would undoubtedly find his own rights and liberties enhanced as a result.

The Colonial Police

The following appointments are announced by the Colonial Office:

ALCOCK, R. N. (Assistant Superintendent of Police, Nigeria)	Assistant Superintendent of Police, Sierra Leone.
BLAD, U. E. (Assistant Inspector of Police, Uganda)	Assistant Superintendent of Police, Uganda.
FRASER, M. L. (Superintendent of Police, Gold Coast)	Commissioner of Police, Nyasaland.
SWAIN, H. S. (Deputy Superintendent of Police, Palestine)	Senior Superintendent of Police, Aden.

Review

FIRST AID IN CIVIL DEFENCE. By REGINALD G. WINDER. London :

The Fountain Press, 11-13 Breems Buildings, E.C.4. Price 1s. 3d. net.

THIS book deals with First Aid procedure when a large number of casualties occur—in the Author's words it is "A textbook on Party procedure at Incidents." As such it will be welcomed by Police no less than by A.R.P. workers. Mr. Winder is a staff officer of the Brighton Casualty Service, as well as a Corps Officer of the St. John Ambulance Brigade, and his book has the imprimatur of Surgeon-Captain Ellis, Asst. M.O. for Civil Defence at Brighton. His instructions are lucid and to the point: they are based on A.R.P. Handbook No. 10, "supplemented by the experience gained in twenty years of First Aid work, and first-hand knowledge gained at air raid incidents during the present war." It will be useful to Special Constables, and we commend it to all A.R.P. workers. The recent reduction in the personnel of the Civil Defence Casualty Services has necessitated the training of new part-time members, and to these especially the book will be welcome—and serviceable.

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War Commentary

POST-WAR

MOST of the organisations which represent public and professional interests are already turning their thoughts to the consideration of post-war plans and problems. The "ifs" and "provisos" of a year ago have merged into "when" and "how" our world shall be shaped on the coming of victory to the cause of the allies and the complete destruction of the Axis war machine. Both the County Councils' Association and the Association of Municipal Corporations, which concern themselves with the many and varied problems of local government and, through their respective Police committees, are instruments for the formulation of thought and planning on the part of Police authorities outside London, are examining possible changes in the organisation and control of Police forces, and the degree to which central direction by the Home Office, on the one hand, and local control and responsibility by the Police authorities, on the other, should be resisted, modified or extended.

It is right and opportune that, while the war and its effective prosecution must continue to engage the full attention of everyone, no time should be lost in setting up the machinery for the consideration of those special problems with which the Police will immediately be faced at the cessation of hostilities. The end of a battle is not the end of the war, and it may well be, as Mr. Churchill forecast in his recent speech, that the ultimate end of the present conflict will be reached by stages, the first beginning possibly in the European theatre. In November 1918, when the armistice was signed in France, the bulk of the people hastily concluded that the war was ended, and, as the event proved, quite inadequate measures were taken to inform the people that an armistice and not a peace had been declared. At that time, in common with every other aspect of government, new Police problems immediately arose which imposed acute strain on the resources, manpower and, in some vital areas, even on the loyalty of the Police forces. There is now a need clearly and resolutely to envisage the possible

reaction and temper of the people whose sacrifice and effort are being maintained in the long struggle to victory, but which experience teaches are liable after achievement of our aims to deteriorate and diminish. At that stage the efficiency of the Police, their ability to maintain law and order, and to give the nation that tranquillity, that safety and protection for life and property on which public morale very largely depends, will be maintained only if the Police are ready and adapted to the needs of the situation. Improvisation and haphazard plans hurriedly drawn without consultation with the interests which are closely related to, and often much interwoven with, the duties of the Police, will result in the perpetration of clumsy errors and individual hardships, which in their turn stimulate industrial disunity and diminishing confidence, and worse.

The change from war to peace, from war effort to the concentration of the national effort on the production of machines of war, and the transfer of the nation's manhood from fitness for battle to the tasks of rebuilding and reconstruction will involve a steady rather than an immediate change. The functions of some departments of Government will rapidly expand, while those of others will dwindle. Controls will remain, in some spheres probably for years, in order to ensure equitable distribution of commodities. The Nation's domestic problems will be many, apart from burdens which will have to be shared by the United Nations in connection with the control and maintenance of order in the freed peoples of Europe and the enemy states.

In the home police service, therefore, the prime need will be a loyal and efficient force, well disciplined, with competent leadership and maintaining that measure of public confidence which has sustained the good name of the Force in the war years. The question of selection and training will come to the forefront of any committees appointed to consider the post-war problems of the police service. In this connection the need for national schemes for training, perhaps on lines suggested in the article which appears at p. 119 of the present volume, deserves examination.

In the immediate post-war years the problem of the black market and other aspects of war-time crime may change from their present forms, but are likely to be even more acute. To deal with them, plans need to be laid now for equipping and strengthening the detective and other specialist departments of the forces which combat crime.

The loosening of public morals, which is an inevitable concomitant of war-time, when people in every sphere are to be found who have no respect for Government property and perpetrate frauds on public funds with considerable impunity, lends emphasis to the need for special machinery and men to deal with them. In the immediate post-war years

economy will be the order of the day. Its necessity will be readily realised, but it will be false economy to deplete the police organisation by such a scale as to give rise to public wastage through crime losses. A strong, well-equipped, efficient and loyal police force will be the best deterrent against crime, and a healthy means of restoring public probity, sobriety, and the self-respect of the community.

INTERNATIONAL POLICE

The terminology being introduced to describe the machinery which various writers consider should be set up to maintain peace after the war is unending. A "Council of Europe," as a counterpart to a "Council of Asia" and a "Council of Africa," to which the Prime Minister has referred, perhaps best describes the theory of International Government which is desirable. In a recent speech, Mr. Herbert Morrison, M.P., spoke of a "world political association." Talk of the revival of the League of Nations is seldom resorted to. Mr. Morrison declined to give his "world political association" a name, since names raise memories or rouse prejudices. The association which he envisages must provide the means by which the peoples of the world will find the necessary solutions for world problems. No more must such solutions be sought by an unregulated and precarious balance of power, or by the perilous braggings of separate armed nations. It must be sought by reasoned and joint approaches to questions of difficulty and problems of change, approaches in which there is general readiness to sacrifice the old idea of national sovereignty in the interest of common action.

The "world association" must be fully representative (as the League of Nations was not) with a unified resolve to work out and implement a positive policy, and possessing (as the League of Nations did not) a force fully sufficient to achieve its agreed purposes and to restrain those who would impede them.

In short, the "Council of Europe" will be useless unless the "police idea," of which Mr. Charles Reith has written so admirably, is extended to European affairs.

An International Police Force is sometimes mentioned as though it means the occupation by military forces of strategic points. Mr. Morrison has observed that a police force means no such thing; in his view it means a civil agency of inspection, supervision and control, with a military force in the background that need only be of moderate size—though sufficient for the purpose—because it has no competing military forces to reckon with. In considering the extension to European ideas of the "police idea," it is fundamentally necessary to appreciate the rôle of a police force. The success of the English Police, as opposed to the failure of the German police system, is fundamentally due to the

fact that in England the policeman is literally the "arm of the law," and not the arm of the Government of the day. In other words, the function of administering the law in England rests upon the triumvirate of legislature, magistracy and executive. Parliament makes the law, but does not administer it or direct its enforcement. The judicature and magistracies interpret the law and award penalties for its infringements. The police force, as the executive arm, enforce the law as made by Parliament, but have no part in deciding the punishment awarded by the Courts for the infringements which they detect and bring to notice. The "Council of Europe" will require to be founded on a similar triumvirate, with its effectiveness depending not only on its ability to make laws, but equally upon the courts of justice required to interpret its rules, and upon the "international police force" necessary to enforce the decisions of the international judicature.

SOCIAL SECURITY

The plan for social security, by which Sir William Beveridge has outlined a programme for the revision and unification in Great Britain of social insurance and allied services, is of interest to the Police from two angles. The Removal of Want, which is the main theme of the Report, will be a step forward in social progress which will make its mark on the root cause of most of the crime with which the Police are concerned to prevent. Secondly, from the domestic angle of conditions of service within the police force, unified social insurance on the Beveridge Plan will involve a revision of the Police Pensions Scheme. The plan will require very careful consideration from both these angles, and it is to be hoped that opportunities will be afforded for its consideration by the Police themselves before steps are taken by the Government to implement the recommendations by enactments. How soon legislation is to be embarked upon is uncertain, the Prime Minister's note of caution having been received in some quarters somewhat frigidly and in others but lukewarmly. That the plan will take shape in due time is as inevitable as most other forms of social progress. It may be deferred by hesitation, weakness, doubts or procrastination; it may even be crippled by ignorance or lack of foresight; but that eventually it will take shape is sure.

The Beveridge Plan is an attack on Want. Crime and poverty have always been related closely to each other, and the removal of want can be welcomed by those whose duty it is to prevent crime as a further means of improving the social record of the community in this respect.

The "all-in" policy recommended in the plan is based on contributory payments by employers and employees at the maximum joint

rate of 7s. 6d. per week, and the plan provides for free medical and hospital treatment of all kinds for every citizen, pensions rising to 40s. for a husband and wife on retirement, children's allowances of 8s. a week, big increases in unemployment and disability rates, and abolition of the means test in most cases. In addition, a £20 funeral grant and a new "charter" for wives, including a marriage grant, increased maternity benefit and household help in sickness, are proposed.

All these benefits would be paid for by a single insurance stamp, with a maximum weekly rate for men employees of 4s. 3d. and for employers of 3s. 3d., and the scheme, which could be begun on July 1st, 1944, would be administered by a Ministry of Social Security, headed by a Cabinet Minister, and having offices throughout Britain. The Ministry would take over many duties from Government Departments, and in its work at local offices would deal with benefits, assistance and claims of all kinds. Industrial assurance would thus be made a public service, retaining the ability and experience of staffs of all grades.

A twenty years' transition period is proposed, during which pensions would rise gradually to the full basic rate. Persons qualified for contributory pensions under the present scheme would, subject to retirement, receive pensions at the basic rate of 25s. (joint) or 14s. (single), rising every two years by increments of 1s. 6d. (joint) or 1s. (single) up to the full basic rate of 40s. (joint) or 24s. (single) in 1965.

Sir William Beveridge points out that the advantages of unified social security, which are admittedly great and unquestionable, can be obtained only at the cost of changes in the present administrative machinery, whose necessity needs to be proved, and can be proved case by case. The principal changes from present practice that are involved in the plan include a reference to the Police, and the recommendation is made that persons in particular occupations, such as the Civil Service, Local Government Service, Police, Nursing, Railways, and other pensionable employment, shall have their present exceptions from insurance abolished. Sir William's arguments for these changes are that if those industries and occupations which have a large risk of unemployment are required to "stand in," together with all others, those occupations which claim to have no risks of unemployment may also be required to "stand in" with the others. Any distinctions within the scheme lead to difficult demarkation problems. Where, as with the Central Government and with Railway Companies, some of the employees contribute for unemployment insurance while the others are exempt, the additional objection may be made that the industries escape contributing their full share to the Unemployment Fund. The plan depends for success on all industries standing together as regards unemployment.

This proposal means that persons in the excepted occupations, *e.g.* the Police, and other employers, will have their contributions for social security increased very substantially—and more than employers and employees in other occupations. The greater part of the security contribution is required as provision for contributory pensions which, under the plan, will be paid up to a subsistence minimum to all citizens, but the full rate of contributory pensions will not be reached till the end of the specified transition period.

Since police pensions were first introduced in 1890, and in one or two instances even earlier than that year, a widespread change has taken place. In 1890 pensions were obtainable in only a small number of occupations, and few compared as favourable as the Police. Old-age pensions were not introduced until 1908, and National Health Insurance was not in existence in 1890. Very considerable advances have been made in the last decade in the extension of pensions and pension schemes to a variety of persons. No police witnesses appear to have been heard by Sir William Beveridge, and it seems clear that a number of questions relating to the peculiar status and conditions of Service in the Police will require further examination before legislative action is taken to bring the Police Pensions Acts into line with social security legislation.

HOME GUARD ANNIVERSARY

The celebrations held on May 16th to commemorate the third anniversary of the creation of the Local Defence Volunteers—now known as the Home Guard—rightly evoked many tributes to the efficiency and progress made by the citizen army of Great Britain. The acute risks of 1940 and 1941, when the Home Guard was ill-equipped, untrained and lacking everything but a patriotic determination to make the enemy pay for every acre he might occupy, have given place to a Military Force which is taking an ever-increasing share in home defence, and thus releasing large numbers of regular troops for duties in other spheres. The Police who, on May 14th, 1940, with their usual adaptability and resourcefulness were called upon to act as “midwives” in the birth of the Home Guard, can take a justifiable pride in the progress which the lusty infant has made in the first three years of its existence. The Home Guard has more than fulfilled the hopes of those who were responsible for its early organisation, and not least of its contributions to the national cause has been the spirit of comradeship and unity which, in conjunction with the Police and the Civil Defence Services, every local community has had kindled and fostered amongst its members of all ages and in all ranks.

The Police and the Law

STATEMENTS MADE TO COURT BY POLICE OFFICERS AFTER A CONVICTION

“FOR many years it has been known that after the conviction of a prisoner it is the duty of some responsible officer of Police to tell the Court what he knows about the prisoner as the result of inquiry, where it would involve great difficulty and expense to prove the facts by legal evidence. . . . At times, no doubt, police officers on these occasions say more than they ought to say against prisoners.” This was said by a former Lord Chief Justice in 1911 (*R. v. Campbell*, 6 *Cr. App. R.* 131), and the same matter was recently discussed by Mr. Justice Humphreys in *R. v. Burton* (28 *Cr. App. R.* 89), a case which was noted in this JOURNAL last October (vol. xv, page 248). In *R. v. Van Pelx* (1942, 59 *T.L.R.* 115) the Court of Criminal Appeal enlarged on what was said in these two cases.

There was an application for leave to appeal against a sentence of fifteen months imprisonment passed by the Recorder on a conviction of larceny. After conviction a police officer was called; he gave the age of the convicted woman and the main details of her life for some ten or twelve years. It appeared that the first part of this police statement was unobjectionable, but the latter part ought not to have been given. If the Recorder, in sentencing the woman, had paid attention to these statements and had sentenced her on the basis that they were true, the Court of Criminal Appeal might have reduced the sentence. But it seemed plain that the Recorder had sentenced her on the assumption that she was a woman of good character. It was, therefore, only necessary for the Court of Criminal Appeal to pronounce on the propriety of police officers who are called to assist the judge in such circumstances in making general statements about other offences and so forth.

In giving the judgment of the Court, Lord Caldecote, C.J., said: “When a police officer is called to give evidence about a man who has been convicted, he should in general limit himself to such matters as previous convictions, if any, and antecedents of the prisoner, including anything that has been ascertained about his home and upbringing in cases where the age of the person convicted makes this information material. We think that it is also the duty of the police officer to inform the Court of any matters, whether or not the subject of the charges which are to be taken into consideration, which he believes are not disputed by the prisoner and ought to be known by the Court. Police officers should inform the Court of anything in the prisoner's favour

which is known to the police, such as periods of employment and long periods of good conduct. We have no reason to believe that this is contrary to the present practice of the Police, who as we all know, constantly inform the Court of matters which are in the prisoner's favour. It is also the duty of counsel for the prosecution to see that a police witness, when speaking on all these matters, is kept in hand, and is not allowed, much less invited, to make allegations which are incapable of proof, and which he has reason to think will be denied by the prisoner."

His Lordship concluded his remarks by saying that they were not attempting to lay down a rule in such wide, and at the same time such exact, terms as would cover every case, because that would be impossible, but he hoped that his observation might be some guide to the right practice. In *R. v. Van Pelz* the Court of Criminal Appeal thought that the police officer went further than he should have done; but as the Recorder had not been influenced by the improper statement in imposing sentence the Court did not think it right to interfere with the sentence.

THE VALUE OF POLICE PHOTOGRAPHS AS EVIDENCE

Photographic evidence plays an ever-increasing part in criminal trials, but it ought not to be overlooked in Police practice that the value of photographic evidence depends on the value, as evidence, of the thing photographed. In this way may be expressed the gist of certain criticisms made by Mr. Justice Croom-Johnson at the York Spring Assizes. He referred to "undue elaboration" in the preparation of cases for trial and made particular reference to a number of photographs supplied by the Hull police on a murder charge from Hull. His Lordship said that it was time some steps were taken in war-time to see that the cases were not prepared for trial with undue elaboration, and he added: "In a case I tried yesterday, fifteen copies of books of photographs and a most elaborate plan were provided for the jury, counsel and myself. At my invitation the jury looked through the books of photographs to see whether anything useful could be obtained, and I looked through them myself. There was nothing."

His Lordship said that he thought a way out of the difficulty was that much material, illustrative of the evidence, should not be produced by the Police unaided, and that the advice of counsel should be obtained before such things were done in future.

A few days after this Assize case the Hull City Coroner expressed his own views on photographs as evidence (*The Yorkshire Post*, March 11th, 1943). At an inquest on a boy who had fallen head foremost into a dustbin in the yard of an empty bombed house, and who had been

drowned in the water accumulated in it, the Police Photographic Department produced photographs of the bin and its surroundings. The Coroner observed that in the past Police photographs had been very helpful to him and, "in view of some remarks made in another court," he wanted to know that the police were not going to be deterred from taking photographs. They were very excellent photographs and the police had never sent too many. The Chief Constable of Hull thereupon thanked the Hull City Coroner very much. The Chief Constable said that he had always assumed that when the police are called to any case where they consider photographs are necessary, it is their duty to take photographs and produce them to the appropriate court. He referred to the fact that at an earlier inquest that morning the police had not produced photographs of the scene of a road fatality, and said: "We have always done so until to-day. . . . Now that I know your view, I can assure you I shall continue with my photographic department as heretofore." The discussion was concluded by a sweeping *dictum* by the Coroner that "photographs will always be very valuable evidence."

The truth of the matter lies in the fact that there is always a latent danger of valuing evidence according to its bulk. It is an old maxim of English law that testimony is to be weighed, not counted. Voluminous evidence may carry little legal weight and the danger of being unduly impressed by volume is greater when, as in the case of the photographs, the evidence has been produced only after time and skill have been spent on it.

Recent Judicial Decisions

NO REDRESS FOR BREACH OF PRISON RULES

Arbon v. Anderson

THERE is no trace, in this country, of a prisoner bringing any action based on alleged breaches of Prison Rules until the case of *Arbon v. Anderson* (59 *T.L.R.* 149). Under the Prison Act, 1898, section 2, provision is made for the "government" of prisons by means of Prison Rules. It was held in the recent case that these rules do not confer rights which can be enforced by action. The question whether the breach of a duty imposed by statute confers a right of action on an individual depends on the scope and language of the Act and on considerations of policy and convenience. Lord Justice Goddard, who tried the action, was clearly of opinion that neither the Prison Act nor the rules were intended to confer any such right. The safeguards against abuse in the treatment of prisoners are appeals to the governor, to the prison visiting committee, and, finally, to the Secretary of State.

In *Arbon v. Anderson* the plaintiff brought an action against Sir John Anderson, a former Home Secretary, Mr. Herbert Morrison, the present Home Secretary, and the governors of various prisons, for damages for alleged breach of statutory duty while the plaintiff was detained under Regulation 18B of the Defence (General) Regulations, 1939. The complaint was that the treatment which the plaintiff received during his imprisonment or detention was not in accordance with the instructions issued by the Secretary of State in January 1940, relating to persons detained under the regulations, and was not in accordance with those of the Prison Rules, 1933, which apply to prisoners under remand or awaiting trial, and which by paragraph 12 of the instructions were applied to persons detained under the regulation, subject to the special conditions of the instructions.

In January 1940 certain instructions were issued in the form of a White Paper which was laid before Parliament. It was held that in so far as there had been any serious departure from the instructions contained in the White Paper, they were known to and must be assumed to have been approved by the Secretary of State. But it was held, as a matter of law, that the White Paper contained nothing more than administrative departmental instructions which could not, and were not, intended to confer any rights on prisoners. There was no obligation to communicate them to Parliament, still less to the prisoner. They could be altered or withdrawn at any time. The prisoner could not acquire any cause of action under the White Paper even if there had been a wilful disregard of the instructions by the governors.

With regard to the Prison Rules, Lord Justice Goddard found that there had been no breaches, and even if there had been the prisoners had no right of action. "While I do not think it necessary to decide whether, if a person sustains personal injury through an act of negligence of a prison officer, he can bring an action, it seems to me impossible to say that, if he can prove some departure from the Prison Rules which caused him inconvenience or detriment, he can maintain an action. It would be fatal to all discipline in prisons if governors and warders had to perform their duty always with the fear of an action before their eyes if they in any way deviated from the rules."

THE PRACTICE OF TAKING OTHER OFFENCES INTO CONSIDERATION

R. v. Davis

It is not only the Police who have a responsibility when a convicted person is to have other offences taken into consideration before being sentenced. In *R. v. Davis* (1943, 1 *All E.R.* 305), the Court of Criminal Appeal made it clear that counsel for the prosecution is under an obligation of seeing that the proper procedure is observed. It was an

application for leave to appeal against a sentence of three years penal servitude which was passed upon the applicant at the Hertfordshire Quarter Sessions in respect of the obtaining of money by false pretences, to which he had pleaded guilty, and in respect of thirty-three other similar offences which were taken into consideration against him. The kind of pretence made was that he went round to people pretending that he came from an eye hospital and that he had some skill as an oculist. By this means he obtained money for glasses, which he promised to deliver and never did. He obtained £60 from one person by this means, and the thirty-three other offences which were taken into consideration were all committed in the months of August and September and involved a total amount of about £70. The applicant was a man of forty-seven years of age and had six previous convictions.

What happened at the trial was that a police officer was asked by counsel for the prosecution whether there were thirty-three other offences which the accused desired to have taken into consideration. The reply was "Yes." The police officer then stated that the prisoner had been served with a list of offences and a copy of the list was then handed into court. The accused had signed the list of outstanding charges, adding in his own handwriting: "I admit the above offences." His counsel in court and in his presence also told the Recorder that the accused instructed him to say that he admitted all the offences and desired them to be taken into consideration. Nevertheless, the Court of Criminal Appeal held that the proper practice, designed in the interests of fairness to the accused, had not been observed.

The proper practice is for the man himself to admit and ask for the offences to be taken into consideration if he so desires. The practice is peculiar because it does not allow counsel to admit the other offences on behalf of the accused. He must admit them himself and personally apply that they be taken into consideration. But in all the circumstances the Court saw no reason for interfering with the sentence. It did not follow because a strict and accurate course was not taken that, in the circumstances of a particular case, where the Court was satisfied that the prisoner did admit and desire other cases to be taken into consideration, the Court should interfere with the sentence.

JUDGE'S INTERROGATION OF JURY AFTER VERDICT

R. v. Larkin

Among the points which arose in the case of *R. v. Larkin* (59 *T.L.R.* 105) was the propriety of the trial judge putting questions to the jury about the verdict which they have returned. This was an appeal against a conviction of manslaughter by the jury at the Liverpool Assizes on a charge of murder of a woman with whom he had lived. After the verdict

had been brought in, the judge asked—no doubt to assist him on the sentence to be passed—on what ground they had reduced the case from one of murder to one of manslaughter. There might, on the facts, have been two grounds: first, provocation and, secondly, the jury might have accepted the evidence of the accused and, if they did so, it would have been right for them to find a verdict of manslaughter, because there would then have been no deliberate voluntary act on his part causing death.

In the opinion of the Court of Criminal Appeal, the trial judge's question was "a most undesirable one to put." "To begin with it was put to the foreman of the jury, and there was no indication that the judge wanted the jury, as a body, to answer it. A jury is, as we in this country think, the best method yet devised for dealing with a serious criminal case and the best tribunal possible for deciding, under proper direction, whether a man is guilty or not. But no one suggests that a jury is composed of persons who are likely to be able to give a logical explanation at a moment's notice of the method by which they arrived at their verdict. The result in the present case was that the foreman became confused and gave two different explanations. His answers could not be of any importance with regard to the conviction of the appellant, and if they had any effect at all it must have been in relation to the sentence." The judgment concluded by saying that the Court of Criminal Appeal deprecated questions being put to a jury on the meaning of the verdict which they have returned. If a verdict is apparently inconsistent, proper directions may be put with a view to its being explained; but if it is perfectly unambiguous in its terms, it is undesirable that any questions should be put at all.

APPEAL OF PERSONS UNDER 18 AGAINST SENTENCE FOR MURDER

R. v. Collins

The appeal in *R. v. Collins* (1943, 1 *All E.R.* 203), of a youth under the age of eighteen after being convicted of murder, raised two questions for the Court of Criminal Appeal. The applicant asked the Court to extend the normal time allowed for bringing an appeal. Under the Court of Criminal Appeal Act, 1907, section 7, the Court has power to extend the time for leave to appeal in any case "except in a case of a conviction involving sentence of death." The applicant had not been sentenced to death, but, under section 53 (1) of the Children and Young Persons Act, 1933, had been ordered to be detained during His Majesty's pleasure. It had been held in 1920 that an extension of time for leave to appeal against a conviction of murder cannot be allowed; but at that time, before the passing of the Act of 1933, a sentence of death was always passed on a conviction of murder even in the case of a young

person in respect of whom the sentence could not be carried out. The Act of 1933, besides raising the age below which a murderer cannot be hanged from sixteen to eighteen, has abolished even the form of passing the death sentence. It was therefore held, in *R. v. Collins*, that there was no reason in law why the Court of Criminal Appeal should not extend the time if they thought it right to do so.

The applicant, further, asked the Court to review the sentence which was passed upon him. It was held that the Court had no power to do this, as the sentence was fixed by law under the Act of 1933 and the judge could pass no other sentence than that of detention until His Majesty's pleasure be known. A sentence of death for murder is, by the common law, one of the rare instances in which a sentence is fixed by law, and the sentence which replaces this for a person under the age of eighteen is also fixed under the statute. In the case of a fixed sentence, neither the trial judge nor the Court of Criminal Appeal can lessen or increase it.

APPEAL BY CASE STATED AFTER DEATH OF APPELLANT

Hodgson v. Lakeman

In *Hodgson v. Lakeman* (168 *L.T.* 78) an information was preferred at a court of summary jurisdiction at Carlisle by the respondent, Chief Constable of Carlisle, against the clerk to the Cumberland County Council, charging him with an offence against the Lighting (Restriction) Order, 1940, at one of the Council's Offices. No proceedings were taken against the council. The justices, being of opinion that the council was guilty of the offence charged, convicted the appellant "as their chief clerk and chief officer" and fined him 35s. The clerk entered an appeal against the conviction and on his application the justices stated a case for the opinion of the Divisional Court, but he died before his appeal could be heard.

It appears from the arguments in the Divisional Court that the practice in such cases has not been completely uniform. The executors of the deceased appellant claimed an interest in the appeal and wished to pursue it, the respondent not disputing that claim. The Divisional Court gave leave for the appeal to be argued on behalf of the executors. In view of the peculiar form of the conviction it was ordered to be quashed. A qualified verdict in the form which the justice used was irregular.

UNLAWFUL SALE OF POISONS

Roberts v. Littlewood's Mail Order Stores Ltd.

The Poisons List may often in the criminal courts carry somewhat sinister implications, but none were present in the case of *Roberts v.*

Littlewoods Mail Order Stores Ltd. (59 T.L.R. 158) which was concerned with the unlawful sale of certain medicinal tablets. It is an important ruling by the Divisional Court, and the Lord Chief Justice said that he approached the question which had been raised in precisely the same way as he would approach it if, instead of being a question relating to the sale of a vegetable laxative, it was a question relating to the sale of a bottle of neat strychnine or any other strong poison.

Section 18 of the Pharmacy and Poisons Act, 1933, provides that it shall not be lawful for any person to sell a poison included in Part 1 of the Poisons List unless he is an authorised seller of poisons, and the sale is effected both on the premises duly registered under Part 1 of the Act, and by, or under the supervision of a registered pharmacist. Speaking of an earlier Act to the same effect, Mr. Justice Hawkins said in 1890: "Nothing to our understanding can be clearer than that the object of the Act was beyond all other considerations to provide for the safety of the public, and to guard, as far as possible, all members of the community from the disastrous consequences, so frequent in occurrence, arising from the sale of poisons by persons inadequately acquainted with their baneful properties." The recent case, which was a case stated by the justices of Barnsley at the instance of the appellant acting on behalf of the Pharmaceutical Society of Great Britain, raised the question of the extent and nature of the supervision needed in a shop selling preparations containing poisons.

The respondents, who were authorised sellers in poisons under section 9 of the Act, had a retail store where a registered pharmacist was in charge of the drug and medicine department. The appellant bought from a girl assistant in the shop two preparations, each of which contained a poison named in Part 1 of the Poisons List. At the time of the purchase the registered pharmacist was in the stockroom upstairs. It is held that there had been no supervision of the sale within the meaning of the section. The section was not dealing with the general conduct of the business, but required that each individual sale effected should be supervised by a registered pharmacist, who must be aware of what was taking place at the counter. At the same time, the Divisional Court concluded that it was conceivable that a man might be supervising something even though he was not on the spot; this might be possible with the assistance of a telephone.

PENAL SERVITUDE FOR LIFE

R. v. Green

A life sentence is a rare event in these days and is said to have been passed on a prisoner at the Central Criminal Court only twice in the last twenty years before the case of *R. v. Green* (March 11th, 1943).

The prisoner, a twenty-three year old gardener, escaped from a mental home and pleaded guilty to the attempted murder of a woman. The senior medical officer at Brixton Prison said that Green was a moral defective, but that he did not find sufficient evidence to certify him. He was well-behaved under observation. Mr. Justice Oliver clearly thought it desirable that the prisoner should be treated as a dangerous lunatic. His Lordship declared: "Moral defective or not, he is a lunatic wandering round wanting to kill a woman or child. What is the difference between him and a homicidal maniac? If he killed a child of mine, I would not care how he behaved under observation. It is a dreadful thing that a man like this can't be called a lunatic, and have done with it."

But a verdict of "Guilty but insane" proving impossible in view of the medical evidence, Mr. Justice Oliver could only conclude: "I want to put him in a place where he can't escape. Why can't he be sent to Broadmoor?" The result was that the prisoner was sentenced to penal servitude for life, and one may suppose that in the circumstances the prisoner would find it difficult to obtain the usual remission of imprisonment by good conduct. Indeed, it seems a case in which the letter of the law could be insisted on and the life sentence treated as such and not as a twenty years' sentence, which it usually is in practice.

A few weeks after the case of *R. v. Green* the Central Criminal Court was the scene of another imposition of a sentence of penal servitude for life. In *R. v. Craven* a former 18B detainee and a former member of the British Union of Fascists was charged with having, with intent to assist the enemy, posted a letter to the German Legation in Dublin announcing his willingness to assist the enemy. On conviction on April 6th the maximum sentence of penal servitude known to the law was pronounced.

THE RIGHT TO KILL SHEEP-WORRYING DOGS

The action of a farmer in shooting a pointer dog which, it was alleged, was worrying ewes on a neighbour's farm was upheld in the Scarborough County Court on April 6th. The owner of the dog sued the farmer for £30 damages for the loss of the dog. The farmer, who had previously lost two sheep through worrying, had been informed that a dog was about to attack some sheep belonging to another farmer, and taking a gun he shot the animal.

The Judge dismissed the claim, saying that he was satisfied that the defendant genuinely, reasonably, and rightly believed that the sheep were in danger and that he could not save them in any other way. It was reasonable to sacrifice the dog to save the sheep. The preservation of a flock of breeding ewes at a time like this was a matter of public

interest, commented the judge, and he quoted an ancient decision in which it was held that a man had a right to protect property for the common weal. But his Honour warned people not to read into his judgment the belief that they could shoot a dog without just cause. The test is, what is reasonable in all circumstances.

THE MEANING OF "RADIUS" IN THE MOTOR FUEL ORDER

Langley v. Wilson

An important question as to the construction of the Motor Fuel (Hire Service) Order, 1941, was decided by the Divisional Court in *Langley v. Wilson* on an appeal by case stated by the Cardiff justices. The appellant had been convicted of a breach of the provision in the order which related to journeys made in hired motor-cars when the journeys were not made for a permitted purpose and were not "within the inner radius." The "inner radius" for places outside the Metropolitan Police Area was defined as the distance within fifteen miles from the place where the car which was let out on hire was normally kept by its proprietor. The appellant argued that "radius" must be read in its usual meaning of a straight line from the centre to the circumference of a circle; but the justices, on the assumption that the object of the order was to reduce the consumption of petrol, held that in this case "radius" must mean the total distance travelled by the car within a radius of fifteen miles. This distance could easily be greater than fifteen miles.

In allowing the appeal and directing the conviction to be quashed, the Lord Chief Justice said that the word "radius" suggested a circle, and there was nothing in the order to show that the natural meaning of the word was to be abandoned. He said that the justices were right in thinking that the object of the order was to save fuel, but were wrong in giving a forced and unnatural construction to the words. The Divisional Court was under no delusions about the way in which unscrupulous persons might take advantage of the decision. Mr. Justice Lewis agreed with Lord Caldecote, C.J., but hoped that nothing said in the case would encourage people to go careering about on unnecessary journeys.

FAILURE TO REINSTATE EMPLOYEE: WAGES, BUT NO WORK

A firm who, it was stated by the defence, was willing to pay one of their employees £500 a year to keep away from their works was fined £5 5s., with £3 3s. costs, at the Manchester County Police Court in April for failing to reinstate a man at the direction of a National Service Officer. On behalf of the Minister of Labour it was stated that the courts often had before them cases where workpeople failed to comply

with National Service directions, and that it must never be allowed to go forth that the Ministry will prosecute workpeople for these offences and not their employers. In this case the firm had dismissed a workman because of what the firm considered to be serious misconduct. The workman had exercised his right of appeal, and the case had come before the local appeals board, which had recommended his reinstatement.

The peculiar feature of the case was this. A National Service officer had served the firm with a direction to reinstate the employee, and the firm, in purported performance of this direction, had paid his wages since. But they refused to allow him to enter the factory. They were willing to pay him more than his wages to keep away. It was submitted on behalf of the firm that by paying a man's wages he had been reinstated in his employment according to law, as he was not unemployed and was not entitled to unemployment pay. But the magistrates were not convinced by this argument and convicted the firm.

In the Divisional Court on April 15th a similar question under the Essential Work Order, 1942, arose in *Hodge v. Ultra Electric Ltd.*, but with the important difference that the employee was paid wages without working because the employers had no work for her to do. It was found that the employers had not shown any desire to evade their responsibility, or in any way to flout or disregard the direction to reinstate the employee. The information against the firm was dismissed by the Middlesex magistrates and their decision was upheld as the respondents had, in the circumstances, done all they could to reinstate the employee.

LARCENY OF WRONGLY DRAWN CHEQUE

R. v. Hudson

Temptation was placed in the way of the appellant in *R. v. Hudson* (*The Times*, April 15th) when there was delivered to him a letter containing a cheque for £23 2s. 7d. drawn by the Ministry of Food and intended for a Mr. Lewis Hutson. By inadvertence the name of the payee was typewritten "Mr. Hudson." The appellant returned the cheque and wrote the following letter to the Ministry: "Dear Sir,—Just a line to tell you that I have received a cheque from Ministry of Food and there was no initial on it, so I have sent it back to you. My name is Mr. J. Hudson.—Yours truly, J. Hudson." He gave as his address the same road as that in which Mr. Hutson lived and which was a little distance from his own house.

The Ministry returned the cheque with the initial "J" inserted before "Hudson." Again the letter was delivered at the appellant's address. He indorsed the cheque "J. Hudson" and paid it into his

account. When interviewed by the Police he admitted that no money was due to him by the Ministry of Food.

The appellant was convicted at the Lincolnshire Assizes of larceny and sentenced to three months' imprisonment. In delivering the judgment of the Court of Criminal Appeal, Mr. Justice Charles said that, when the appellant opened the envelope, which he had kept by him for some days, he discovered that there was a cheque in it which palpably belonged to somebody else, and at that moment, for the first time, he allowed his intelligence to operate and said, in effect: "I am going to appropriate and take away from the rightful owner the property which he is not intending to give me, and which I do not intend to return to him." As soon as he saw what he had got he made up his mind to steal it. He did steal it, and he did everything which was necessary to complete the offence of larceny. The appeal was accordingly dismissed.

JEHOVAH'S WITNESSES: INCONSISTENT CLAIMS

Emery v. Sage

Having registered as conscientious objectors, eight members of the organisation known as "Jehovah's Witnesses" and the "International Bible Students' Association" brought themselves within the ambit of the National Service Act as regards attendance for medical examination and other matters. In *Emery v. Sage* the Divisional Court dismissed their appeals, by case stated, from the decision of the Metropolitan magistrate at Marylebone, who decided that the question whether the appellants were or were not regular ministers of a religious denomination was irrelevant to the informations before him. He ruled that evidence in support of the allegation that they were such ministers was inadmissible. He convicted the appellants and sentenced each of them to one day's detention on the informations preferred against them.

The convictions were affirmed by the Divisional Court. To the appellants' claim that they were entitled to free and absolute exemption as being regular religious ministers under the National Armed Forces Act, the answer was that by their own choice they registered as conscientious objectors. Their own acts had brought them within the ambit of the machinery for conscientious objectors, and they could not blow hot and cold. It was contended that the magistrate ought to have gone behind their voluntary registration as conscientious objectors to inquire whether they were liable to register at all. In the view of Mr. Justice Charles, the magistrate was right in deciding that he could not consider that matter. All that he had to consider was whether the appellants had failed to do things which they were ordered to do. Having done that, he had done all that was required of him.

Criminal Law and Practice in Scotland

ADMISSION OF CHILDREN TO CINEMAS DURING BLACKOUT

THE control of places of public entertainment is, in Scotland, very much in the hands of the local authorities. In most localities advantage has been taken of this control to introduce restrictions on the admission of juveniles to such places during blackout hours. In Edinburgh, this result has been reached by adhibiting to the public entertainments licence issued by the corporation a new condition in the following terms: "No child under fourteen years of age shall, unless accompanied by an adult, be admitted to the premises from one hour prior to the time prescribed for the blackout and no child in arms shall be allowed to remain in the premises during the blackout period." Failure to observe this condition carries a penalty under the local Police Act.

In a recent prosecution, for contravention of the condition referred to, two unusual points were raised: (1) what is an adult? and (2) at what stage is a person "admitted to the premises"? The facts, as proved at the hearing of evidence on a plea of not guilty, were (in brief summary) that the respondent company held the entertainments licence in respect of the cinema involved; that, on the evening in question, three brothers, aged seven, eleven and fourteen years, presented themselves at the pay-box, which is situated in an outer vestibule of the cinema premises; that the oldest boy asked for, and was supplied with, one whole and one half ticket for himself and the youngest boy; that the third boy, who was eleven years old, bought his own half ticket; that these tickets were supplied by a cashier in the pay-box, who raised no objection to the admission of the children; that the vestibule was sufficiently, if dimly, lit; that a doorkeeper was standing nearby and that he did not challenge the boys; that, having bought their tickets, which were for admission to the balcony, the boys went up the stair; that, at a later stage, as to which parties were disagreed but certainly before the boys had been shown into seats by the usherette, the police intervened; that the entry money was refunded to the boys, who then left the premises; and that the manager, when subsequently charged, said: "I did not know they were admitted and they were not allowed in on my instructions, as I have told the doorkeeper and the girls that children were not to be admitted after dark unless accompanied by an adult." The time of these incidents was within the blackout period. The magistrate decided the case on the footing that the police intervened before the boys had reached the auditorium, so that there was still a possibility of challenge by the usherette.

After a full argument, the magistrate, having deferred judgment, issued an opinion in which he held (1) that the sale of tickets of admission by a servant of the company was sufficient proof that the boys were "admitted to the premises," although they had not reached the auditorium proper before being intercepted, but (2) that, for the purpose of the condition alleged to have been breached, the boy of fourteen years must be regarded as an adult and that, therefore, the younger children were properly admitted because "accompanied by an adult." The condition, in its wording, referred to children under fourteen years of age, thereby implying that any person who had attained the age of fourteen was an adult. In the absence of any definition of the term "adult" in the conditions attached to the entertainment licence, the magistrate felt that he could take into account the practice of the trade, by which persons of fourteen years of age and over were regarded as adults so far as charges for admission were concerned.

This decision, being no more than the opinion of a lay magistrate, is not binding upon other courts, but may be helpful to those who are under the necessity of construing similar restrictions imposed in other localities.

THE AGE OF FINGERPRINTS

In a case heard recently before a sheriff and jury in the west of Scotland, the accused was charged with breaking into a house, which was temporarily unoccupied, and stealing a large number of articles. The material evidence against him consisted of proof, by members of the Fingerprint Department of Glasgow City Police, that accused's fingerprints had been found on two articles—a knife and an ornament—recovered by the police in the house after the housebreaking and that accused had at no time visited the house for any innocent purpose. The jury returned a verdict of guilty.

From the evidence, it appeared that the house in question had been unoccupied from August 17th until September 19th, on which latter date the crime was discovered. The articles were not tested for fingerprints until five days later, *viz.* on September 24th. A single witness spoke to facts which pointed to September 6th as the date of the housebreaking, but this witness could not in any way connect the accused with the crime and the date of the housebreaking was not conclusively proved. In his defence, the accused maintained that, during a visit to a police station between September 19th and 24th (*i.e.* between the discovery of the crime and the testing of the articles for prints) the police handed to him the two articles referred to, and that it was in this way that his fingerprints came to be on them. In this evidence he was entirely unsupported.

In course of the trial, evidence was given by Inspector Maclean and Sergeant McNeill, both fingerprint experts of long experience. They were invited to express opinions as to the age of the fingerprints found by them on the articles and identified by them as those of the accused. The first of these witnesses expressed the view that the prints were comparatively recent but that it was not possible to specify an exact limit within a month or two. The other witness thought that they were only two or three days old. Both agreed, however, that it was not possible to give any conclusive opinion as to the age of fingerprints.

The accused appealed against conviction, mainly on the ground that the sheriff, in charging the jury, did not dwell upon the conflict of evidence between the two police witnesses as to the age of the prints and did not point out to them that if the second witness was right in his conclusion, that the prints were only two or three days old, that afforded corroboration of accused's defence. The sheriff, in charging the jury, had, in fact, drawn their attention, in general terms, to the defence suggested and had directed the jury that if they believed accused's story they must acquit.

The appeal was refused, the High Court judges being unanimously of the opinion that the sheriff had fairly discharged the duties of a trial judge. He had given to the jury full notice of the defence, reminding them of it in his charge, and there was no need for him to enter into the details of the evidence.

A comment may be hazarded. In the particular case, there were no doubt excellent reasons for the delay of five days in testing the articles for fingerprints. None the less, such delay is always to be regretted and should, wherever possible, be avoided. It opens the door to, and might give colour to, suggestions of conspiracy or inadvertence on the part of the officers in charge of an enquiry. There is force in the principle that it is important not only that justice should be done, but that it should appear to be done.

WHEN IS A LICENSEE "IN A STATE OF INTOXICATION"?

Keith v. Bell

The Licensing (Scotland) Acts use sparingly the words "in a state of intoxication." They appear twice in the Public House certificate—which directs that the holder shall not himself be in such a state and that he shall not supply persons who are. They also appear in section 70 of the 1903 Act, where they are thrown into contrast with the word "drunk," which occurs twice in the later parts of the section. So far as we are aware, the phrase "in a state of intoxication" had not

been the subject of judicial interpretation before the decision now reported.

George Keith, the holder of a public house certificate for premises in King Street, Dundee, was in the habit of taking a weekly half-holiday each Wednesday, leaving the premises about 1 p.m. and returning at closing-time to see that everything was in order. On the date with which this report was concerned, a Wednesday, he followed this procedure. About 9 p.m., he came under the notice of two police officers, who saw him standing on the pavement of a street nearly a mile away from his own premises. He was directly opposite a public house and the officers formed the opinion that he was under the influence of drink. Just before ten o'clock, these same officers paid a routine visit to Keith's own premises, where they found him in a dazed condition and smelling strongly of drink. His movements were slow and deliberate, with an occasional stagger when turning. His speech was thick and both movements and speech contrasted with his normal condition. He admitted that he had, in course of the evening, consumed liquor, to the extent of three nips of whisky and three glasses of milk stout. He was asked to accompany the officers to police headquarters and walked to a police box, 300 yards away, without assistance. Before doing so, he saw to the locking-up of the premises, which involved such relatively delicate operations as fitting a bar and padlock to the front door. About 10.30 p.m. he was examined and tested in the usual way by the police surgeon, who expressed the opinion that he was then "moderately drunk and too intoxicated to be in charge of a public house, although fit to look after his own safety." An hour later he was seen by his own doctor, who said that it was obvious that he had been drinking but that he "was not then in a state of intoxication or under the influence of drink to such an extent that he could not carry out his normal duties."

On evidence of these facts, the magistrate in the local police court was satisfied that Keith had committed a contravention of his certificate by being "in a state of intoxication" on his licensed premises. Against this finding, Keith appealed.

The appeal was refused, although the judges of the High Court all expressed the opinion that the case was a narrow one. The judgments were of special interest because of the very strict view taken, by each of the three judges in turn, of the words at issue—"in a state of intoxication." These words suggested a static condition of inebriation graver and more extreme than the condition ordinarily described as "drunk." The question was, however, one of degree properly to be determined by a magistrate instructed by evidence, and, while regarding the case as on the border-line, the court could not interfere with the magistrate's

finding. At the same time, a strong hint was thrown out that it might not be desirable to institute proceedings in circumstances which did not involve the licensee in the conduct of his business.

WHO "PRODUCES" A CONCERT PROGRAMME?

Storrier v. Adair

In the prosecution from which this appeal arose there were three accused—(1) a Glasgow police superintendent, Mr. Storrier, against whom the charge was laid in his capacity of secretary of the Annual Concerts Committee and whose entire good faith in the matter was not, and could not have been, called in question; (2) a publisher and (3) a printer. All were charged that they did produce from paper 3,000 copies of a programme relating to the City of Glasgow Police Annual Concerts which exceeded the dimensions allowed by Article 9(j) of the Control of Paper (No. 36) Order, 1941. The publisher and printer pled guilty, but Mr. Storrier not guilty. One might have expected the prosecutor to content himself with admissions from, and penalties upon, the persons upon whom rested the immediate responsibility; but not so. Evidence was led against Mr. Storrier and a conviction secured before the sheriff.

Mr. Storrier appealed by bill of suspension, in which he averred, *inter alia*, that, following the practice of many years, he had entrusted the production of the concert programmes to a firm of publishers, to whom he supplied information as to the items to be performed and upon whom he relied to see that any orders in force regulating the use of paper were complied with, and that he saw and revised a proof in the form of galley sheets, but did not see a paged proof or the finished programmes until they were on sale at the first of the concerts. These averments were substantially admitted.

The conviction was quashed. While the High Court did not go so far as to hold that a customer ordering programmes could never come within the ambit of the order and incur liability, it was satisfied that, in Mr. Storrier's case, there was not sufficient material to justify the court in associating him with the printer or publisher to the extent of convicting him of "producing" the programmes.

From the police point of view, it is to be regretted that the appeal court did not find it necessary to deal with an unusually interesting point raised at the hearing. It appeared that, some time after the concert at which the offending programmes were sold, an explanation of the circumstances, together with the name of the printer, was sought by the Ministry of Supply from the chief constable of Glasgow. The Ministry's letter was referred to Mr. Storrier for a written report. At

the hearing of evidence before the sheriff, this report was produced, and spoken to, by a prosecution witness notwithstanding a sharp protest by Mr. Storrier's agent that it was improper to adduce against him a report made by him in his official police capacity in response to an enquiry without warning that information elicited might be used to his prejudice to support a charge against him.

CONTRADICTIONARY WITNESSES FOR THE PROSECUTION

Dow v. Murray

In this prosecution against the licensee of the Railway Hotel at Newtown St. Boswells, who was charged with selling drink on a Sunday to two soldiers who were neither lodgers nor travellers, the J.P. fiscal at Melrose was faced, as the case developed, with a situation familiar to prosecutors in summary courts. In support of his allegation, he examined as witnesses the two soldiers, the servant alleged to have made the supply, and two police officers—in that order. The soldiers flatly denied having been in the hotel on the evening in question prior to being taken there by the police, who challenged them later outside the hotel, and also denied having pointed out the assistant who had served them. The assistant, who followed the soldiers into the witness-box, took up an attitude which amounted to a complete denial of the incident charged. Confronted by this failure of the first-hand witnesses to come up to their statements, the prosecutor was thrown back upon police testimony. From the investigating officers he led evidence that they had seen the soldiers in the hotel with beer in front of them—but had taken no steps to examine the liquor closely; that they had followed the soldiers out of the hotel and later challenged them, when they admitted having been supplied; and that, on being taken back to the hotel, the soldiers identified, by pointing him out, the assistant who had supplied them. This police evidence was accepted by the justices, who found the charge proved—obviously on the view that the main witnesses had not been frank with the court.

During the cross-examination of one of the police witnesses, an attempt was made to discredit him by asking whether he had been dealt with by his chief on a complaint as to his conduct made by the present accused. The court refused to allow the accused's agent to pursue this line of "cross."

On appeal to the High Court, the conviction was quashed on the ground that there was no positive evidence of supply. A prosecutor could not be allowed to rest his case on evidence presented at second-hand through the lips of the police, who narrated what they were told by other persons—least of all when these persons themselves deposed that they never did or said what was attributed to them. Even if it were

competent to ask police witnesses what the main witnesses had said to them, at best the answers would serve merely to prove these witnesses unreliable. Moreover, the justices erred in excluding the evidence designed to test the credibility of one of the police witnesses.

The Photographic and Fingerprint Department: Its Aid in Crime Detection

By W. B. R. MORREN, C.B.E., M.V.O.

Chief Constable, Edinburgh City Police

ILLUSTRATED CASE No. 4

CASE INVOLVING THE SOLUTION OF A HOUSEBREAKING BY MEANS OF FIBRES

DURING the night of October 5th-6th, 1937, premises at South Bridge, Edinburgh, occupied by a firm dealing in ladies' mantles, were entered, nineteen ladies' gowns and £2 15s. in money being stolen. The premises extended from the front, situated in the South Bridge, to South Niddrie Street Lane in the rear. An examination showed that entrance had been gained by climbing a soil pipe in this lane to a window on the first flat of the premises, undoing the snib with a knife or similar instrument and raising the lower sash. A cash-box, from which the money had been stolen, had been removed from a drawer in a desk in the front office. A finger impression was found on this box. An impression was also found on a bottle which had been removed from a suitcase in the display-room. Later the impressions were photographed, and on a search being made in the local Single Finger Print Register, that on the cash-box was identified as the left thumb of a well-known Edinburgh housebreaker.

In the early hours of the following morning this man was arrested in his dwelling-house in the City. In the house with him was another man, a housebreaker from Glasgow, and he was also arrested. The fingerprints of the Glasgow housebreaker were compared with that found on the bottle, when it was found that although there were not the sixteen characteristics necessary for evidence of identification in Court, nine points appeared in the mark photographed from the bottle which were in perfect coincident sequence with the impression of his right thumb, but for lack of further evidence he was then liberated.

During their search of the house, Detective officers took possession of a pair of rubber shoes, the general appearance of which indicated they had no doubt been used in the commission of the housebreaking. When questioned as to the ownership of the shoes the local house-

breaker claimed them as his own and was supported in this statement by his wife.

The shoes were examined in the Fingerprint Department, when it was found that they bore a considerable area of rust and traces of plaster on the area surrounding the insteps. The shoes, the left one of which is shown in Illustration No. 1, were also very much worn in this region, parts of the cotton upper and rubber material having been scraped away. As there was no doubt that such wearing could only have been caused by climbing a soil pipe, the premises were again visited. From the region where the soil pipe had been marked by the housebreakers in their ascent and from the window ledge which had been scraped and bore traces of grit, samples of the rust and debris were collected.

The shoes and samples of debris were taken to Professor Sydney Smith of the Forensic Department, Edinburgh University, for further examination. It was then found that the rusty marks on the insteps consisted of iron rust in which there was a small portion of lead which may have come from the coating of lead paint on the pipes. An examination of the rust taken from the soil pipe at the rear of the premises revealed that it also contained iron with a small proportion of lead. The plaster on the shoes showed no particular characteristics. From the rust and debris removed from the soil pipe a small fragment of cotton material was taken, the fibres of which exactly corresponded in appearance and dyeing with fibres from the uppers of the shoes—see Illustrations Nos. 2 and 3.

In addition to this, Professor Smith detected woollen fibres of a reddish colour on the instep of the left shoe. As their presence could not be accounted for, the scene of the crime was again visited and a sample taken from a thick red coloured carpet with which the floor of the whole shop was laid. Microscopic examination by Professor Smith showed that the reddish coloured fibres from the shoe were woollen and were identical in form and colour with the fibres from the carpet of the shop. See Illustration 4.

The Edinburgh housebreaker appeared at the Edinburgh Sheriff Court on trial for this crime with the fingerprint evidence and that concerning the shoes against him. In evidence for the defence, both he and his wife stated that the shoes did not belong to him and that they knew nothing about their origin, while the Glasgow housebreaker, in evidence, stated that the shoes were his property and that he had taken them to the dwelling-house. The Edinburgh housebreaker was convicted on the evidence of the fingerprint and sentenced to 'three months' imprisonment, and at the conclusion of the trial the Glasgow housebreaker was arrested on his own sworn statement that the shoes



ILLUSTRATION No. 1

ILLUSTRATION No. 2

- B.* Fibre from worn part of shoe upper.
- B.1.* Fibre found in debris removed from soil pipe.



ILLUSTRATION No. 3

- B.X.* From shoe.
- B.1.X.* From soil pipe debris.

ILLUSTRATION No. 4

- A.* Fibre from carpet.
- A.1.* Fibre from left instep shoe.



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were his property. He later appeared at the same Court and after trial, at which evidence relating to the shoes, and on the instructions of the Procurator Fiscal to the mark on the bottle, was led, was found guilty and sentenced to a term of six months' imprisonment.

Is there an immediate solution to the Road Accident Problem?

BY SUPERINTENDENT JOHN C. REID

Bradford City Police

OF the major peace-time problems affecting the Police which have not sunk into the background with the progress of the war, two remain—those of road accidents and juvenile delinquency; and the latter continues to hold the stage at the expense of the former.

All manner of individuals and organisations, political, social, religious and educational, have been successful in turn in keeping the young delinquent before the public eye, while the press—perhaps not unmindful of the selling value of crime at all times—has, in no small degree, contributed to the general outcry for an answer to the question of preventing or curing this youthful tendency to deviate from the intricate criteria of moral, social and legal rectitude. Despite the depredations of youth against society, however, I feel that society can be accused of condoning a much greater crime against our youth. The sum of their peccadilloes can be measured in cash; society's crime is measured in lives—lives lost or broken, whose value, at the rate of 1,500 juvenile deaths each year, and a much greater number of young lives permanently despoiled, assessed in terms of material loss to the State, must far transcend the paltry worth of the larcenies and damage which our young criminals perpetrate.

The danger of accepting this annual discredit balance as a necessary concomitant of modern development has been pointed out here and there, now and again, by one to the other, by the other to someone else. But none of those to whom the danger is emphasised seems to be able—or even concerned—to do anything about it. The few contributions which have been made towards a solution of the problem have not been sufficient to reduce the mounting toll, but merely to retard its acceleration; for the rest—rules, regulations, sporadic campaigns by press, poster and radio, monthly figures which, except to those who have been directly affected by such an event, are figures only—these at present constitute the remaining weapons of attack upon our social crime. And, as far as one can judge, an elaboration of such palliatives is to

become the constructive policy of the future, except in one particular, that of town planning, which must necessarily involve the passage of many years before it bears fruit. Compare with the enormous social, educational and even, indirectly, religious upheavals advocated for the immediate salvation of our active and potential youthful delinquents!

An enquiring mind is driven to ask wherein lies the justification for the difference of approach. On the one hand, even with the undoubtedly real increase of crime by juveniles since the end of the last war and, comparatively, little constructive policy to deal with it, crime committed by persons over 21 years of age has shown an almost continuous decrease: on the other, with all the development of acts, regulations, propaganda and so forth, the number of accidents has, with one or two exceptional setbacks, progressively increased! Here, surely, is evidence of a lost sense of values.

When there are no sensational headlines regarding one or other of the war or political fronts, attention tends to gravitate to post-war problems—planning of social orders, systems of education, or reconstruction of cities. Each of us looks for the materialisation of his own particular hopes and desires for the future, with economic security as the keynote. The greatest sense of personal insecurity experienced by all thinking parents in present traffic conditions ought to be a fear for the lives of their children, but there is little indication of this fear crystallising into a demand comparable with that for economic security. Four, five, and sometimes more children die each day awheel or afoot. Is my family to be visited by the spectre? In the course of submitting the police occurrence sheet day by day, and initialing the Ministry of Transport accident returns month by month, that is the question which persists in my mind. Were there some evidence in all this post-war policy, tentative or pronounced, of road safety being in the forefront, I should have at least the satisfaction of knowing that insecurity of life for my children had now become merely a temporary anxiety. But, from the limited sources of information available, I find no such solace.

It seems logical to believe that, with the devastation of some of our cities, there are, somewhere on the files, plans for parking facilities adequate to withdraw from the road that potent source of danger to the pedestrian, the vehicle parked by the kerb. But what of the cities that have not been so devastated? And what of the other dangers? I see no evidence that the far-reaching and constructive recommendations of Mr. Alker Tripp in his *Town Planning and Road Traffic* are receiving the careful notice which they need and deserve. To many they seem, no doubt, idealistic and impossible of practice—but nothing should be thought impossible in seeking riddance of this nightmare. However,

even if all criticisms, genuine and otherwise—and certainly there would be much of the latter—were successfully overcome, Mr. Alker Tripp's proposals would take many years to fructify: what of our children in the meantime? Can nothing be done?

I approach the problem, then, not so much objectively as a member of the organisation which is almost exclusively entrusted with the enforcement of the laws designed to obviate accidents, but as the father of three children in whom much of my interest and many of my aspirations are centred. In addition, however, I am an enthusiastic motorcyclist and motorist of fifteen years standing. I can submit a claim, therefore, to represent three of the main human influences bearing upon this matter—those who suffer, those who cause the suffering, and those who have largely to arbitrate between the two. My claim to be able to discuss the problem is similarly based, not so much upon knowledge of the law, of the incidence of accidents in relation to their causation, or upon the multitude of other incidentals attaching to it, but upon the recognition of three essential facts: first, that approximately 7,000 persons are killed each year on our highways and many times that number seriously injured; second, that the ultimate lethal factor in these accidents is the speed of the vehicle at the moment of impact; and third, that the principles of existing legislation have not found a remedy. These are my only premisses, my sole statistics, in considering what I believe to be an ethical rather than social question, founded as it is upon the sanctity of human life. Statistics show that many more persons are killed or seriously injured in "restricted" than in "unrestricted" areas. Are statistics, then, to be taken as demonstrating that speed as an essential factor in the causation of serious accidents is a fallacy? That is an argument much favoured by drivers of motor vehicles, but, surely, LETHAL SPEEDS, whether in accordance with or against the law, in an area where there are many more persons to suffer injury and many more vehicles to cause such, are bound to result in many more serious accidents than in areas where the opposite is the case.

As I have already indicated, I concern myself chiefly with children, but the measures which I shall later submit would confer some benefit upon adult road users and, in particular, upon the pedestrian. The speeding road-hog, the motorist who has "one for the road," the uncared-for lorry driver, the inconsiderate bus driver—any of these who come to grief are deserving of little sympathy and yet, presumably, anything that can be done to protect them from themselves must react to the benefit of society generally. Granted, legislation provides a measure of protection against such drivers, but what proportion of convictions is recorded in accidents where children—or men and

women—are killed or maimed? The verdict in the great majority of fatal accidents exonerates the driver from blame: “he was unable to avoid the accident.” It could not be helped.

I am prepared to agree that the road-hog, the drunkard, the uncareful and the inconsiderate, are not responsible for the huge totals. It is we, the average, decent, day-by-day drivers who are responsible—we, who observe the speed regulations, renew our driving licences on the due date, keep our vehicles in roadworthy condition and abjure intoxicants while driving—we are the killers! We, too, judging the case by our own decent standards, hold the inquests. What a pity it is that the child cannot become the coroner, or the judge and jury!

Pursuing the subjective approach (and bearing in mind the already complicated mass of acts and regulations governing the licensing, driving, construction and use of our motor vehicles), I would ask whether we are not, consciously or unconsciously, actuated by much more selfish motives than public weal when, as motorists, we vigorously oppose any fresh attempt to restrict our motoring liberties? With the best will in the world, the driver handling such a delightful creation as the modern mechanically propelled vehicle maintains, despite himself, even in congested traffic routes and thickly populated districts, a speed which is fatally uncontrollable at the crucial moment—and, the more perfect the car, the less noticeable is the speed to the person who regulates it! As a motoring enthusiast I confess that I still enjoy speed for its own sake, and I have doubtless, like many of my fellow-motorists, erred on many occasions by speeding at a time or place where true consideration for others would have dictated otherwise. Like many others, too, I have set off on a long journey and fixed the time of arrival at my destination based upon an average speed of thirty miles an hour or thereabouts—and, while not consciously acknowledging that danger to anyone resulted, have found it necessary at times to proceed at a fairly fast pace to maintain that average, not necessarily such as to break the laws governing speed, but allowing no margin of safety for the unexpected. I have, so far, been spared the painful experience of harming others in the course of my motoring but, should I have been less fortunate (I use the word advisedly) on one of these journeys and added another death to the list of children killed, I dare say I should have been able to attend the inquest and, after a verdict of “accidental death, with no blame attached to the driver” departed with a comparatively clear conscience, consoling myself in the knowledge that the poor child had suddenly darted off the footpath and given me no chance of pulling up—my brakes, of course, having been tested and found in perfect working order and properly adjusted. Is this, then, the only answer?

Returning to the incontestable truth that speed is the root cause of the problem, I recall that there is one indiscretion in the matter of speed which I have never committed—that of driving my car, my personal pride and joy, along a farm track at thirty miles an hour, although there was no admonitory figure in blue, and nothing in law to prevent me from so doing. The reason (and the moral) is not far to seek: not that I would suggest a return to the road conditions of Dick Turpin's days, but a modified application of the idea to our well-surfaced roads could be used to general advantage and certainly to the protection of the youthful miscreants who persist in allowing us to injure them. No better opportunity could be selected than the present when most motorists, as such, are off the roads—I speak as one of them. Present us now with a fresh outlook on our future motoring, and scarcely a voice will be raised against it compared with the howl of protest if any such attempt were to be made when our precious petrol is returned to us and we lovingly extract our shining chariot from its war-time cocoon to sweep along the pleasant highways once more.

The most successful instrument in reducing accidents at known “plague-spots” has been something in the nature of a physical obstruction or its equivalent. Despite attempts to allege the contrary, “halt” means halt, both to observer and observed, while carelessness or speed or intoxication may have wide variations in significance, depending not only upon individual variations, but upon the objective and subjective viewpoints. Forty years of motoring laws have not contributed to the prevention of road accidents as much as these and allied measures—the “roundabout,” traffic island, guard rail, traffic policemen, robot, “halt” sign—the reason being that they present to the motorist in particular a peremptory requirement which he disregards at his peril, physical on the one hand, or legal on the other. The legal effect is much more easily enforced because the issue is so simple and the visual evidence so incontrovertible, as compared with the factual and legal niceties of speed, careless driving, or state of intoxication.

In the absence of, or while awaiting, more ambitious programmes for segregation, town planning and the like, which are generally directed toward the principle of avoiding the contacts which cause serious accidents, speed must be reduced below the lethal at places where accidents are likely to occur if any real and immediate solution to the accident problem is to be found—in built-up areas, approaching road junctions, “bottle-necks,” the crown of hills, dangerous bends, and, generally, at those places whose accident history shows them to be danger-spots. On basic principles of known information and cold logic, I would submit a development of the physical or quasi-physical obstruction as the only immediate means likely to accomplish this object.

Suppose, for example, that a motorist approaching a pedestrian crossing knew that it was raised (say) four inches above the level of the road surface, and that by "hitting" it at a speed of more than ten miles an hour he or his car would inevitably be the greatest sufferer, he would require no guardian policeman or mandatory regulation to cause a reduction in speed below that level—and a motor vehicle striking a pedestrian at ten miles an hour is unlikely to cause a fatal or even serious injury in any but exceptional circumstances. More time to the pedestrian to take evasive action, and readier stopping by the motorist at such a speed, would follow as a necessary corollary. At present, apart altogether from thoughtlessness, the average pedestrian has neither respect for nor confidence in the safety of pedestrian crossings except in those, necessarily few, instances where the police control them, or where their advent is in the normal flow of pedestrian traffic (in which case their use becomes a matter of necessity or custom rather than of confidence in their safety), and, until this sense of safety and respect can be established by experience, the pedestrian cannot be expected to use them and certainly no legal compulsion upon him to do so could be enforced in practice.

Any allegation by the driver that this policy might place him or his vehicle in unjustifiable or unexpected jeopardy could be defeated very simply by retaining the existing "beacons" for daylight purposes, and by "cat's-eye" studs, specially coloured if necessary, for conditions of darkness—and he who approached such signs at a fast speed would do so at his own risk and peril! Probably only one experience of this kind would be sufficiently salutary to prevent a recurrence. Similar "hazards" to replace, or supplement, existing warning signs at and approaching all places of potential danger on the roads, could readily be evolved, and I have no doubt that those experienced in road-making could produce a surface, on approaching and leaving such "hazards," which would stand up to the impact of vehicles passing across them over long periods. I submit, further, that the process would be comparatively cheap and, what is much more important, capable of immediate application.

Other suggestions have been made from time to time—elimination of the accident-prone, sealed speed-recording units attached to each vehicle, governors regulating engine speed, rules such as "give way to traffic approaching from the right," control of pedestrians, and probably others—and any or all of these would, no doubt, contribute something to a reduction in accident figures. Each, however, is liable to criticism from the point of view of legal proof and possible injustice in its application, although my major criticism of all but the first is that no addition to existing law applied to present conditions and relying for

its observance upon the co-operation of the driver, or for its enforcement upon detection by the police, will accomplish a general reduction in speed to that necessary for the prevention of serious accidents at the places where these are likely to occur.

It is obvious from the history of the criminal law governing motor vehicles generally—attempting as it does to reconcile the development and convenience of speed with the unfortunate results which have accrued—that no addition to it will ever impose upon the driver the responsibility for such deaths. Besides, there are already too many motoring laws—at least there are so many as to render them almost impossible of enforcement by those who are charged with that duty, so many that it is almost impossible for the individual police officer even to absorb them all. The history of motoring laws since the sweeping Act of 1930 and concurrent accident statistics give ample justification for the belief that further additions to the law will yield a diminishing return of relief from accidents. The speed cop, the scarecrow cop and the courtesy cop have all contributed their share, but still the accident figures mount. The total authorised police strength in the country (approximately one-third of whom are on duty at any one time—and by no means all of them on patrol duties) represents only one policeman to fifty registered motor vehicles, a proportion which adds emphasis to the unequal struggle. Propaganda has yielded similar results. The vehicle driver enters upon the roads in a spirit similar to that of the player upon the football pitch—he is prepared with full knowledge of the rules and implications to take a chance with his fellow-driver on level stakes and, if there is a crash which he is fortunate enough to survive, to argue afterwards where the blame, if any, should lie. But, with no such tacit arrangement, and with no protection against the impact of our motor vehicle, the youthful pedestrian or cyclist, whom we have vainly attempted to educate to an adult's conception of his duties and responsibilities in the matter of road safety, and distressingly persisting in being killed or maimed, presents a pitiable problem indeed. Lectured at, demonstrated to, railed off, guided across *ad infinitum*, immediately he is free he forgets, disregards, and takes risks as youth inevitably will.

One of the best conceived means of protection afforded by the law to the pedestrian was the pedestrian crossing place; but, alas, it has become a snare and a delusion. Standing for a time near such a crossing in police uniform, I find that my much-maligned fellow-motorist is the embodiment of courtesy and consideration—the pedestrian looks at the motorist, at me, at the crossing and, like the lady in *Comus*, passes across in unblenched majesty! Off duty, in "civvies," I blithely leave the footpath to venture on the same crossing—and dive back again for very

life. The pedestrian crossing has become so commonplace, and the difficulty of obtaining satisfactory evidence of a breach of the regulations governing it so great, that few prosecutions indeed take place, and those few have little or no deterrent effect. The motorist in general continues to approach it at a speed to suit himself, his safety and the capabilities of his car. He is far from being the angel which his Associations would have us believe—and again I include myself.

At the risk of repeating myself I should like to give other practical illustrations of the effect upon the motorist of meeting road conditions equivalent to a physical obstruction to his progress at speed. I have recollections of driving along wide, straight and well-surfaced roads in the north of Italy in 1938, and of being compelled, on approaching each village, to reduce speed to something like ten miles an hour, not because of any innate courtesy or because I understood the warning signs, but owing to the simple fact that the wide, well-surfaced road gave way to a narrow, cobbled and steeply-cambered street, where children and chickens wandered indiscriminately but in safety. There was no need for a series of rules governing speed or manner of driving, pedestrian crossings or traffic signs, or for the presence of a policeman to enforce them. I do not know and did not enquire whether these parts of the road passing through such villages had been left in that condition deliberately, or whether the closely built houses made it impracticable to construct a wider and better surfaced road: I was, however, impressed by the general effect of permitting fast speeds where there was little or no danger (thus allowing provision for the advantages of speed) and of reducing speed to a non-lethal one where such a danger did exist.

Another instance of the operation of the same principle came more recently to my notice, but this time on a straight, wide, cobbled but well-surfaced dual carriage-way with occasional pedestrian crossing places. With the gradual disappearance of the long-familiar crossing signs, it was thought desirable to render the crossings more readily recognisable in our local cobbled streets by macadamising the surface of the crossing place. Some of this work was carried out without affecting the flow of surface but, proceeding home by public transport vehicle (and sighing the while for my little car), I found in the black-out that I could doze for a space of approximately ten minutes, in full confidence that I should be roused on passing over a crossing just one stop before that at which I was due to dismount. In this particular instance the new surface of the crossing had been rather liberally administered, with the consequence that there was a noticeable rise on reaching the crossing and a corresponding fall on leaving it. Concurrent observation in daylight conditions enforced a more interesting pheno-

menon upon my attention. Without exception I found that the driver approaching this crossing, presumably from experience, slowed down and passed over it very respectfully at a speed which would certainly have enabled him to comply with Regulation 3 of the Pedestrian Crossing Places (Traffic) Regulations, whereas hitherto, in my experience, all the drivers had taken full advantage of the apparently safe conditions for maximum speed. Incidentally, two fatal accidents to pedestrians had previously occurred at this particular spot in recent years.

Several other incidental benefits from the accident aspect would accrue, it seems, from the adoption of such a policy. Unwise overtaking, "beating" the traffic lights, entering major roads at too fast a speed, would all become operations not merely fraught with danger, but inevitably injurious to the driver, his vehicle, or both.

Many of us have different ideas as to where the solution to this tremendous problem is to be found, and the fact that few indeed of the panaceas propounded by this or that individual or organisation have been adopted in practice indicates that any fresh proposal should be very critically examined. I have accordingly sought criticism of the principle of applying to the roads such physical obstructions as I have indicated from other police officers, including Chief Constables, other motor drivers, and even operators of public transport services and, apart from the initial and inevitable doubt when any new proposal is mooted, I have encountered no adverse practical criticism. On the contrary, the second reaction has been one of general agreement.

Three major and apparently cogent arguments against the policy can be adduced:

- (1) There would be such a wholesale reduction in speed as to defeat largely the benefits which result from mechanical transport.
- (2) Serious congestion would be caused in urban areas.
- (3) Manufacturers of motor vehicles would ultimately develop construction in such a way as to defeat the obstructions.

As regards (1), it is obvious that such obstructions would only be required in places where danger existed or where, even with no apparent danger, antecedent accident history had disclosed a "plague-spot." There would still remain on the broad highway ample scope for taking advantage of any speed of which the vehicle might be capable and, of course, in accordance with the speed laws.

In the case of (2), as I see it, the effect would be a progressive deceleration on approaching populated areas and the centre of cities, with a similarly progressive acceleration outwards—surely not an undesirable circumstance, and one which already partly applies?

Within congested traffic areas, the effect would be a general reduction in speed which would, at the same time, permit of overtaking slow-moving traffic such as horse-drawn vehicles. There is a general tendency for the maximum speed permissible by law to become the standard merely because the law governing speed permits that maximum and because general conditions on the road itself allow of it. The skilful driver—and, no doubt, the great majority of drivers can manipulate their vehicles with reasonable skill—may proceed at the standard speed without involving himself in proceedings for any of the other offences in which speed is a normal ingredient—careless, reckless or dangerous driving—offences which, generally, are not contemplated until an accident happens. As I see it, then, the effect in such cases would merely be to reduce the standard speed to one consistent with safety for all concerned and not to cause congestion.

The third criticism appears most valid of all, and it is possible that, even now, there may be vehicles so constructed as regards weight, springing and horse-power as to be able to treat the "hazards" with contempt. However, even admitting this to be the case, these vehicles are the exception, and the manufacturers of the great majority of cars rely for their continued prosperity upon the number of cars sold. I cannot believe that the class which constitutes the vast majority of private motorists would ever arrive at the stage, as a class, where they could purchase the kind of car which is now the exception, having granted the doubtful possibility that such a car now exists capable of defeating the obstructions contemplated. To enable a private motor-car to retain its speed in such circumstances the weight of the car and the efficiency of the engine would have to be so much increased as to render it an economic impossibility for the general motoring public. The system of basing tax on horse-power would have a similar effect.

As regards goods and public service vehicles, while financial considerations might not have an equal influence, both goods and passengers demand such consideration in the matter of careful transport that, in my view (which may be completely wrong in this instance), any development in the construction of the vehicle would be inadequate to overcome the effect upon its burden of the hazards or obstructions proposed.

While my consideration of this great tragedy is, I confess, largely a subjective one, I have endeavoured to weigh the major issues dispassionately, and there seem to be two prospects ahead: firstly, in the course of years—how many no one can say—our inhabited areas and road systems may be so planned as to reduce to a minimum the possibility of serious personal injuries from vehicular accidents; and secondly, pending the accomplishment of this projected programme,

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we will continue to submit and, presumably, will continue to receive the approval of the community to an annual estimate of deaths, gradually decreasing with future developments, of fifteen hundred children, and of serious injury to several times that number.

Are we to substitute "Accidents *shall* happen" for "Accidents *will* happen"? There can be but one answer to the ethical aspect of the question whether or not the convenience of speed, long past its experimental stage, justifies these deaths and injuries, but it is my submission, even on grounds of material loss to the State, that the time has come when we must halt this juggernaut of our modern civilisation.

Unusual Findings in a Motor Accident Case

By LINDSAY F. BROWN, M.B., Ch.B.

Assistant, Forensic Medicine Dept., University of Edinburgh

THE "hit-and-run" driver has virtually disappeared in these austere days when the use of the car for ordinary purposes is so restricted. However, it may be guaranteed that peace will bring him out once more to take his deadly toll. The following report illustrates the utmost importance of a very careful examination of a car believed to have been involved in such a case.

At about 1.45 a.m. on Saturday, October 31st, 1942, a medical student returning home from a dance came across two injured men lying in the roadway on the south side of Hillhouse Road, Blackhall, Edinburgh. One man, in army uniform, was lying with his feet about five yards from the grass verge, with his head towards the middle of the road; while the other, in civilian dress, was lying in the gutter, apparently seriously injured, about twelve yards further westward. Shortly afterwards, a taxi driver returning from Port Edgar to Edinburgh approached the scene and was called upon for assistance. The Police were informed and an ambulance transported the injured men to hospital. The civilian had sustained a compound fracture of the right leg and internal hæmorrhage, and died the following day. The soldier had sustained concussion, superficial injuries to the right side of the head and face, and abrasions of both hands and feet; and recovered without any apparent incapacity.

The Police were confronted with the task of locating the driver responsible who had failed to stop. The injured civilian before his death was unfit to be interrogated, but the soldier remembered sig-

nalling a taxi for a lift at Blackhall, but it did not stop. He remembered nothing else until he awoke in hospital. This statement was corroborated by the taxi driver who had been called upon for assistance. On seeing the injured men, he recollected that on his outward journey from Edinburgh to Port Edgar at about 1.5 a.m. he had been hailed for a lift by these two men. At that time they were on the south side of the road walking westward and were about 100 yards east of where they were eventually found; and as it was a clear moonlight night he had no difficulty in recognising them. He also remembered that after passing the men, at a point about 600 or 700 yards further west, he was overtaken by a car travelling very fast. He observed that the car was dark coloured, and from the shape of the body he formed the opinion that it was of the Humber make. In the moonlight he noticed that the rear window of the car consisted of one large pane of glass through which he could see that the driver wore a cap with a glazed peak.

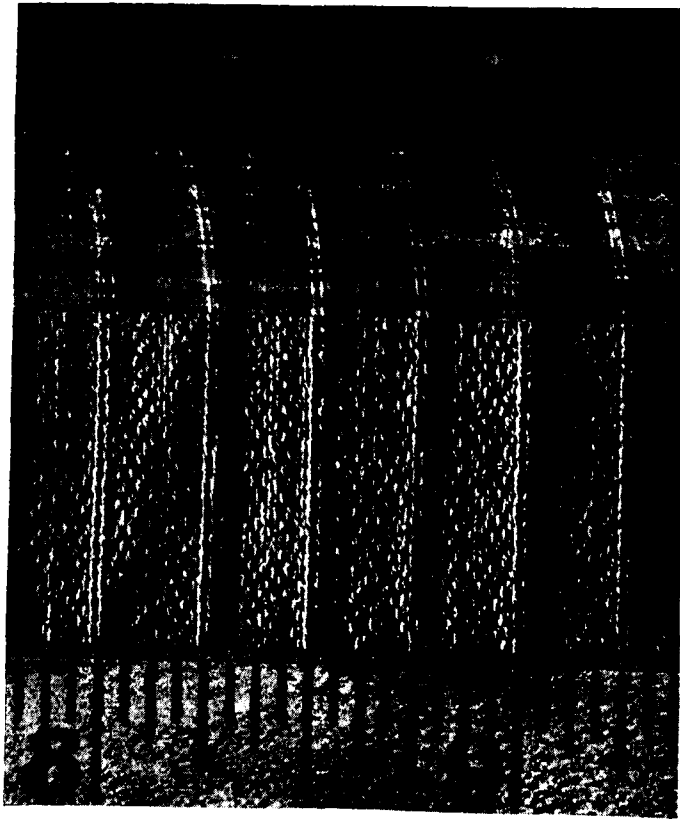
Enquiries made at a garage in Port Edgar revealed that a car of the above description called regularly for petrol, and that it was used as an ambulance by a nearby Naval hospital where it was subsequently found. The car, a Humber, was considerably damaged in front and had evidently not been used since October 31st. The driver was interrogated, and he stated that at about midnight on October 30th he was summoned to another part of the city to collect a patient. He stated that on the way he ran into the back of a lorry travelling in the same direction and damaged the front of the car. The patient, who sat in the back of the car, stated that on the return journey to the hospital he felt a bump and the car jolted but did not stop. The hospital records showed that this patient was admitted at 1.30 a.m. on October 31st.

Briefly, the damage to the front of the car was as follows:

- (1) The chromium radiator cowling which was considerably dented towards the top had been forced backwards and had caused the bonnet to buckle in two places and to overlap elsewhere. The dents were devoid of gross scratch marks.
- (2) The chromium bars of the radiator guard were all bent inwards, particularly those towards the middle, but none showed scratch marks.
- (3) The near-side headlamp, which projected in front of the radiator cowling, was fitted with an undamaged Hartley mask and was bent backwards. There was a small dent in the rim on the near-side.
- (4) In the near-side front mudguard there was a dent about eighteen inches long in front in which the paint was cracked and in parts missing, exposing the metal. Neither the paint nor the exposed



PHOTOGRAPH 1 :—Showing the double scratch marks on the lower edge of the bumper, and the semicircular depression on the valance (see text).



PHOTOGRAPH 2:—Showing how the raised double stripes in the material of the suit fit the double scratch marks on the bumper.



PHOTOGRAPH 3:—Superimposition of photographs of the left heel and the localised semicircular depression on the valance showing how the twelve nails in the heel fit the twelve vertical scratch marks on the valance.

(face p. 199)

metal showed any scratch marks. From under the cracked paint two brown fibres were removed. The sidelight attached to the top of the mudguard was bent backwards.

- (5) The front bumper had been painted white and was slightly bent back in the middle. A brown fibre was removed from the damaged surface of the bolt knob on the near end. On the near-side of the middle of the bumper, passing vertically upwards from the lower edge, there were eighteen parallel scratch marks, a quarter of an inch apart (photograph 1). On close examination each scratch mark was seen to be double. Some blue fibres adherent to the lower edge in this region were removed.
- (6) The number-plate which was attached to the middle of the bumper was bent backwards and showed several scratch marks.
- (7) The valance connecting the two front mudguards beneath the radiator cowl was bent backwards, and towards the near-side there was a localised semi-circular depression in which there were twelve vertical parallel scratch marks extending downwards to the edge (photograph 1).

The clothing and shoes of both the injured men were procured and examined. The deceased was wearing a blue-striped suit which was abraded, torn, and bloodstained. There were two stripes in the material: dark blue double stripes, a quarter of an inch apart and raised above the surface of the rest of the material; and a faint intervening white stripe which was not raised. The dark blue double stripes fitted precisely the double scratch marks in the paint on the bumper (photograph 2); and, in addition, blue fibres from this suit were exactly similar in colour and appearance to the fibres removed from the scratch marks. The shoes worn by the deceased were considerably scratched and damaged. There were twenty nails projecting slightly from the surface of the leather arranged in semi-circular fashion around the back of each heel. It was possible to make twelve consecutive nails in either heel fit the semi-circular depression in the valance, and these nails fitted precisely the vertical scratch marks extending downwards to the edge of the valance (photograph 3).

The other injured man was wearing army battle dress, fibres from which were exactly similar in colour and appearance to the brown fibres removed from under the cracked paint on the mudguard and from the bolt knob on the near end of the bumper. He was wearing shoes with round revolving rubber heels.

From the examination of the car, the opinion was given that, from the absence of gross scratching in the damaged radiator cowl and in the damaged mudguard, at least one and probably two relatively soft objects were struck by the front of the car; and, by the extent of the

damage, that the car was travelling at considerable speed. In addition, it seemed reasonable to assume that the deceased was struck by the centre of the car, and the injured soldier struck by the near end of the bumper and the near mudguard.

The driver of this car was charged and found guilty of contravention of section 12 of the Road Traffic Act, 1930.

I am indebted to Detective-Constable Kerr of the Fingerprint and Photographic Department of the Edinburgh City Police for his co-operation in this case.

The Case for a Civil Fingerprint Register

BY SERGEANT DOUGLAS GRANT

City of Glasgow Police

HOW many times in a year does one read in the daily press of the country intimations like the following: "Police seek relatives of man found wandering and suffering from loss of memory," or "Body of man found dead in road last week still unidentified," and many others of a similar nature? It seems hard to realise that in the year 1943, and in a highly-civilised country like Great Britain, no steps have been taken to date to eliminate this state of affairs. If no means existed for providing a simple solution one could understand the difficulty, but a simple solution does exist, and it is the duty of every person to avail himself, and herself, of the means with which nature has provided each individual.

It may be said of the great majority of law-abiding citizens in this country that, on the mere mention of the word "fingerprints" they immediately associate the subject with crime and its detection, and the very thought of having their fingerprints taken seems to fill them with apprehension and foreboding. What is the explanation of this state of mind? In the first place, fingerprints are almost exclusively used in this country for the identification of persons previously convicted of crimes and offences, and who may subsequently fall into the hands of the Police. Secondly, the average citizen has no knowledge whatever of the technique of fingerprint identification. To be told that every person has on each finger-tip a system of ridge-characteristics, so individual that it is entirely different from that of every other person, seems so incredible as to be inconceivable. These facts may explain present public feeling towards fingerprints in this country, but are they

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sufficient reason for not using them in other directions? Is it not possible that, were the public better informed of the many uses to which fingerprints could be put for its better protection, it would support a scheme of civil registration?

EARLIER USES

The assumption that the patterns on the finger-tips were something personal, and somehow or other individual, dates back some considerable time. Research has disclosed that they were first used as sign-manuals, or proof signatures. Anyone interested in the history of fingerprints will find proof of that in the most comprehensive study of the subject ever written, *Fingerprints, History, Law and Romance*, by George Wilton Wilton, K.C., published in 1938.

As long ago as 1421, when Henry VI became King of England at the age of nine months, his first official Act was the appointment, signed with his thumb-print, of Alice Butler to be his nurse, and with authority to chastise him reasonably from time to time.

In the Chapter House of Londonderry Cathedral, Northern Ireland, there can be seen to-day a copy of an agreement made in 1691, between 225 citizens of the city, who had suffered loss during the siege, and David Cairnes, Robert Rochfort, and John Moggeridge, covenanting that if they would go to London to get compensation from the King, Parliament, or the Irish Society, they would receive one-sixth of all they obtained for expenses and remuneration. This agreement bears the signatures of the parties, also the impressions of their thumb-prints.

Let me quote two instances from Mr. Wilton's book.

In 1820, Thomas Bewick, the Newcastle engraver and naturalist, made prints of his fingers on his books.

In 1886, W. Somerville Shanks, R.S.A., Glasgow, combined with his signature or initials an impression of his right forefinger on valuable books, etc., which he desired to make distinctly personal.

One of the pioneers in the use of fingerprints, Sir William Herschell, while a Civil Servant in Bengal, India, about 1877, adopted a system of fingerprint registration to protect the Government against native contractors and pensioners, especially against pensioners who applied for, and who were not entitled to, pensions. It was not until 1901 that the system of fingerprint registration for habitual criminals was introduced in this country by New Scotland Yard.

PRACTICE IN OTHER COUNTRIES

Consider for a moment the practice adopted by countries abroad in dealing with foreigners, and with their own nationals. In Chile and

Mexico, fingerprint registration is obligatory for all inhabitants. In Argentina, all persons entering the country have their fingerprints taken on arrival, and no one seems to object. This includes seamen going ashore while their ships lie in port. What of that great democracy, the United States of America? All members of the United States Armed Forces have their fingerprints taken on enlistment, as does everyone employed on National Defence Work. Since the beginning of the present war, seamen of all nations entering ports in the United States must be in possession of an identity card bearing, in addition to such particulars as name, age, etc., the owner's fingerprints.

In recent years, there has been a nation-wide campaign for the establishment of a National Fingerprint Register, with the result that, to-day, any person can have his fingerprints taken at his own request, and can have them included in a Civil Collection for identification purposes should the need ever arise. In some States, fingerprints and footprints are taken at birth: for the purpose of life assurance; in authentication of wills; bank cheques and deposits; and passports. Early in 1941, the American Civil Defence Mission, on returning to New York from this country, recommended in its preliminary report that the whole population be fingerprinted to aid identification of air-raid casualties.

VIEWS HELD HERE

To return to this country. What are the views that have been expressed here on this subject? Professor Sydney Smith, M.D., Regius Professor of Forensic Medicine at Edinburgh University, in his book *Forensic Medicine*, 1936, page 61, advocates the taking of the fingerprints of every child born, either at birth registration or at the time of vaccination.

In a statement in the House of Commons on November 17th, 1937, Mr. De La Bere asked the Home Secretary whether he was prepared to consider a scheme of national fingerprint registration, thus making it easier for the Police to trace unknown persons suffering from loss of memory. It was stated then that, as the result of accident or loss of memory, there were in asylums, hospitals and other places in Great Britain, no fewer than 9,000 persons whose identities were unknown. Mr. Lloyd, replying for the Government, admitted that fingerprints would provide an easy solution in such cases, but added that unless there were a general desire on the part of the public for such a scheme of registration, the Home Secretary would not feel justified in considering the question. It will be observed that the questioner said: "Thus making it easier for the *Police* to trace unknown persons." I have no doubt that the idea herein implied, that the Police would have

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control of the register, influenced the Government reply on this occasion.

AMNESIA VICTIMS

I have before me several news-cuttings relating to persons either found suffering from loss of memory or found dead under various circumstances, where identity could have been quickly established had such a system of registration existed.

The following are extracts from the cuttings referred to and give only the essential details. Take the case of the living, first, and think of the anxiety that could be prevented in cases of amnesia.

1. Identified after asking: "Who am I?" for five weeks. Mr. H. W., who lost his memory in London five weeks ago, and has been in St. Stephen's Hospital ever since, was able to recognise himself from a photograph.—(*Sunday Express*, July 18th, 1937.)

2. A youth, who three weeks ago entered the police station at Wokingham, Berkshire, starving and in a state of exhaustion, now lies in a hospital ward at the public assistance institution awaiting identification. So far the Police have been unable to trace relatives or friends.—(*Sunday Express*, May 29th, 1938.)

3. A mystery man who has been a patient in a hospital at Lewisham, London, for the past week, has been identified from a photograph. He came from Glasgow.—(*Daily Record*, January 20th, 1939.)

4. On February 3rd, 1939, a young woman was found wandering in the West-end of Glasgow suffering from loss of memory. She was identified on February 6th, three days after being found by the Police.—(*Daily Record*, February 6th, 1939.)

5. On March 12th, 1939, a man was found wandering in Princes Street, Edinburgh, suffering from loss of memory, and was taken by the Police to Edinburgh Royal Infirmary. He had nothing in his possession by which his identity could be established, but on the inside of his coat there was a tag bearing the name of a well-known Glasgow tailor. As a result, his fingerprints were taken and forwarded to the Police Fingerprint Bureau at Glasgow for search. This proved negative, the man having no criminal record. On March 24th, twelve days after being found, and after extensive enquiries on the part of the Police and Press, he was eventually identified from a photograph.—(*Daily Record*, March 18th, 1939.)

6. I think one of the most distressing instances of loss of memory, coming to the notice of the Police, occurred on January 28th, 1942. On that date an elderly man was found resting on a seat in Montrose, in the County of Angus. His head was bandaged, and, as he appeared to be ill, he was conveyed to hospital, where he refused to remain. He was later taken to Police Headquarters, and there stated that his name

was John McDonald and gave a London address. In his possession the Police found a diary bearing a different name and an address in East Anglia. He later stated that his name was Jones and that he was the owner of a farm in East Anglia. The only statement that he did not alter was that he had lost his wife through enemy action, and had been wandering aimlessly about the country ever since. He has since been declared insane and removed to an asylum.—(*Scottish Police Gazette*, February 13th, 1942.) No doubt the latter part of his story was true, but what a tragedy; and to think that his identity could have been established beyond doubt by fingerprints!

THE UNKNOWN DEAD

So much for the living and for loss of memory. But what of the dead? To realise that someone dear to you is dead, even when death occurs under normal circumstances, is at the time a severe blow. Supposing, however, that that person had left home some time previously and had not communicated with relatives for several months, then had, as the result of accident or otherwise, died suddenly. What then? The Police would, with the assistance of the Press, circulate a description and all information which might lead to ultimate identity being established. If, however, identity is not established within a few days, the Local Authority in whose area the person dies must arrange for the burial. It is true that identity may be established at a later date, but why at a later date when we have the means of establishing it more or less at the time?

Let me quote one or two instances, again taken from the Press, of the time that may elapse before identification of the dead is established when the persons have no criminal record, as compared with those who have.

1. After a search of almost a week, with the help of Police Forces in Scotland and England, Glasgow Police have identified the woman who was found drugged and dying in a Glasgow hotel on Sunday last. A laundry-mark and a handkerchief were the only clues to the woman's identity. When registering she gave a false name with an address in Bournemouth. This woman was identified by a sister who resided in Yorkshire.—(*Evening News*, May 8th, 1937.)

2. *Puzzle of Man with Three Names*.—A man who fell from an attic room of a Cambridge hotel to his death registered under the name of J. Jackson, of Edinburgh. Parts of his underwear bore the name H. Milne, while others bore the name T. O'Rourke. He was wearing a blue reefer jacket bearing the name of a tailor in Chatham and is thought to be of the seafaring class.—(*Daily Record*, February 27th, 1939.)

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3. An unknown man found dead on the beach near Fraserburgh, Aberdeenshire, was buried yesterday. There were no identification marks on the body, which had been washed ashore.—(*Sunday Express*, April 7th, 1940.)

4. On the Kingston By-pass, highway of ill-repute from a motoring point of view, a man was knocked down and killed. No clues could be found to his identity. Days passed; no relatives appeared. The dead man's fingerprints were then forwarded to New Scotland Yard and were identified as those of a labourer, of Hemel Hempstead.—(Story told at Kingston-on-Thames inquest.)

5. An unknown man, who was knocked down during the black-out and died the following day, has been identified by fingerprints taken after his death and sent to New Scotland Yard. This was disclosed when an adjourned inquest was resumed at Brighton on September 27th, 1939. A report was received stating that the fingerprints had been identified as those of an Italian known as "John Marshall," a fish hawker, of no fixed abode, born in Italy in 1859.

THE PENALTY FOR BEING LAW-ABIDING

What do these cuttings, taken at random from a collection which the writer has accumulated over a period of five years, disclose? Nothing less than the amazing fact that, in Britain, any person, who, because of his criminal activities, has had his fingerprints taken and filed in one of the Fingerprint Collections established by the Police, can have his or her identity established beyond doubt, whereas any honest, law-abiding citizen must, in many cases, await the result of exhaustive enquiries on the part of the Police, and numerous intimations in the Press.

CIVIL CONTROL

We know the solution to the problem, but how would the public react to the plea for a Civil Fingerprint Register? As a people, we are great believers in democracy and upholders of the oft-quoted phrase "The liberty of the subject." But would the establishment of such a register encroach on that liberty? I cannot see how it could, especially when the object of its establishment is not associated with the identification of persons who may commit crimes, but mainly with the prevention of needless worry and anxiety on the part of relatives and friends.

It follows, then, that in introducing the scheme it would require to be emphasised that the Police would not be connected in any way with the compiling of the register, or have access to it, for the purpose of comparing imprints found at scenes of crime with the fingerprints filed therein, but that it would be under the direct control of the

Registrar-General. This proviso should not, however, preclude the Police from making application to the Custodian of the Register for a search to be made for the purpose of identifying the victim of a murder, as the early identification of the victim in such cases is an essential part of the investigation.

OBLIGATORY OR VOLUNTARY

What form would the Register take? Would it take the form of one vast collection and include the fingerprints of the whole population, or would it include the fingerprints of, say, persons of 17 years of age and over only? Would it be obligatory on all inhabitants, or would it be voluntary? In my opinion, after eight years' experience of fingerprint classification and identification, the establishment of Regional Registers would be preferable to the establishment of one register for the whole country. I also favour the voluntary system as being best suited to the temperament of the inhabitants of these islands, to begin with, and, afterwards, to let the results speak for themselves.

I have advocated the establishment of Regional Registers for two reasons. First, there is a limit, for practical purposes, to the size of any given collection of fingerprints when rapid identification is an essential feature, and, second, there would be every likelihood of the identity of the individual concerned being established at the centre nearest to the scene of the enquiry. To avoid delay, however, it would be necessary to send copies of the fingerprints to all the centres simultaneously, and, in the event of identity being established at any one of them, for the information to be telephoned immediately to the sender of the prints.

WHERE PRINTS WOULD BE TAKEN

Having agreed upon these points, let us assume that the scheme is approved. Assume, also, that citizens of all ages, including parents on behalf of their children, make application to have their fingerprints included in the register. The next question is: Where would the fingerprints be taken, and by whom? The answer is: At the offices of the Registrars of Births, Marriages and Deaths, which exist in every community, and by their assistants; thereafter to be forwarded to the Regional Centre for classification and filing. The procedure in the United States is to charge a small fee when the impressions are taken and then to issue a receipt.

The taking of finger impressions under normal conditions is not difficult, and the art of recording clear impressions can be acquired in a very short time. Their classification, arrangement, and identification are a different matter, but there are sufficient experts in this country capable of training staffs to operate the registers.

REGIONAL REGISTERS

To return to the establishment of the registers. At the headquarters of the Federal Bureau of Investigation (better known as the F.B.I.), in Washington, D.C., there is established a collection of over ten million sets of fingerprints, so finely sub-divided that the search for, and identification of, any given set of prints take a few minutes only. Therefore, in Scotland, with its population of 4½ millions, one register would be sufficient, whereas in England and Wales, with a population of approximately 40 millions, the division of the country into four regions, one to include Wales, would suffice.

CONCLUSION

To sum-up, let us consider one or two questions. Has the case for the establishment of such a register been proved? In my opinion, yes. The statement by Mr. De La Bere, that in the year 1937 no fewer than 9,000 persons were in institutions in this country whose identity was unknown, should be sufficient proof. Would the scheme be costly to operate? Not if carried out on the lines I have indicated. There would be a certain income from the taking of the prints, and the personnel for that purpose already exists. Regarding the Regional Centres, the question of accommodation need not present much difficulty, and I have already explained how the staff can be trained.

Lastly, how would the public be informed of the scheme? That can safely be left to the B.B.C. should the scheme be approved, and to the good offices of the Press.

In conclusion, I believe that if the public were informed that such facilities existed for their better protection, and were assured that their rights and liberties would still be safeguarded thereby, the majority of law-abiding citizens would support the proposal. I also believe that even the most sceptical among them would eventually be converted as the results became manifest.

An Electrical Speed Trap

BY CONSTABLE J. G. BRANDON
East Sussex Constabulary

DURING the month of September 1942, no less than 533 persons were killed and 11,880 injured by road accidents in this country. The enormity of these figures can be realised when it is pointed out that if the bodies of the victims were placed head to toe they would cover a distance of almost thirteen miles!

These astounding figures are attributed by many authorities to the excessive speeds of the modern motorist. That the Government agrees is shown by the imposition of the thirty miles per hour limit in the built-up areas and the more recent twenty miles per hour restriction in such areas during black-out hours.

Such restrictions are, however, more easily imposed than enforced. At present the checking of speed offences is difficult, and at night often impossible. Such evidence as is procurable is usually open to serious criticism, both the human and mechanical elements being present in all cases. Many a well-deserved conviction has been refused by scrupulous magistrates through the lack of positive or corroborated evidence. In many cases, too, an astute motorist is able to discover when his pace is being checked and to reduce speed accordingly.

If, therefore, it were possible to detect these offences unbeknown to the offenders and to secure positive evidence, it follows that considerably more convictions would accrue. When the motorist finds that to flaunt the law is both costly and dangerous he will amend his ways and the present appalling casualties will be reduced.

Considering these facts, I venture to describe an apparatus which I designed recently for checking the speeds of motor vehicles.

1. The general purpose of the device is to record accurately the speeds of motor vehicles over selected lengths of the highway, the method employed being the use of an electric stop-watch operated by the vehicle.

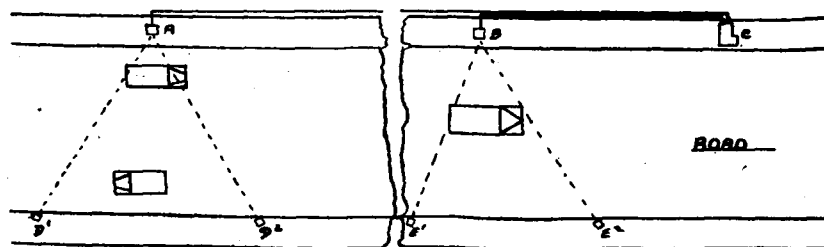


FIG. 1

2. When the apparatus is set up, a vehicle passing along the road will first pass a selenium cell device on the roadside and by its passage will cause the instrument to close the electrical circuit of the time recorder. This circuit will only be broken by the vehicle passing a second selenium instrument placed at a pre-determined distance from the first. Thus the clock in the time recorder will record the exact time taken by the vehicle to pass between the two cells.

3. Figure 1 shows a rough plan of a road where the apparatus is set out. On the first portion of the road will be seen two lamps (marked

AN ELECTRICAL SPEED TRAP

D.1 and D.2), and mid-way between them, on the opposite road edge, is the selenium instrument (A) which they operate. It will be noticed that these lamps are so placed that their rays converge on to the cell, the lamps being some twenty-five feet apart (although this distance will depend upon the width of the road to some extent). The importance of the position of these lamps will be observed from the sketch; the vehicle nearer to the lamps cannot possibly prevent light reaching the cell from both these lamps at the same moment, *i.e.* light will reach A either from D.1 or D.2 during the passing of any such vehicle, and therefore the cell will not be operated by vehicles passing in the opposite direction to those being checked. Vehicles passing the cells when proceeding in the other direction will, however, automatically obstruct the light rays from both lamps and operate the instrument.

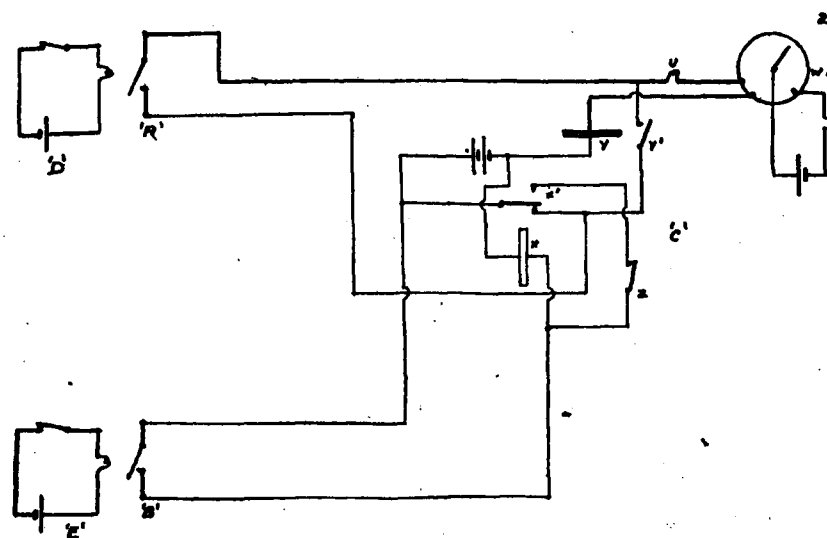


FIG. 2

4. Some distance from the first cell will be seen the second cell (B) with its attendant lamps (E.1 and E.2) set out in a similar manner. The recording instrument (C) is shown at some distance from the second cell in order to allow the officer conducting the check to read the speed of the vehicle and, if necessary, call upon its driver to stop. The only wiring necessary, outside the recorder, are four wires—two to each selenium instrument from the recorder.

5. Figure 2 gives the theoretical circuits. Only two lamps are shown in this case, marked D and E. It will be seen that the electric stop-watch is connected, on the closing of the first cell (A), via a lamp (U) (which

will disclose when the recorder is working), through switch $X.1$, of relay X , and through relay Y to the four-volt battery which serves to operate the instrument. On the closing of this circuit by cell A , relay

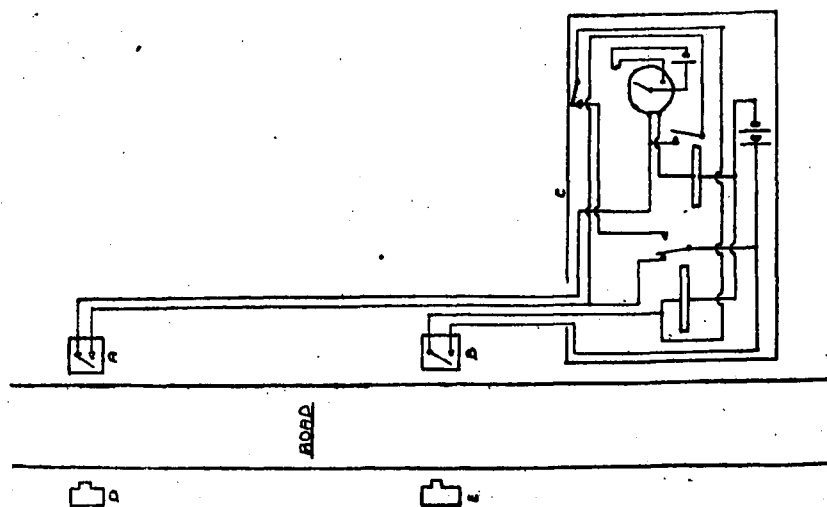


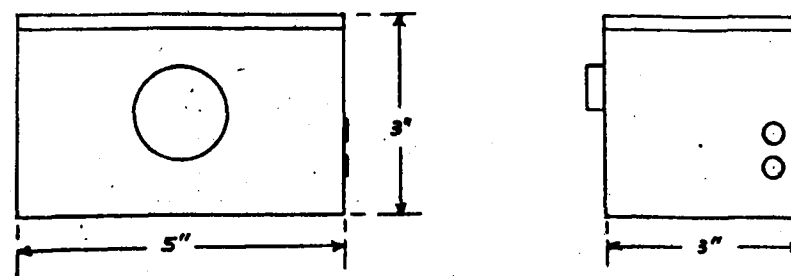
FIG. 3

Y at once closes its switch $Y.1$ which, in turn, short circuits the cell A and renders it inoperative. Any further closing of A by vehicles following that checked will not, therefore, affect the recording of the clock. Relay Y is thus self-holding and the clock will continue to record until the circuit is broken down, which occurs when cell B is operated. Then a circuit is made between the battery and the relay X , which at once operates its switch ($X.1$) and so breaks the battery supply to the recorder. When switch $X.1$ breaks it also makes a circuit which short circuits cell B and continues to operate relay X . Both cells are now inoperative and the clock remains recording the time between the operating of each cell. In order to return the unit to its original state ready for a further recording a switch Z , which is manually controlled, must be opened and closed again. A push-button bell switch being the most suitable, adapted, of course, to open and not close the circuit. This action breaks down the relay X and switch $X.1$ returns to normal. The clock will also have to be returned to zero by manual control, i.e. pressing a second button.

6. So it will be seen that this apparatus is not affected by any vehicles other than the single vehicle which it is desired to check. The only exception being when a fast vehicle overtakes that being checked between the two cells, in which case the faster vehicle will have covered

a greater distance than that checked in the time recorded by the instrument and a conviction is still possible. As is shown in paragraph 5, vehicles following that checked do not affect the check.

7. A small green lamp is shown operated by the hand of the stop-watch. This is in a separate circuit and is inserted to give warning that a certain time has elapsed since the operation of cell A , i.e. that the time taken by the vehicle to cover the measured distance is that legally allowed.



SELENIUM CELLS 'A' & 'B'

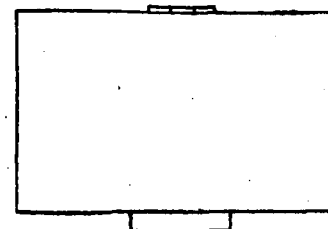


FIG. 4

8. Figure 3 is merely a combination of figures 1 and 2, showing how the wiring is laid out in practice. Again only two lamps have been shown. It will be noticed, as stated in paragraph 4, that only two pairs of wires are used between the cells and the recorder.

9. Figure 4 shows a rough drawing of the boxes containing the selenium cells and the switches which they operate. The sizes show how unobtrusive the apparatus would be. The boxes are designed with hinged lids and are fitted with two sockets to take the plugs on the leads from the recorder.

10. Figure 5 gives three views of the electric lamp in its container. It should be noted that the base of the box is not flat, provision being made by a sliding back-piece for the alteration of the elevation of the lamp. This is necessary in that one kerbside would probably not be

level with its opposite. The aperture through which the light is emitted is pin-point size and a shield is provided so that the ray may not be observed by drivers at night. Such small objects as these boxes are unobtrusive and easily hidden.

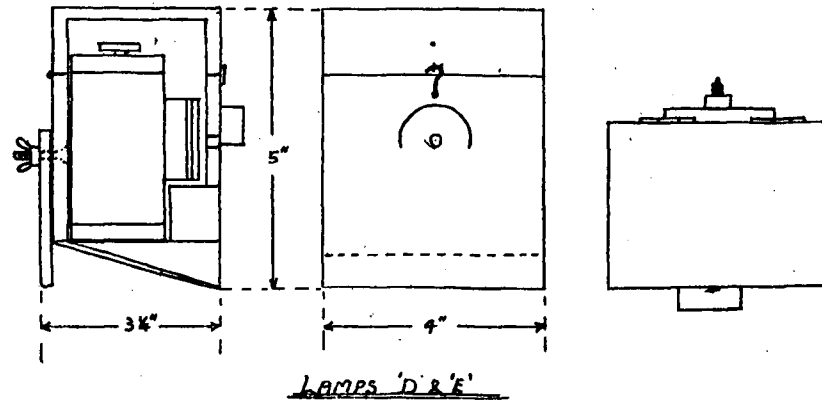


FIG. 5

11. Figure 6 shows the side, elevation and plan drawings of the recording instrument, together with the parts it contains and their relative positions. This instrument is only one foot in height. Actually there are two separate units built together; the one containing the recorder and accessories and the other holding two spools of wire for connecting the cells with the recorder.

12. The two spools are placed one above the other and a door is provided at the side for inspection or repair. The spools are wound by a key and a slot for this is shown at the end of each core. Two sockets are fitted in the other end of the cores of these spools, these sockets being connected to the wires wound on the spools. The plugs on the leads from the recorder proper would be inserted in these sockets when the spools had been unwound. These plugs and sockets would, of course, be coloured to avoid mistakes being made. This spool box also serves to shield the green lamp from oncoming drivers. The wires connected to the further cell could be marked in yards to facilitate the setting out of the cells accurately.

13. Turning to the recorder itself, it will be seen that the clock is placed at the front of the instrument, the two relays being on the floor with the batteries behind them. A door is made at the back for accessibility. The button switch at the top of the box, which also shields the operating lamp from the rear, is that switch (Z) which returns the unit to normal as described in paragraph 5. The lamp is illuminated only when the clock is recording; the green lamp at the side indicates when

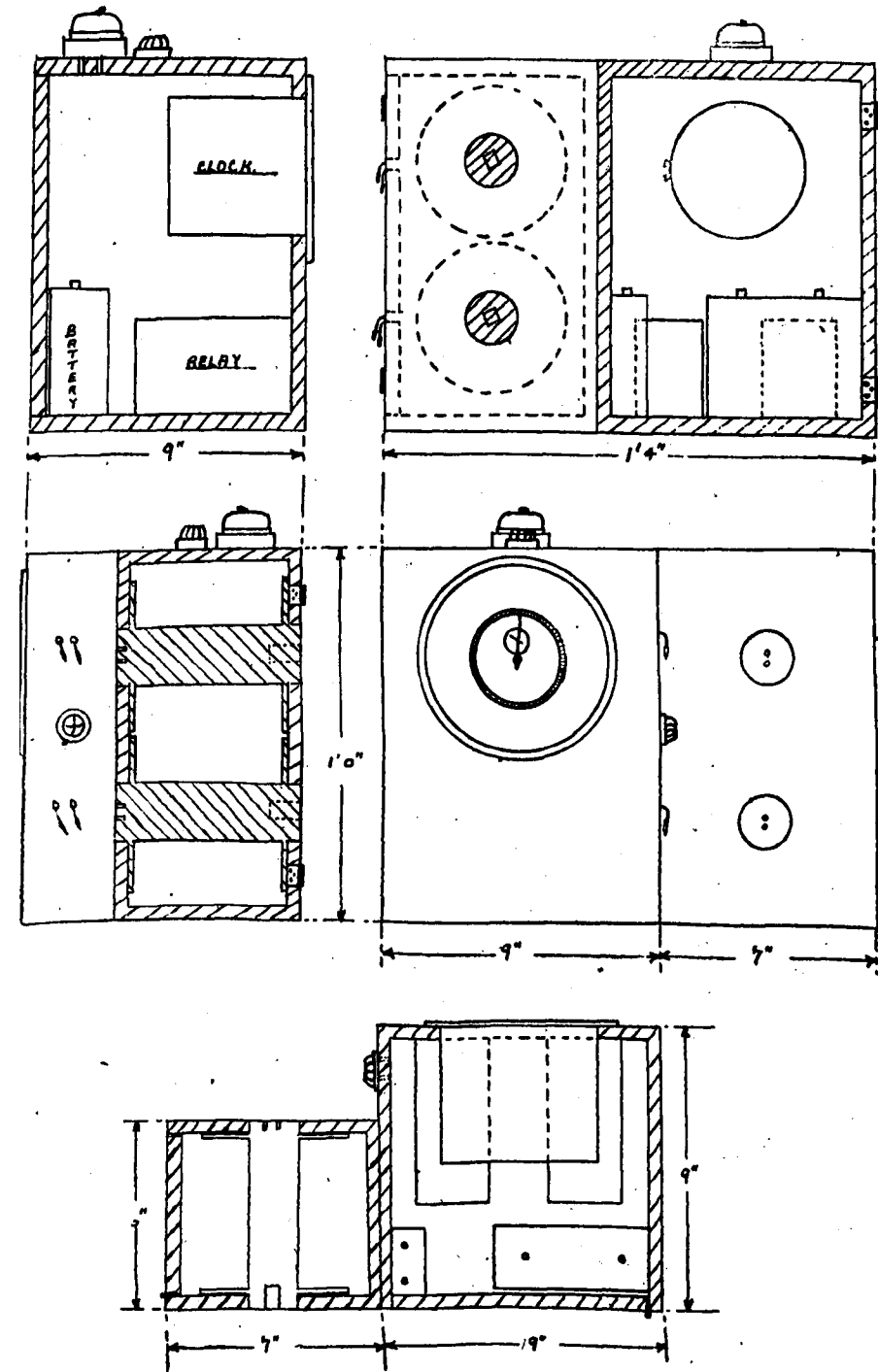
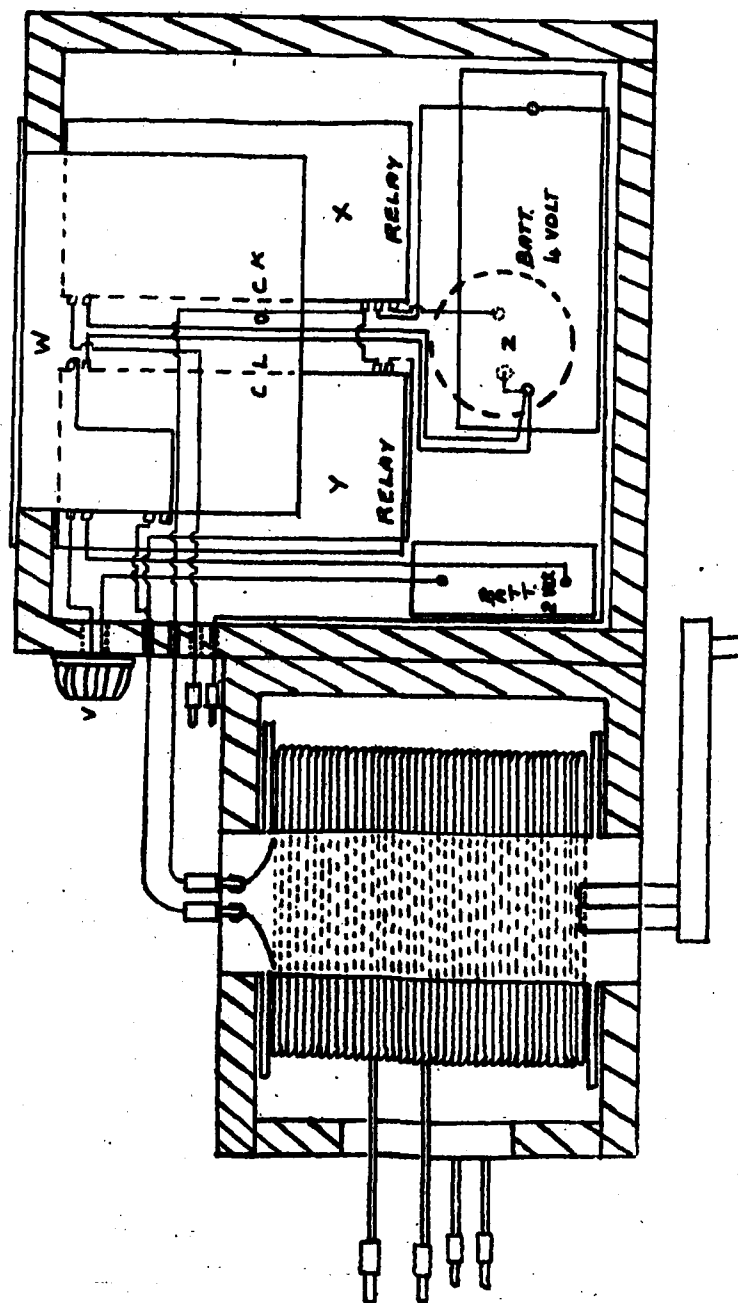


FIG. 6



AN ELECTRICAL SPEED TRAP

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the vehicle being checked need not be stopped, as described in paragraph 7. A knob is situated on the face of the clock for returning the clock to zero.

14. *Figure 7* is a further drawing of the recording instrument showing the actual wiring. The operating lamp (*U*) has been omitted to avoid confusion.

15. When spacing out the cells it should be borne in mind that the actual recording will not commence until the ray from the second of the two lamps is obstructed and this will, of necessity, be a very short distance beyond the cell. In theory this delay should occur equally with both cells, and therefore be negated. In practice a few feet beyond the stipulated distance might be allowed to avoid arguments.

With such apparatus it would be possible for one police officer alone to carry out a check upon vehicles; this man having merely to stop such vehicles as the instrument indicates and to interview their drivers. One problem which arises, however, is that pedestrians may by chance walk in the roadway immediately in front of a selenium cell and thus operate the instrument. Therefore it would be necessary to keep the cells under observation.

The use of this apparatus would contribute to the saving of tyre wear of police vehicles and would also make more feasible the proposed general forty miles per hour limit, which has been advocated in order to conserve the nation's petrol and rubber.

The instruments described cannot be said to be complicated; they have few parts liable to defects and should prove efficient for long periods without attention. The apparatus is easily transportable; the whole being accommodated in a motor-cycle combination without difficulty.

While the items described may not be perfect, it is felt that the ideas propounded may help to serve as a groundwork or basis for such a scheme. The circuits have been checked and approved by an eminent engineer at the head of a world-famous electrical firm.

The electric clock described is manufactured by Messrs. Venner Time Switches Ltd.; the relays are made by numerous firms, among them The Automatic Electric Company, and the selenium cells (but not the entire instruments) are made by Messrs. Evans Electroselenium Ltd. While the present prices are liable to fluctuate, it can be said that twenty-five pounds should cover the cost of the entire apparatus. Unfortunately, owing to the present throes of war, the relays and clock are not obtainable without Government priority orders.

In conclusion I wish to add that I shall be glad to give any advice or help that might be required from me in connection with this matter.

Psychology in the Investigation of Crime

BY DETECTIVE-LIEUTENANT ALEXANDER BROWN

City of Glasgow Police

THIS is not an outline on psychology by an expert on the subject, on certain of the advanced theories of which even experts are not in agreement, but an endeavour by a student to emphasise the importance of and to stimulate interest in psychology, the practical application of which has been of universal benefit in innumerable spheres of activity but, strangely enough, generally underrated or ignored by the Police.

Psychology is defined in text books in all sorts of ways, but it is usually treated as the systematic study of behaviour as being the result of mind and seeks to understand behaviour in terms of the inner life of thought and feeling—in other words, human nature. It is part of the system of education in universities throughout the world. A great deal of our knowledge of psychology is acquired by introspection or perception of what takes place in our own mind and by observation of the outward signs of what passes in the minds of others. We judge each other mainly through our own personal motives. It is said that we are all psychologists, more or less. At any rate, we all deal with human nature, which is the matter that psychology treats, yet if we do not study human nature deliberately in a somewhat scientific way we can hardly claim to be psychologists or to make the most of the science. The behaviour of ourselves and our fellow-men is a field of study at least as important and affecting the welfare of humanity at large at least as closely as the field of study of chemistry or physics. Wherever in practical life we are concerned with human behaviour—that is, wherever the human factor is involved in professional, industrial or social life—there the facts and laws of psychology will find application.

Psychologists say that all human beings have the same underlying human nature and that differences between one individual and another can always be expressed as of particular qualities or capacities. As the extent and importance of individual differences are realised, what is termed "vocational psychology" has gradually come into use. An individual may be said to have a trait for a certain kind of work, just as it is clear that there may be another trait lacking which will make other work unsuitable or even impossible for him. Individual differences and vocational requirements are taken into consideration in order to fit them together. Guidance can be given to an individual as to the type of work for which he seems most suited and occupational tests are

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arranged to enable the employer to select a suitable person from a number of applicants. To be tied to a career for which one has neither aptitude nor inclination, or for which one has a strong dislike, is the cause of a great deal of misery and sickness as well as spoiled and imperfect work.

In education, the interest of the teacher must be shared between the subject matter and the child to be educated. This necessarily involves the direction of attention to the psychology of the child—formerly called "child study."

In salesmanship a knowledge of human nature seems to be essential for the successful salesman. Psychology has attempted to analyse the act of selling, such as the best way of approaching the customer and how to present the merits of the article to be sold. Much depends on the interest aroused by the salesman and the atmosphere he creates. The decision to buy may be shown by a sudden tenseness, or a change in facial expression, or an almost imperceptible movement. The salesman must be quick to recognise this decision and to reinforce it by some suitable remark or action on his part. The whole art of salesmanship is a study of personalities—the personality of the salesman, the personality of the purchaser and their reaction, the one to the other.

Even in advertising where there is no personal contact there is much to be learned from psychology. In fact, many of the problems of advertising have been the subject of psychological investigation which has yielded a certain amount of insight into the inner working of the human mind. The appeal of the advertisement is generally through the senses and anything which will enhance that appeal will increase the likelihood of the success of the advertisement.

In the criminal world we find that the success of criminals in schemes of fraud and the confidence trick is due, in a great measure, to their knowledge of human nature, which they have applied to persons who, they have determined, form a fertile field for such operations.

If we want to know how a person is affected toward a certain circumstance all we have to do is to ply him with a number of words including a few connected with that circumstance and see how he reacts to them. From tests it has been found that with what we might call dangerous words, the time taken to reply was a good deal longer than in the case of innocent ones. In cases where persons were prepared and recognised the dangerous words, when the results were examined it was found that the time for most of the dangerous words was shorter than the average.

It is the primary duty of the Police to protect life and property and to enforce, to a certain extent, the laws of the country. Without the co-operation and assistance of the public it would not be possible to carry out the many varied duties. Every act by the Police in the

course of their duties brings them into contact with members of the community. It is not necessary for the Police to know all about the subjects (usually referred to as "scientific aids") which are of value to them in their general duties, or in crime investigation, provided they are aware of the manner in which the experts in the various subjects can be of assistance. It is not so in the case of psychology. In order to deal adequately with the many problems with which the Police are confronted, it is of paramount importance for them to know their fellow men, to understand human nature or "behaviour as the result of mind," as it is termed, and to enter into the thoughts and feelings of the individuals they meet, and particularly of criminals and persons suspected of crime.

Police investigators cannot make use of the strongest circumstances without the human agent, the person or persons who can bear testimony to those circumstances. Every case rests upon what the witnesses can tell. If the knowledge of human nature is not applied, the investigators are not likely to obtain all the evidence, and what may be vital evidence, which it is in the power of the witnesses to give.

It is when dealing with persons who are reluctant or unwilling to become involved in Police proceedings that this quality can be used to great advantage. It has often been said of certain Police officers that they have a remarkable aptitude for obtaining important evidence or information in connection with crimes under investigation. It is not so much a matter of aptitude on the part of the Police officers concerned as the bringing to bear on the enquiries the knowledge of human nature which they have cultivated or acquired.

As it has been proved that psychology can be used with advantage in so many walks of life, it should be a potent factor in the multifarious duties of the Police service in which opportunities for applying it are manifold.

If the present high standard of efficiency in crime investigation has been achieved with a limited knowledge of psychology in its application to such investigation, how much more efficient the Police service should be if psychology were studied scientifically as part of the training of the Police and particularly of those who are engaged in the investigation of crime.

The Railway Police

By WILLIAM O. GAY, M.A.(OXON.)

Junior Assistant to Chief of Police, Great Western Railway

IN proportion to its size Britain has more miles of railway than any other country in the world and police officers throughout the length

and breadth of the kingdom are frequently brought into contact with members of the police forces primarily responsible for the protection of this complicated network. The existence of these railway police forces is therefore as widely known as their usefulness is freely acknowledged. In view of this it is remarkable that there should exist any misunderstanding of the nature of their powers and the scope of their activities.

The railways have played a vital part in the development of the economic life of the country and all through their long history the legislature has recognised the importance of ensuring that everything possible is done to protect them from all forms of crime prejudicial to the interests of the companies in their business capacity, to the efficient working of the railways as a means of transport, and to the welfare of all persons who use the railway facilities for the discharge of their personal or commercial affairs. To this end there has been built up in the course of more than a hundred years a very considerable body of statute and case law. Just how considerable is perhaps not appreciated by those who have had no occasion to study the weighty volumes dealing exclusively with the law of transport or even the manuals of modest proportions issued to the railway police.

The police forces maintained by the railway companies are not a modern innovation. They have a very old and a very firm statutory basis. Railway police officers are, it is true, paid by the railway companies and are the servants of those companies; but it has long been established (and given statutory recognition by section 67 of the Railways Act, 1921) that a railway police officer is by virtue of his special duties quite distinct from any other grade of railwayman. Further, as will be shown, every railway police officer is sworn in and has by virtue of his oath the same powers within his jurisdiction as the member of any other police force. His oath requires him "to cause the peace to be kept and preserved and to prevent all offences against the person and properties of His Majesty's Subjects." He is, in short, a policeman.

It is impossible to deal with all the railway forces in a short article, but in order to show that these forces have a definite status, a special function, and an interesting history, it is proposed to trace in outline the development of a representative force, namely, the Great Western Railway Police.

Before the grouping of the railways under the Railways Act, 1921, there were dozens of independent companies and all of them had private Acts of Parliament which created and defined their legal rights and responsibilities. Most of these companies had a police force of some kind. The history of the other railway forces, particularly those of the larger companies now merged in the L.M.S.R., L.N.E.R., and S.R., is equally as interesting as that of the G.W.R. force. The officers

of these other forces are also vested with similar powers by numerous private acts and public acts of general application. Alone of all the British railway companies, however, the Great Western has retained the title originally adopted by its promoters in 1833, and it is comparatively easy to sketch the historical background of the police force it maintains.

The construction of the G.W.R. was begun in 1833, and the first section of the line was completed in 1838. During the intervening years the men engaged on this and other public works were responsible for so many breaches of the peace that Parliament was compelled to intervene, and the origin of Railway Police is to be found in the preamble of an Act passed in 1838. It states that

"... great mischiefs have arisen by the outrageous and unlawful behaviour of labourers employed on railroads, canals, and other public works, by reason whereof the appointment of special constables is often necessary for keeping the peace, and for the protection of the inhabitants and security of the property in the neighbourhood of such public works."

The Act empowered magistrates to appoint constables upon the oath of three credible witnesses that there was reason to fear breaches of the peace in the circumstances mentioned. The cost was debited to the railway company or other authority responsible for the public works.

Constables so appointed were sworn in under the Special Constables Act, 1831, and having been so sworn they were vested with all such powers "as constables duly appointed now have by the Laws and Statutes of this Kingdom." The G.W.R. made appointments under this Act until 1877, when the Company obtained special parliamentary powers to swear in and appoint their own police officers. All G.W.R. officers are now sworn in under this Act, which provides that

"every person so appointed shall be sworn in by the justices duly to execute his office, and shall have *all such powers, authorities, protections, and privileges, in respect of the execution of his duties as constables have or are subject to by the laws of the realm.*"

It also provides that when a railway officer acts outside the premises of the Company he shall in all respects be subject to the regulations and instructions of the Justices or Watch Committee, and that if he fails or refuses to produce his warrant card when lawfully or reasonably required he shall be liable to a penalty of forty shillings.

The same Act defines the railway police officer's jurisdiction—"the railway, stations, and works of the Company, and within half a mile thereof." In 1899 the G.W.R. obtained further parliamentary

powers (Section 65, G.W.R. Act, 1899) which authorises their officers to follow and arrest any person who escapes from railway premises after committing thereon any offence for which he might have been arrested at the time. When it is considered that a G.W.R. officer can exercise his authority on all railway premises belonging to, or leased to, or worked by the G.W.R. solely, or in conjunction with any other company or companies, it will be appreciated that geographically his sphere of action is very extensive—anywhere, in fact, between London, Penzance, Fishguard, and Liverpool. The jurisdiction of other railway officers, those of the L.M.S.R. Police, for example, is greater still.

The number of officers that could be appointed by the G.W.R. in any one borough or city was originally limited to six, but this limitation was removed by section 104 of the G.W.R. Act, 1912.

As the railways developed, Parliament was constantly being asked to protect them, and there was a steady stream of public and private Acts which created special railway offences and gave railway police special powers to deal with them. It is interesting to note that the railway police, organised originally to protect the public from the railway employees, gradually developed into a force designed to protect the companies from dishonest employees and evil-minded members of the public.

The relevant sections of the Malicious Damage Act and the Offences Against the Person Act will be familiar to all police officers, but the following are probably not so well known:

Regulation of Railways Act, 1840, section 16.—Empowers a railway constable to arrest any person who obstructs any railway employee in the execution of his duty, or trespasses on railway premises and refuses to quit when ordered to do so. Penalty—£5.

Regulation of Railways Act, 1842, section 17.—Empowers a railway constable to arrest any railway employee found drunk whilst on duty, or who breaks railway regulations, or who wilfully or negligently does any act likely to obstruct the railway or injure persons on the railway. Penalty—£10 or two months' imprisonment.

Regulation of Railways Act, 1889, section 5.—Defines various offences connected with fraudulent travel and empowers a railway constable to arrest any person who travels on the railway and refuses to pay the fare, produce a ticket showing that the fare is paid, or to give a name and address. Penalty—Forty shillings; second offence, £20, or one month's imprisonment.

G.W.R. (Additional Powers) Act, 1923, section 53.—Empowers a constable to "stop, search, and take into custody" any

railway employee in, or in vicinity of a railway, harbour, dock, etc., who may be reasonably suspected of having in his possession or conveying anything stolen or unlawfully obtained. Penalty—£5, or two months' imprisonment. (Section 58, L.M.S.R. Act, 1924, and section 96, S.R. Act, 1924, contain similar powers. In every case the powers are exercisable at places listed in a schedule to the Act—most of the important railway centres are included.)

G.W.R. (Additional Powers) Act, 1924, section 76.—Makes it an offence punishable on summary conviction for any person to throw or cause to fall at or against any railway property, any stone, etc., likely to cause damage or injury to persons or property. Penalty—Forty shillings. (This is intended to provide an alternative to section 33, O.A.P.A., 1861, which is inappropriate for ordinary cases of stone-throwing by juveniles. Section 60, L.M.S.R. Act, 1924, section 73, L.N.E.R. Act, 1924, and section 98, S.R. Act, 1924, contain similar provisions.)

In addition to the above the G.W.R. and other companies obtained at various times special powers for dealing with other offences calculated to obstruct the working of the railway, for example, trespass, and the wrongful use of the emergency communication system. There are also twenty-three bye-laws which apply to all railways and were approved by the Minister of Transport in 1926. These were carefully drafted to embody the terms of many legal decisions and the results of a long process of trial and error. Students of any branch of the law will know that the railway companies are well represented in every volume of law reports that has been issued during the last century.

The early G.W.R. Police were modelled on the Metropolitan Police of the day, and the ranks of inspector, sub-inspector and sergeant were adopted. The constables wore a uniform similar to that of the contemporary Metropolitan constables and every man was provided with a staff about eighteen inches long, bearing an elaborately painted crown with the letters "G.W.R." in gold. Every inspector carried a short hollow brass and ebony baton surmounted by a crown and containing his warrant of authority on a small parchment scroll. As early as 1838 it was decided that the inspectors should be distinguished by "a red stripe of an inch and a quarter on the Trowsers," that the constables should have "G.W.R. with a number marked on the stand-up collar in scarlet cloth," and that the "Hats of the Policemen be precisely similar to those of the Metropolitan Police."

In 1859 the G.W.R. officers were relieved of their heavy top-hats following a decision that the substitution of caps "would be productive of comfort to the men as well as economy to the Company." Other

minor alterations in the uniform were introduced shortly afterwards. Prior to 1859, however, the railway constables must have looked not unlike the two elegant officers to be seen in Frith's famous painting, "The Railway Station."

Some constables were posted at stations while the remainder patrolled the beats into which the whole line was divided. At first there was only one Inspector of Police who covered the whole of the London Division of the railway as it gradually extended. When the Bristol Division was formed (1840) another inspector was appointed, and a third was subsequently appointed for the Northern Division.

The inspectors were required to exercise a close supervision over their men. "From time to time at uncertain intervals, and both by day and night," stated the rules which remained in force until 1878, it was the duty of the inspector "to walk through his district, and to report to his superintendent any irregularity he may detect."

The constables were men of all work, to say the least, and a list of their duties makes strange reading to-day. The following is an extract from the G.W.R. Police Regulations dated February 1841:

"The duties of the Police may be stated generally to consist in the preservation of order in all the stations and on the line of railway. They are to give and receive signals; to keep the line free from casual or wilful obstructions; to assist in case of accidents; to caution strangers of danger on the railway; to remove intruders of all descriptions; to superintend and manage the crosses or switches; to give notice of arrivals or departures; to direct persons into the entrance to the stations or sheds; to watch movements of embankments or cuttings; to inspect the rails and solidity of the timber; to guard and watch the Company's premises; and to convey the earliest information on every subject to their appointed station or superior officer."

With such a variety of duties to perform it is to their credit that the railway constables of the period still found time to do some good police work. It is worth recording, for example, that in 1845 a sergeant of the G.W.R. Police was responsible for the arrest of John Tawell, the Salthill murderer. Tawell, who had murdered his mistress at Salthill, near Slough, went to Slough Station to join a train for London. His description was sent to Paddington by the new electric telegraph system and the sergeant met the train in. He was able to identify Tawell from the description and he shadowed him to his lodgings, where the arrest was made.

In later years the railway constables were obliged to devote more time to the operation of the railway than to its protection. In the

'fifties, constables were placed in charge of small stations and were known as "Booking Constables." They were thus the forerunners of the modern "Booking Clerks." For many years men so employed were called "Constables" although in fact they were not sworn in.

With the steady increase in rail traffics and the beginnings of real prosperity there was an alarming increase in the thefts of goods in transit and the railway authorities realised that a specialist police organisation was necessary. In 1864 a special detective branch was formed by the G.W.R.—fourteen years after the harassed American railroads called in Allan Pinkerton and an equal number of years before the detective branch of the Metropolitan Police was organised under Howard Vincent.

These detective officers were called Special Police by the railway company to distinguish them from the "Common Constables" who were by this time confined almost entirely to duties more akin to traffic control than police work. All the officers attached to the Special Police were sworn in under the Acts already mentioned and they dealt with all crimes affecting the railway.

The fusion of the remaining uniformed police with the detective branch was advocated from time to time and was finally brought about in 1918 when the G.W.R. Police organisation was centralised under the control of the senior detective officer who was given the title of "Chief of Police."

In consequence of the amalgamations that followed the First World War the G.W.R. Police are now, in common with other railway forces, responsible for the policing of a number of important docks and ports.

The authorised establishment of the force at the outbreak of the present war was:

Headquarters	17
Superintendents	5
Inspectors (Uniformed and C.I.D.) ...	26
Detective Sergeants	19
Uniformed Sergeants	21
Constables (including Detective Constables)	262

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The existing strength is far in excess of this figure following the recruitment of a large Special Constabulary for the policing of various Protected Places and Vulnerable Points on the G.W.R. system.

The pre-war and war-time establishment of the other railway forces—the L.M.S.R. Police, for example—is much greater than that of the G.W. Railway.

The Headquarters of the G.W.R. Police are at Paddington Station, London, and the whole line is divided into five divisions—London, Bristol, Birmingham, Cardiff, and a Docks Division—each sub-divided into districts, there being twenty-four districts in all. The district offices, like the divisional offices, are situated at important terminal or junction stations. The other railway forces are organised in much the same way.

Since the grouping of the railways in 1921 the Railway Police have developed in efficiency and grown in prestige. It is easy to compare them adversely with the public forces, but it should be appreciated that it is really impossible to make a true comparison between forces which differ so greatly in administration, organisation, and function. The important thing is that the railway forces undertake certain special police duties for the benefit of the vast public utilities by whom they are employed and, in the widest sense, for the benefit of the community. They discharge these duties in a very creditable manner. The railway detective officers in particular are specialists with unique opportunities and are unrivalled in their knowledge of the expert criminals who make the railways their prey. Railway cases are before the police courts every day, but the method of compilation and presentation of the official criminal statistics obscures the not inconsiderable achievements of the railway police. In 1942 the G.W.R. Police successfully conducted 3,109 prosecutions, including 1,198 for larceny. The larger railway forces returned even more impressive figures.

The Railway Police recognise that they could not hope to be successful if they did not receive the fullest co-operation from all the forces responsible for the territory through which the railways pass. There have been occasions when the county, city, or borough officer has been in some doubt as to the attitude he should adopt towards the railway police officer who has sought his assistance. It is hoped that this article will assist in some measure to dispel any lingering suspicion there may be that a railway police officer is not "a real policeman."

Statements

By SERGEANT J. EDMONDSON
Bacup Borough Police

IT goes without saying that every police officer should have a working knowledge of the Judges' Rules, for on the application of these Rules may depend the admissibility or otherwise of material evidence without which a prosecution may fail. Although the first four of the Rules were formulated as long ago as 1912, it is apparent that many police officers

do not yet fully understand their purport and implications, or we should never experience such a wide divergence in their practical application.

When a police officer is investigating a case in which some offence appears to have been committed he is at liberty to ask questions in respect thereto of any person or persons, whether suspected or not, from whom he thinks useful information can be obtained, and it is only when he feels sure that a particular person has committed or been party to the commission of an offence that he need caution that person before inviting him to give an explanation, or further explanation, as the case may be.

The manifest difficulty of a police officer is to determine the precise moment that he makes up his mind to this effect; it may be arrived at even before the alleged offender is interviewed, or it may be reached during the course of the interview; it all depends upon the information available and its relativity to the subject matter. The golden rule, however, is to endeavour to elicit as much information as possible from a suspected person before it is necessary to caution. To put this theory into practice the questioning should be so arranged or controlled as to postpone the vital question or questions that draws out this incriminating information as long as possible.

If a police officer administers the caution indiscriminately he may hold himself out to ridicule. Let me illustrate this by way of example:— Suppose a motorist, who has not complied with s. 22 (1) of the Road Traffic Act, 1930, calls at a police station for the purpose of reporting a road accident in which he has been involved, and the officer in charge of the police station immediately cautions the motorist. Observe the antithesis. The Road Traffic Act, 1930, s. 22 (2), states: If in the case of any such accident as aforesaid the driver of the motor vehicle for any reason does not give his name and address as aforesaid, he shall report the accident at a police station or to a police constable as soon as reasonably practicable, and in any case within twenty-four hours of the occurrence thereof. In effect, the law says to the motorist: "You must say something"; yet the officer in charge of the police station, in using the words of the official or formal caution, may well say, "You are not obliged to say anything—." Obviously, therefore, in this instance the caution is ill-timed, and it is submitted by the writer that in a case such as this the caution need not be administered until the motorist does actually commit himself, if at all. For instance, he may say, "I could see that it was going to be a tight squeeze to get through, but I decided to take the risk." He may then be properly cautioned.

The whole object of administering a caution is to ensure that any statement made by an alleged offender is admissible in evidence thereafter, and for this reason it would be preferable, though at times not

always practicable, to caution a person in the words of the *formal* caution, thus: "You are not obliged to say anything unless you wish to do so, but whatever you say will be taken down in writing and may be given in evidence." A caution must end with the words "may be given in evidence" and care should be taken to avoid any suggestion that proceedings will necessarily follow, as this may prevent an innocent person from making a statement which may render him immune from any criminal charge.

When it is necessary for a police officer to administer a caution—and, as previously illustrated, this should not be done until it is actually necessary, otherwise valuable information may be withheld—it should be done without too much show of officiousness; for experience will prove that most offenders will respect the person who brings them to book provided they consider that the officer in doing his duty has used tact and discretion, and that the "white line" of officialdom has not been encroached upon. There are of course, exceptions to the rule.

The Taking of Statements. Assuming that our questioning of a suspected person has reached such a stage that we are pretty sure that he is "our man," and he wishes to volunteer a statement, the usual caution should be administered before he is allowed to make his statement. It should be noted, however, that a statement made before there is time to caution is not rendered inadmissible merely by reason of no caution having been given, but in such cases the caution should be administered as soon as possible thereafter. The statement should, in the terms of the caution, be reduced into writing and be in the actual words and phraseology of such person. I would suggest that the statement commence as follows:

"A—— B—— states: I have been told by Inspector C—— that I am not obliged to say anything, but whatever I say will be taken down in writing and may be given in evidence, and I elect to make the following voluntary statement:"

Many police officers would have the statement begin "A—— B—— after being cautioned states:" and contend that this is sufficient. Imagine, however, the embarrassment and humiliation that might be experienced if a police officer, in commencing to read a statement thus prefixed, was asked in Court to quote the actual words he used in cautioning the defendant, and was unable to quote the words of the official caution to any degree of similarity; and so, for this, and other reasons, it is submitted that the continual use of the words of the official caution will obviate such a contingency.

As it is a necessary adjunct to the admissibility of a voluntary statement that it must have been given freely, and without threat or promise or any other consideration being held out as an inducement,

it is desirable that words implying that the statement has, in fact, been obtained under these Utopian conditions should be incorporated in an affix to the body of the statement. The following may serve as an example: "This is a true statement given freely without threat or promise or any other consideration being held out to me. I have read it and it has been read to me, and I have had the opportunity of making corrections."

I would submit that the concluding paragraph of a statement taken from a suspected person cannot be too comprehensive and exacting in its terms, especially in the more serious cases. Some laxity, of course, may be allowed in the less serious cases; it is for the officer taking the statement to judge the seriousness or magnitude of the offence involved. For instance, suppose a statement taken from a person suspected of having committed a serious offence simply terminated "I have read this statement and it is true," it may well be that the person making the statement, should he subsequently become the defendant or prisoner, will endeavour to refute any incriminating contents by testifying that he read the statement in semi-darkness, or that when he read it he hadn't his spectacles with him, and that if he had thoroughly known the contents of the statement he would never have signed it as correct. If, however, the words "and it has been read to me" have been added, the defendant or prisoner, as the case may be, has then to satisfy, or ask the Court to believe, that both his vision and his hearing were defective.

When dealing with a delinquent who is actually blind a different proposition arises, and the following may serve as a suitable paragraph to add, and have witnessed, after the delinquent has signed his name or placed his mark to the end of his statement:

"The contents of this statement have been distinctly and audibly read over by me to A—— B—— as above, he being blind, and he made his mark (or signed his name) in my presence."

(Signed) C—— D——.

Witness.

If a suspected person after having been cautioned wishes to write out a statement himself he should be allowed to do so, but a young police officer should ensure that he is not beguiled by such a procedure. The ostensibly helpful defendant may subsequently prove a source of trouble by denying that he was ever cautioned before he made the statement, and as a consequence it may be rendered inadmissible. Where, therefore, a suspected person is good enough to write out a statement himself, suggest to him that he prefix the statement by such words as previously suggested, or words of a similar form, signifying that he has in fact been cautioned before writing the statement. The

same remarks apply to the affix regarding the statement having been given freely.

Statements should always be in the first person, and should be in ink or indelible pencil. Unless a statement is taken in a police officer's official pocket-book, which of course should have numbered pages of a non-loose leaf type, a separate sheet of paper should be used for the statement of each person: both sides of the paper being used where necessary. Short sentences are recommended, but the indenting of the first line of each paragraph should be avoided so as to obviate any risk or suggesting that words have been added after a person has signed his statement, and without his authority. The same remarks apply to uncompleted lines of paragraphs; they should always be completed by a horizontal line drawn in the presence of the person making the statement. Similarly, where a suspected person signs his name to his statement otherwise than immediately below the last line of the last paragraph, the intervening blank space should be cancelled by the drawing of a diagonal line from the last line of the paragraph to the signature, as a safeguard against any suggestion that an additional paragraph has been added by the police officer who took down the statement. No alteration whatever should be made to a suspected person's statement without his authority, which he should immediately signify by initialing the alteration, the police officer doing likewise.

After an alleged offender has signed his name to the statement he has made, the police officer should add for his own information the time, date and place where such statement was taken, such as: "Taken down at 2.5 p.m. 25th March, 1943, by Inspector C—— at the Divisional Police Office, D——."

There is a difference, and a great deal of difference, between a statement made by a suspected person and that made by a potential witness, as in the latter case the statement is really only a proof of the evidence which will eventually be submitted to the Superintendent or other officer who is to authorise or conduct the case for the prosecution, and may or may not be used. The more stringent necessities required by the Courts with regard to the taking of statements from defendants or prisoners do not, of course, apply to statements taken from witnesses, unless during the course of the interview they disclose something that brings them within the purview of a "suspected person."

In investigating offences of a serious character, as distinct from mere technical breaches of the law, a police officer might with advantage consider the advisability of taking "negative statements" from persons who were in a position to witness certain events but who, when interviewed by the police, deny having done so, as these persons are often produced as *witnesses* for the defence, and any evidence they then tender

stands to be rebutted by the police officer taking the original statement and on his producing it.

It may be opportune at this juncture to emphasise the importance of getting even potential witnesses to sign their statements, because apart from the question of "negative statements" such a signature may go a long way towards convincing a magistrate that the attendance of an unwilling witness at Court is actually material, and that it would be a proper case for him to issue a "witness summons." Similarly, if a person attends Court voluntarily as a witness for the prosecution, but the evidence he then tenders contradicts or is not consistent with his original statement to such a degree that application is made to the Court for permission to treat the witness as hostile, it may be necessary for the police officer to substantiate the alleged contradiction or deviation by producing the original statement. The presence of the person's signature on such a document does not require further emphasis.

If a person is likely to prove a good but otherwise difficult witness due to some physical defect, such as deafness or stammering, this fact should be stated in a footnote to that person's statement, so that the person conducting the prosecution will not be taken unawares. In the case of a person deaf and dumb, it may be necessary to enlist the services of an interpreter.

In general, great tact and patience should be exercised in taking statements, as many persons seldom disclose all they know at once, either from forgetfulness or from thinking some of the details are useless. In the case of suspected persons the questioning should be exhaustive, dealing with the most trivial incidents as well as the more important ones, as persons may anticipate questions on the main points and have answers ready, but they cannot foresee and provide against questions on trivial and ostensibly unimportant details.

Plan Drawing

BY SERGEANT FRANK A. BROWN

Portsmouth City Police

THERE are many occasions when a Police officer finds it greatly to his advantage to be able to draw an accurate plan of a road junction. It may be a fact that artists are born and not made, but at the same time it is within the capacity of any man to learn how to put on paper what he sees when called to the scene of a fatal accident, a case of dangerous driving, or of obstruction. In these instances, as well as many others, a well-drawn plan will be of great assistance to superior officers and

also, at a later stage, to the magistrates. It will enable them to visualise the scene of the occurrence and will help to clarify the statements of witnesses.

It is well to remember that a map or plan cannot be produced as evidence except by the person who made it, or unless the person producing it has verified the facts thereon. This, of course, is one of the primary rules of evidence. It is obvious that a plan drawn by "A" and produced by "B" in court is mere hearsay evidence and is not admissible if "A" is not present. There is some doubt as to whether Ordnance Survey maps are admissible without a member of the Borough Engineer's or Surveyor's Department being present to certify them as correct. This point appears to be controversial even in Stone's *Justices Manual* (1942 edition, page 267), where there is quite a long discourse on the subject. The important point to remember is that the plan must illustrate the position of things as they are seen, and no facts should be included thereon unless they existed at that moment. For instance, in the case of a collision or other vehicular accident one is inclined to put in the course taken by a vehicle, but this must not be done unless there are tyre impressions or skid-marks on the road, and in that case such marks must be carefully measured and recorded.

The actual position of the vehicles at the time of the sketching of the map will, of course, be shown, as also will any other existing facts, such as the position of lamp standards, letter boxes, manholes, trees, etc., which have been damaged or may have a relevant bearing upon the case. Anything and everything which can help to indicate the exact state of affairs or assist the court to visualise the happening should, therefore, be included—provided, as already stated, the things actually existed at the time of the drawing.

When it is necessary to draw a plan in the notebook it is advisable to take two pages (*Diagram 1*), making the drawing on the left-hand page, with details as to measurements, damage, etc., on the right-hand page. The reason being that the notebook is so small that to endeavour to include the exact positions of vehicles, widths of roads and damage, gives such a complicated drawing in so small a space that later it is practically an impossibility to pick out the details. It will be realised that when drawing a plan one will not have a tape-measure handy, and some improvisation of measurement must be relied on. There are three ways of doing this. The first and most accurate is by carrying something of which the length is known, i.e. staff, notebook, or some other object. The second method is by pacing, the length of a pace being, hypothetically, one yard. As a matter of interest it is amazing how far from a yard the length of a pace can be. The third and most unreliable method is by judging distances. If the width of a certain road is known,

then widths of other roads may be judged; but the position is more difficult when endeavouring to estimate other distances, such as from a road junction to a lamp post.

Having taken measurements, the next important thing is the "North" sign. As a general rule it is assumed that north is at the top of the paper; but there may be an instance where, owing to the length of road required to be shown, it will be necessary to vary this rule. The "North" sign must, therefore, always be inserted on a plan. If the direction of north is not known, there are two methods by which it may be found, the first during day-time with the aid of a watch, and the second at night-time. During day-time the watch should be held in such a position that the hour-hand is pointing at the sun, then an imaginary line drawn half-way between the hour-hand and 12 o'clock on the watch is due south. This is during the operation of ordinary Greenwich Time, while for Summer Time 1 o'clock, and for Double Summer Time 2 o'clock, should be substituted for twelve (*Diagram 2*). The reason for this is, of course, that the sun is due south at noon Greenwich Time (or 1 p.m. Summer Time and 2 p.m. Double Summer Time as the case may be). The second method is by the stars. It is necessary to find the constellation known as Ursa Major (otherwise known as the Great Bear, the Plough, etc.) and measure in the mind's eye five times the distance between the bottom two lateral stars, which will locate the North or Pole Star (*Diagram 3*).

I have already suggested that one page of the notebook should be used for the rough drawing of the actual plan and the opposite page for the details. The most important things to be inserted on the plan are the roads and pavements or, to put it technically, the "building line" and "pavement edge." These two lines should not be made different thicknesses, but to make a distinction the buildings can be "cross-hatched" up to the "building lines" (*Diagram 4*). Care should be taken with the curve of the pavement edge at a road junction.

There are three types of roadway which may cause some trouble in the drawing of the plan. In all three cases one needs some ingenuity and a tape-measure. The first is that of a bend in the road (*Diagram 5*). A position should be taken up in a direct line with the pavement edge, and the point noted where the road commenced to curve (*A*). Any equal distances, say 20 feet, should be made along this line and some mark made at these points (*B*, *C* and *D*). Measurements should then be taken at right angles with this line to the pavement edge (points *F*, *G*, *H* and *J*) and a careful note made. When the finished plan is drawn it will be a simple matter, by plotting a straight line and making the above measurements, to obtain the points *F*, *G*, *H* and *J* and draw the curve.

Secondly, a junction may have to be drawn where two roads branch from a main road as in *Diagram 6*. To obtain the relative positions of these it is necessary to stand in one of the roads (*X*) in a direct line with the pavement edge of the other. By taking the measurements shown in the diagram the whole junction can be drawn in detail.

The third and most difficult problem is where two roads join obliquely (*Diagram 7*). In this case the aid of an artist's compass must be evoked. A position is taken up (*K*) at the intersection of imaginary lines continued from the pavement edges of the two roads. Any convenient measurements *KM* and *KN* respectively will then be made along these lines and the distance from *M* to *N* noted. When the finished plan is drawn one road will be plotted and the measurement *KN* inserted. With the compass point at *K* and the radius of *KM* an arc is described, and with the compass point at *N* and the radius *NM* a further arc will be described cutting the first at *M*. The angle *MKN* is, therefore, the angle at which the roads meet (*vide* geometric theorem, triangles with equal sides have equal angles).

It will probably seem hardly necessary to go to so much trouble when making a plan, but it is well to remember that on production in court it may well be criticised, and if measurements or road positions are not accurate there may be serious consequences. It is impossible to take too many measurements when preparing a plan, though, of course, it is unnecessary to show them all on the finished drawing. Arrows showing distances should always terminate at the points from which the measurement is made. If foolscap paper is used the following lengths of road can conveniently be drawn, using the scales shown:

96 feet using a scale of $\frac{1}{8}$ inch to 1 foot.

120 feet using a scale of $\frac{1}{10}$ th inch to 1 foot.

192 feet using a scale of $\frac{1}{16}$ th inch to 1 foot.

On completion, the scale should be put on the plan, so that measurements and distances can always be checked.

A good plan can be easily marred by bad printing. It is much better to omit the serifs (*i.e.* fine cross lines at the top and bottom of letters) as used in Roman capitals, and use plain bold letters, making the curves of the B, C, D, G, O, P, S and U a part of a circle in each instance (*Diagram 8*). The letters should be well spaced and cramping must be avoided. Where little space is available the letters themselves should be made narrower and the spaces kept as large as possible (see "REDWOOD ROAD," *Diagram 4*). Clarity as opposed to ornamentation should be the watchword in all lettering on plans. It is advisable to keep all the lettering in "upper case" (*i.e.* capitals, as opposed to "lower case," meaning non-capitals), except perhaps in the heading at the top of the

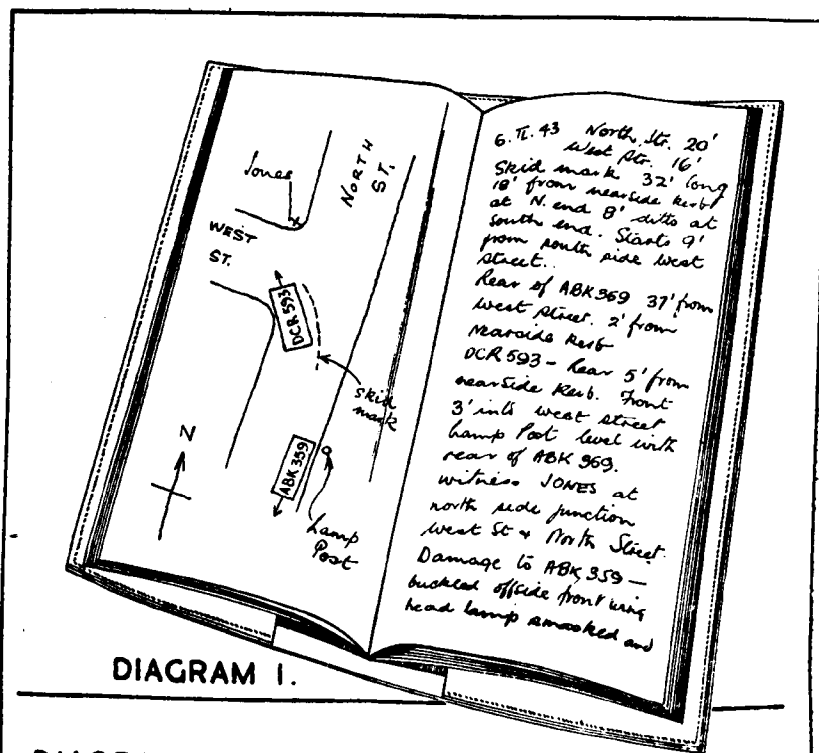


DIAGRAM 1.

DIAGRAM 2.

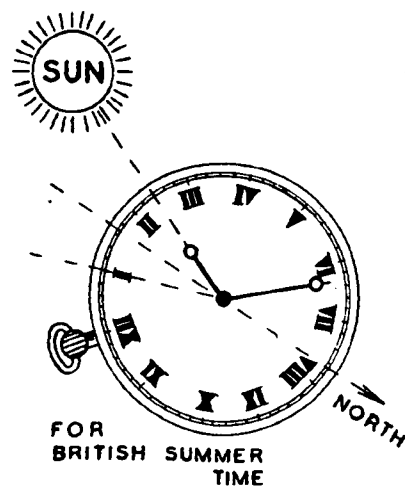


DIAGRAM 3.

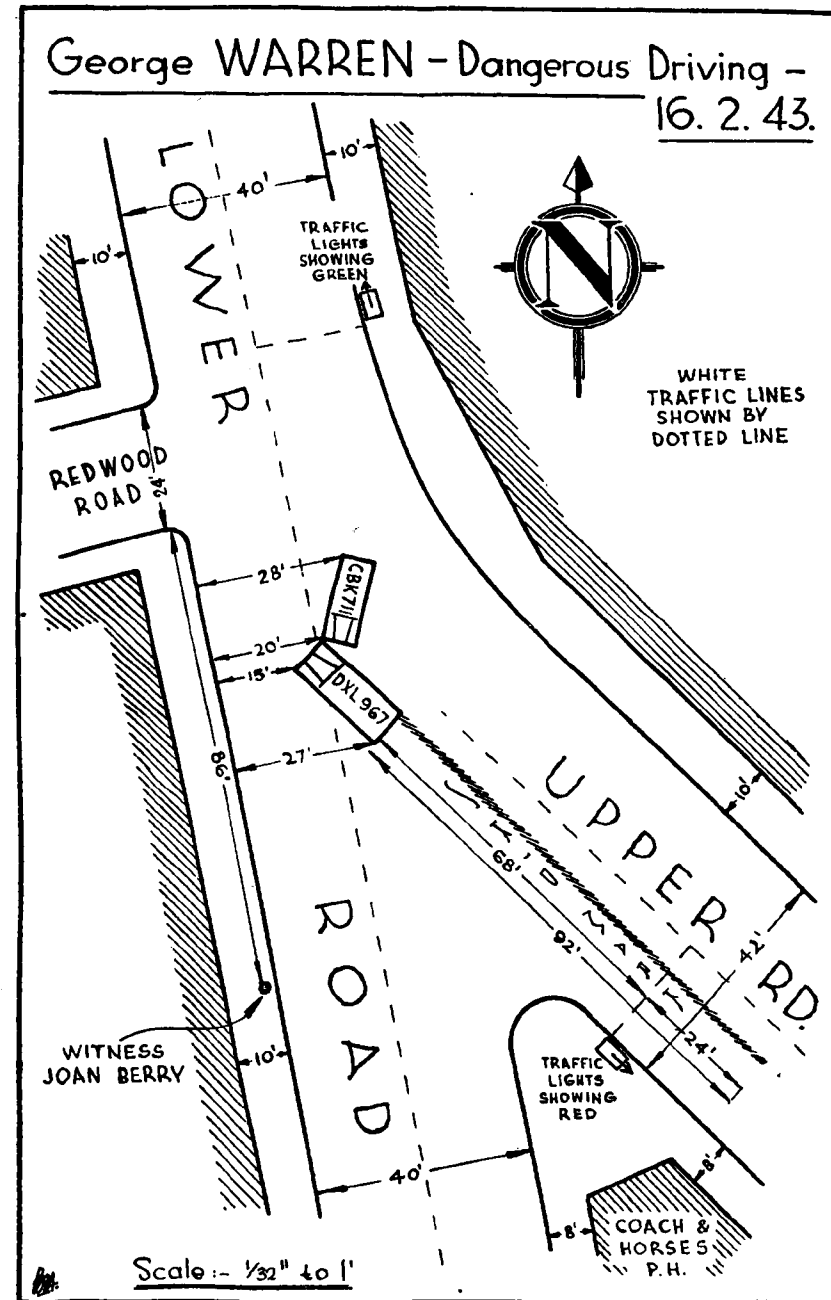
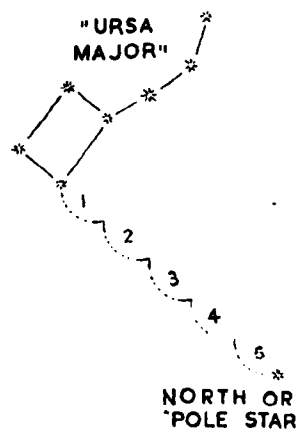
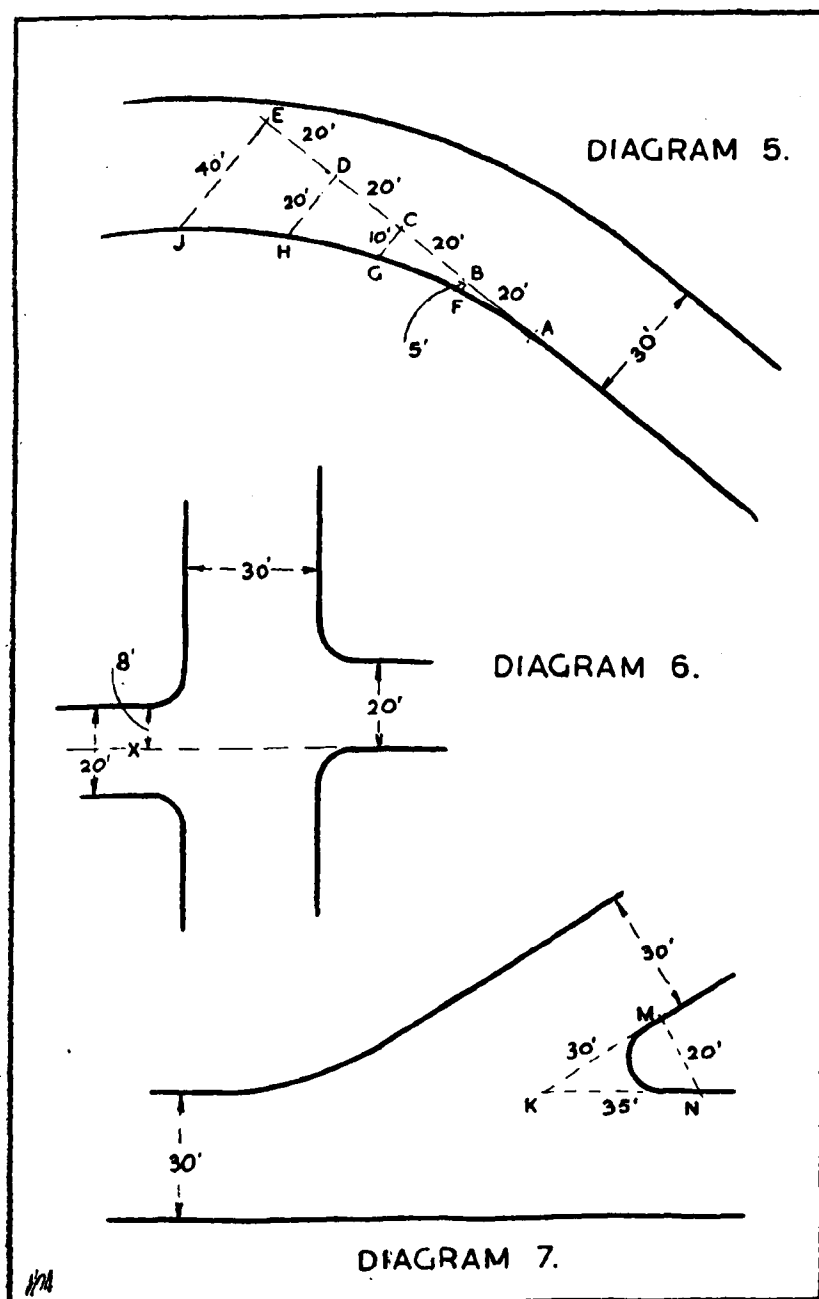


DIAGRAM 4.—A finished plan drawing with pen and ink, ruler and compass.



A B C D E F G H
 I J K L M N O P Q
 R S T U V W X Y Z
 1 2 3 4 5 6 7 8 9 0

DIAGRAM 8. A USEFUL ALPHABET
& NUMERALS, DRAWN FREE-HAND.

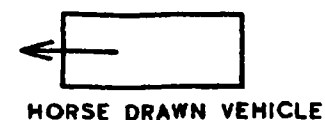
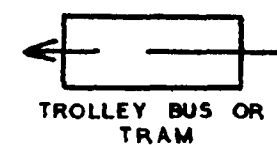
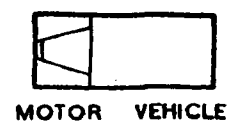


DIAGRAM 9. SUGGESTED PLANS
TO REPRESENT VEHICLES.

plan. This latter should always be inserted, so that should the plan and report become separated, the plan is easily identifiable.

There is no need, when drawing vehicles, traffic signs, lamp posts etc., to endeavour to design detailed replicas. *Diagram 9* shows some simple vehicular plans, though it must be borne in mind that these should be drawn roughly to the same scale as the road-plan. It is as well to remember that a Morris 8, one of the commonest types of vehicle on the road to-day, measures approximately 4 ft. 6 in. by 11 ft. overall. Traffic signs can be drawn as small rectangles with an arrow indicating the direction in which they face, and all details such as "HALT, MAJOR ROAD AHEAD," "SCHOOL," etc., may be put in some convenient adjacent space. Lamp posts, pillar boxes and pedestrians may be shown by a small circle or cross, with details contiguous.

From the foregoing data, and with the knowledge that there is no need to be an artist to produce a clear and concise plan, I think it should now be possible to deal with any contingency which might arise necessitating draughtsmanship.

Towards Promotion

TOPICAL AIDS TO KNOWLEDGE

A GAME which is a distinct help to the student in search of knowledge, as well as good entertainment, is to be found in the "Quiz," the popularity of which has been revived by the B.B.C. and developed to a high degree of skill by the Brains Trust. A Quiz can be organised in every circle, the home, the training school, the club, the section or division, or by inter-force challenges. The requirements are simple: a question-master, aided by a time-keeper and scorer, with four, six or eight-a-side in a room which, preferably, has room also for an audience as well as players, and the game is ready to start. The question-master must, of course, have undertaken certain and sufficient researches, both to enable him to set appropriate questions and to recite the correct answers. The following specimen questions, taken from an inter-divisional "quiz" in which the writer was question-master, indicate its scope and possibilities. The rules of the game require each question to be answered by the person to whom it is addressed within thirty seconds from the end of the question, and half a point may be awarded by the question-master if the answer is a good attempt at the correct answer.

Legal Maxims and Definitions

1. What is a "bar" in licensed premises? A room or part of the premises

used exclusively or mainly for the sale and consumption of intoxicating liquor.

2. What is a "road" within the meaning of road traffic law? Any road to which the public has access is a "road" within this definition.
3. What is a "deposition"? The statement of a witness sworn before examining justices in an indictable offence taken down in writing and forwarded to the court of trial.
4. What is "bail"? The release of a person from custody on his bond, with or without a surety, to surrender at a time and place appointed.
5. What is "intoxicating liquor"? Spirits, wine, beer, porter, cider, perry, and sweets, and any fermented, distilled, or spirituous liquor which cannot legally be sold without an excise licence.
6. What does "Justices' licence" mean in licensing law? A licence granted to enable a person to obtain an excise licence authorising him to sell intoxicating liquor at premises named in the licence.
7. What does "*ejusdem generis*" mean? Of the same kind. (It is a maxim frequently invoked in construing an Act.)
8. What is meant by a plea of "*autrefois convict*"? That the accused having already been convicted for the offence charged, he cannot again be put on trial for it.

Military Designations and Abbreviations

1. D.A.A. & Q.M.G.—Deputy Assistant Adjutant and Quartermaster General. (A staff officer.)
2. D.A.D.O.S.—Deputy Assistant Director of Ordnance Services.
3. v.t.m.—Vehicles to the mile.
4. m.p.g.—Miles per gallon.
5. R.A.C.—Royal Armoured Corps.
6. C.M.P.—Corps of Military Police.
7. G.S.O.I.—General Staff Officer (first class).
8. M.L.O.—Military Liaison Officer.

General Abbreviations

1. K.C.M.G.—Knight Commander of the Order of St. Michael and St. George.
2. G.C.V.O.—Knight Grand Cross of the Royal Victorian Order.
3. F.R.I.B.A.—Fellow of the Royal Institute of British Architects.
4. P.R.A.—President of the Royal Academy.
5. F.R.C.S.E.—Fellow of the Royal College of Surgeons (Edinburgh).
6. L.R.C.P.—Licentiate of the Royal College of Physicians.
7. i.e.—*id est* (that is).
8. e.g.—*Exempli gratia* (for the sake of example).
9. L. s. d.—Libræ, solidi, denarii (pounds, shillings and pence).
10. Lb.—Libra (pound in weight).
11. F.C.I.S.—Fellow of the Chartered Institute of Secretaries.
12. A.M.I.C.E.—Associate Member of the Institute of Civil Engineers.

13. B.C.L.—Bachelor of Civil Law.
14. F.I.C.—Fellow of the Institute of Chemistry.
15. D.L.—Deputy Lieutenant.
16. D.Sc.—Doctor of Science.

Events of National Importance

1. When was a general election last held?—1935.
2. When is St. George's Day?—April 23rd.
3. Whose birthday is on April 23rd?—Shakespeare.
4. In what year did the Civil War begin?—1642.
5. In what year was the Battle of Waterloo fought?—1815.
6. What great event took place in 1800?—Union of Great Britain and Ireland.
7. Who was Prime Minister when Queen Victoria ascended the Throne?—Melbourne.
8. What Queen revolted against Roman rule in Britain in A.D. 61?—Boadicea.
9. Who is First Lord of the Treasury?—The Prime Minister (Rt. Hon. Winston Churchill, C.H.).
10. How many Lords of the Admiralty are there?—Six.
11. Who holds office as *Fid. Def.*?—The King; Defender of the Faith.
12. Where is this title (*Fid. Def.*) most commonly to be seen?—On a penny.
13. Who are H.M. Inspectors of Constabulary in England and Wales?—Lt.-Col. Sir Frank Brook, D.S.O., M.C.; Colonel J. d'E. Coke, C.M.G., C.V.O., C.B.E.; Major-General Sir Llewelyn Atcherley, C.M.G., C.V.O.; and Major M. J. Egan, O.B.E.
14. Who is Minister of Home Security?—The Rt. Hon. Herbert Morrison, M.P. (who is also Home Secretary).
15. Who is Permanent Under-Secretary of State, Home Office?—Sir Alexander Maxwell, K.C.B.
16. Who is Secretary, Ministry of Home Security?—Sir Harold Scott, K.B.E., C.B.

Famous Characters in Poetry and Prose

1. Who was Samuel Pickwick?—Hero of Charles Dickens' *Pickwick Papers*.
2. Who was Ebenezer Scrooge?—The miser in Charles Dickens' *Christmas Carol*.
3. Who was John Ridd?—Hero of *Lorna Doone*, by R. D. Blackmore.
4. Who was Rowena?—She married Ivanhoe, in the novel of that name by Sir Walter Scott.
5. Who was Shylock?—The unloving Jew in *The Merchant of Venice*.
6. Who was Christian?—Hero of Bunyan's *Pilgrim's Progress*.
7. Who was Polonius?—Lord Chamberlain and father of Ophelia, in Shakespeare's *Hamlet*.
8. Who was Jude?—Hero of Hardy's novel, *Jude the Obscure*.

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