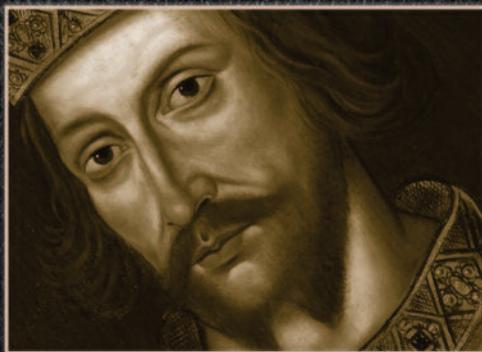




SOUTH WALES POLICE
MUSEUM

Assize Duty



The History of Policing in Wales

Assize Duty

History of the Assizes

In the 12th century, King Henry II introduced the court circuit system, where Judges of the King's Court and the King's Bench travelled throughout the country holding courts called Assizes.

The name Assizes is derived from the Latin word 'assideo', meaning to sit together.

The court, which consisted of 12 male Judges, met twice a year in each county in Lent and Summer.

By the 19th century, a third winter circuit was introduced to cope with the number of cases.

In those days, Judges did not hear evidence. Instead, their verdict consisted of a statement of facts based on their own knowledge.

Each sitting tended to last about four or five days, but could last as long as three weeks.

The Assizes dealt with the more serious criminal offences (as well as some civil actions) that were not normally handled by the local court of Quarter Sessions.

Quarter Sessions

Quarter Sessions dated back to 1363 when Keepers of the Peace were called Justices and empowered to meet four times a year:

- Epiphany (early January)
- Easter / Lent
- Midsummer
- Michaelmas

Quarter Sessions dealt with both criminal and administrative matters, although many of the administrative functions ceased in 1868 when county councils were introduced.

Some of the more minor cases and routine business was later taken over by Petty Sessions, which were regional divisional meetings organised by magistrates to alleviate the burden on Quarter Sessions.

From 1848, Petty Sessions sent details of fines, depositions and case papers to Clerks of the Peace at



King Henry II, who ruled from 1154-1189

the County Quarter Sessions. Under the Juvenile Offenders Act of 1847, juvenile convictions were also made in Quarter Sessions.

In the 12th century and for centuries afterwards, travellers were not safe from attack, robbery or even murder on the highways. A Judge would not journey on these routes unless special measures were taken for their protection.

Armed escorts were charged with protecting the King's Judges whilst they were in a county. The Sheriff was the district's representative of the King, so this responsibility fell to them, as well as maintaining the King's authority by managing the military forces. It was the Sheriff who provided the county's quota of men for the King's army.

Until the advent of the railways, the Judges had to travel by road. The Sheriff would meet the Judge at the boundary of the county and take over the escort duties from their neighbouring Sheriff. This afforded Judges continuous protection.

By the end of the 16th century, most of the Sheriff's former powers had been delegated and the position no longer bore any military responsibilities.

However, the Sheriff remained responsible for the protection of Judges, which became more difficult to staff with no military command.

Instead, Sheriffs began providing guards from their own team or hiring men especially for the role. In both cases, Sheriffs had to foot the expense for board and lodgings as well as livery, uniforms and arms.

As a result, the office of High Sheriff became a position sought after by the wealthy.

By the beginning of the 19th century, escorts had become a tradition rather than a necessity. The heavy armour and arms of the soldier had given way to the solitary pike-like weapon called a 'javelin', who became known as the 'javelin-men'.

The Need for Reform

By the 1840s, criticism was surfacing in newspapers about the costs of javelin-men and their comparative uselessness, particularly with keeping order in the Courts.

There is no doubt that the cost was unnecessarily high. This was partially due to the need for experienced men. Although the Sheriff changed each year, these guards didn't, and they knew how to make the most of their free lodgings, ale and food.

The duration of Assizes was so unpredictable, which caused further embarrassment to Sheriffs.

This is evident in a newspaper item dated March 1848, which reported:

"At the last Assizes the Court sat for 10 and a half hours, busy all the time, once or twice from 8am to 11pm. The High Sheriff had to maintain his expensive retinue for 13 days."

However, the main reason for the desire to dispense javelin-men was undoubtedly their lack of discipline and inefficiency in comparison with members of the newly introduced police force.

The Glamorgan Constabulary

The tall, smart policemen in their blue and white uniforms of blue completely outshone the often non-descript javelin-men.

The police officers stood aloof and didn't assist the court ushers and officials with maintaining order, often vainly, in court. The police saw no reason to help the paid workers, and were probably very amused by the unskilled efforts of the part-time officials.



Javelin-men pictured in the early 19th Century

In 1845, the matter was discussed at Quarter Sessions.

Mr Lewis of Bridgend had an official application to make to the magistrates, namely, that police officers should be instructed to assist the Sheriff's officers to preserve peace in court.

At that time, police often looked on listlessly whilst javelin-men struggled to end disturbances inside or outside the court. The town's police and county police all declined to interfere or offer any assistance to the Sheriff's officers.

Javelin-men were unaccustomed to duty, so assistance from police officers in court would have been valuable, particularly as the employment of more Javelin-men would incur more expense for the Sheriff.

Mr Lewis said that during the Spring Assizes, he witnessed a great uproar outside the court, but rather than help deal with the disorder, police quietly looked on. It was suggested that the Magistrates form a Sheriff's Club and have a standing corps of Javelin-men.

The Deputy Chairman said that whatever the position might be at Assizes, police men should understand that part of their duty is to help keep order at Quarter Sessions.

Captain Napier's Position

It is clear that Chief Constable Captain Napier had no desire for his men to assist at Quarter Sessions or Assizes, and with a small force of 34 men covering the whole county, he couldn't afford them to.

As far as he was concerned, his men only attended these courts as witnesses. Half his men were regularly in court on the same day so the Chief Constable's only aim was to get them back on patrol as quickly as possible.

This was difficult to achieve. After their cases had concluded, some officers tried to extend the time they could claim for allowances. It was understandable that officers should try to take advantage of the few hours off duty they could claim, as they had no rest days or annual leave entitlement.

Officers were instructed to parade half an hour before court commenced for the Superintendent's inspection, then the Superintendent was responsible for trying to get the cases from distant parts of the county listed earlier. This meant that where possible, officers could return to their areas on the same day.

Later, two General Order were sent to the Superintendent to follow through.

The first insisted that a Sergeant was occasionally posted to patrol the local public houses, to check whether any constable was drinking during or immediately after the court sessions.

The second was to post an officer to the court entrance, so they could record the times police officers left, and their conditions.

The purpose was to keep police witnesses sober and

encourage them to go back to their patrol areas straight away.

After Mr Lewis complained in 1845, it seems Captain Napier instructed constables who were attending court as witnesses to help keep order, although there is no direct evidence of this.

However, Captain Napier made no attempt to offer the support of his men at the Assizes.

This may be because he felt the Cardiff and Swansea police should help at the Assizes, considering they

were based in their areas. Or, perhaps he felt the javelin-men should earn their pay.

When the South Wales railway started operating in 1850 however, Captain Napier did make provisions for county constables to escort Judges along the shorter routes to and from stations.

The following passage from a newspaper article describes the ceremony that opened the Assizes at Cardiff in 1859:

"At a quarter past eight a procession was formed, headed by a posse of police which proceeded to Roath Court, the seat of the High Sheriff, who received his friends in the most cordial manner and then expressed his thanks for the marked expression of their respect. The procession left the court and proceeded through the town to meet the 12.59 express from Carmarthen in the following order:

Town police under the charge of Inspector Giffard

County Constabulary under the charge of Superintendent Thomas (Pontypridd)

Superintendent Stockdale on horseback

Two trumpeters on horseback

Javelin-men on horseback

180 gentlemen on horseback

The High Sheriff in his State Carriage

Aldermen and members of the Cardiff Town Council in carriages and with maces and other instruments of office

Carriages containing County magistrates

About 50 carriages containing principal tradesmen of the town

On the arrival of the express train the Mayor received Mr Baron Channel, and conducted him to his carriage, when the procession again formed and wended its way to the Town Hall, where the Royal Commission was opened."

Whatever the government might have felt about police adopting javelin-men duties, no statutory action was taken before 1857, when police forces were introduced in all counties.

In 1859, an Act of Parliament permitted Quarter Sessions to use police to keep order at Assizes, so Captain Napier was under more pressure to oblige.

The matter was raised at Quarter Sessions for the county in January 1860. The following letter from Captain Napier to the Clerk of the Peace clarified his position:

"I have delayed replying to your letter regarding my opinion on the expediency of abolishing the attendance of javelin-men at the Assizes, and putting the duty on the County Constabulary. The number of constables that it would entail would put a considerable expense on the county. The number of constables bound over to appear at Assizes varies very much and while attending have quite enough to occupy them in looking after their witnesses and waiting to appear before the Grand Jury, without the additional duty of keeping the Court.

"I was examining the Court yesterday and we were of the opinion that it would require twelve men and a sergeant to keep the Court and have reliefs. As we have no reserve force in the county the constables would have to be brought from their stations, which would be left without protection for some length of time, as they would have to remain during the trials of civil as well as criminal causes. The cost of conveyance to and fro and the usual allowances for these men whilst absent from their stations would entail a heavy expense. If an increase in the force were made to meet this demand it would entail a permanent expense of four or five hundred pounds."

Pressure on the Police Intensifies

When the matter was raised before Sessions, the Chairman said that Captain Napier's objection lost weight considering the High Sheriff would still bear the expenses.

He could not understand why the police could not keep order at the Assizes when they already helped to keep order at Quarter Sessions. He argued that the javelin-men added to the show, but were largely ineffective. This was illustrated by the higher level of disorder at Assizes in comparison to Quarter Sessions.

It was suggested that one or two police officers might be enough, but the Chief Constable said there would have to be an officer at every door.

Mr Bruce thought it was a pity that the Act did not change the practice for Sheriffs having to bear expenses, believing it was very unfair to saddle one individual with all the costs. However, he supported the motion because six police officers were sufficient to do the job and that new staffing arrangement would already reduce costs.

If the motion had not supported the Sheriff bearing all costs, then it would have undoubtedly been defeated. Most of the magistrates sought confirmation on this point before voting.



The Glamorgan Constabulary on Assize Duty, c1950

The decision for police to adopt Assize duty with the costs borne by the High Sheriff was taken by a majority of fifteen to seven. "Thus," said the newspaper, "the javelin-men of the county have been done away with."

The Outcome

To say the javelin-men were done away with wasn't entirely true, as in reality, police officers became javelin-men.

The police escort and court duty men were furnished with livery by the High Sheriff and carried the pikes or 'javelins' of their civilian predecessors. It isn't clear when the police started to do the duties in their own uniforms, but it was probably in the late 1870s.

The Assize Courts were abolished in 1971 when they were replaced by Crown Courts.

The South Wales Police Museum has a silver trumpet and banner on display, recording the Shrievelty of Thomas Edward Morel, the High Sheriff of Glamorgan from 1933-1934.



SOUTH WALES POLICE



SOUTH WALES POLICE
MUSEUM

South Wales Police

South Wales Police Headquarters
Cowbridge Road, Bridgend CF31 3SU

Email: info@south-wales.pnn.police.uk

Telephone: 01656 869291

Visit our website at www.south-wales.police.uk

Designed and Printed by South Wales Police Print Department.

KEEPING SOUTH WALES **SAFE** THROUGH TIME