A Significant Step for Women's Citizenship

Devon's First Women Magistrates, 1920–30

Penny Bayer

Legislation passed in 1918–19 opened up new and significant opportunities for some women. Under the Representation of the People Act 1918, women over the age of 30 who were either a member or married to an elector on the Local Government Register had a right to vote in general elections. The issue of citizenship of these women – their fitness to exercise the vote and to take on responsibilities perceived to accompany the vote, including being an active part of the legal system, then came to the fore. The Parliament (Qualification of Women) Act 1918 allowed women over 21 to become MPs. A Barristers and Solicitors (Qualification of Women) Bill and a Justices of the Peace (Qualification of Women) Bill were both passed in the House of Lords in 1919. The latter were rendered unnecessary by the Sex Disqualification (Removal) Act, which became law on Christmas Eve 1919 and also enacted that women could sit on juries.[1]

Nancy, Lady Astor (1879–1964) became the first British woman MP to take her seat, elected for Plymouth Sutton in November 1919, replacing her husband when he became a peer, having previously been the MP for that constituency. Ivy Williams (1877–1966) from Newton Abbot became the first woman to be called to the bar in 1922, after which she worked as an Oxford academic.[2] In January 1921, for the first time, women were summoned to serve as jurors at the Devon and Exeter assizes. About 100 jurors were summoned across Devon, half of whom were women. In addition, in Exeter, forty jurors were summoned. Again, half were women, though in this case they were restricted to spinsters and widows due to different legislation affecting the city.[3]

This article presents data on the fifty-five women appointed as magistrates from 1920–30, drawing a picture of who they were and the experience they brought to the role,[4] and discusses the significance of the appointments. It concludes that the profile of the women magistrates was similar to that found nationally by Anne Logan. While the women brought individual talents and abilities to the role, they were also supported by a matrix of connections in families, political parties, local government, women's organisations and county groups. Taken together, their appointments represented a significant step forward for women.

Appointments of Women Magistrates in Devon

The passing of the Sex Disqualification (Removal) Act was followed immediately by an announcement from the Lord Chancellor that seven women nationally had been added to the Commission of the Peace. None of these were from Devon but when the Women's Central Advisory

[1] Thomas Skryme, *The History of the Justices of the Peace*, vol. 2, p. 234 and vol. 3, appendix V, p. 301.
[2] Inner Temple Library <www.Innertemplelibrary.org.uk> [accessed 16 April 2024].
[3] *Western Times*, 28 January 1921.
[4] A considerable number of errors were found in transcription of women's records in the 1921 Census and these have been reported. Some women could not be found in the 1921 Census (Calmady-Hamlyn, Owen, Davie, Lethbridge-Kingsford, Wyatt, Dashwood, Buller, and it is not clear which Census entries relate to O'Shea and Hodges).

Committee, chaired by the Marchioness of Crewe, recommended to the Lord Chancellor for his approval a further list of 234 'ladies', this included three Devon women: for the County of Devon Mrs Francis D. Acland (Eleanor, Lady Acland 1879–1933) of Sprydoncote, Exeter, and Mrs F.B. Mildmay (Alice Mildmay née Grenfell) of Flete, Ivybridge; and for the Plymouth bench, Mrs S. Simpson (Sarah Louise (Louie) Simpson), 1 Queen Anne Terrace, Plymouth.[5] The *Western Times* reported on 8 December 1920 that Mrs Acland had taken her seat as a JP for the first time at the Wonford Petty Sessions, Exeter. During the decade, a total of fifty-five women were appointed to the Devon, Plymouth and Exeter benches on the advice of a local advisory committee, the majority in the first half of the decade. The women's full names are given in Appendix 1.

Table 1: Women magistrates appointed in Devon, Plymouth and Exeter, 1920–30[6]

Year	Women magistrates appointed in Devon, Plymouth and Exeter	Total
1920	Acland, Mildmay, Simpson, Baker, Calmady-Hamlyn, Cartwright, Trefusis	7
1921	Browne, Grigg, Hancock, Lazenby, Patten, Peek, Skirrow	7
1922	Adams, Birdwood, Brannam, Buller-Kitson, Fowler, Owen, Phear, Phillips, Radford, Townsend	10
1923	Bayly, Davie, Faulkner, Wilmot, Batten, Kingdon, Thompson	7
1924	Card, Dickinson, Herbert, Hume, Kingsford-Lethbridge, Scardisfield, Wyatt, Yole, Washington, Hodges	10
1925	Bazeley, Dashwood, Lock	3
1926	Penhale, Allhusen, Baillie	3
1927	Gallop, Butteris, Vicary	3
1928	Buller	1
1929	O Shea	1
1930	Fulford, Richardson	2
NK	Winnicott	1
	Total	**55**

Magistrates sat at quarter sessions, held four times a year in each county, county borough (Plymouth, Exeter) and non-county boroughs (such as Bideford and Barnstaple, South Molton, Torrington, Dartmouth and Tiverton). Quarter sessions dealt with crimes such as petty theft, assault and poaching. Magistrates also sat at petty sessions, which were courts for minor crimes such as minor theft, drunkenness and traffic offences and were far more frequent. (Petty sessions were held in Plymouth and Exeter and for Devon, for example in Axminster, Crediton, Cullompton, Holsworthy, Honiton, Ottery, Teignmouth, Tiverton, Woodbury and Wonford).[7] Serious cases such as murder were not tried by magistrates but passed to judges at the assizes court.

Appointments were made to Devonshire or to county and non-county boroughs. The majority of

[5] *Western Evening Herald*, 20 July 1920.

[6] Table compiled from newspaper reports of appointments and *Kelly's Directory* 1923, 1926, 1930.

[7] DHC Information Leaflet: 'Crime and Punishment': <https://www.archives.swheritage.org.uk/_files/ugd/f60e4e_3f1110dcccc14359bb919863b815c8df.pdf> [accessed 16 April 24]

women (36) were appointed to the Devon bench. Exeter (7) and Plymouth (6) had substantial representation.

Table 2: Women magistrates, 1920–30: all mentions (newspapers, *Kelly's Directory*)

Area	**Total**
Devonshire	35
Exeter	7
Plymouth	7
Torquay	1
Barnstaple	2
South Molton	1
Dartmouth	2

The title JP was and is for life and does not necessarily mean that the woman was an active magistrate. A listing in *Kelly's Directories* is a more reliable guide that she was active. The listings in *Kelly's Directories* show that some women magistrates were no longer active by 1930, with fifty of the total fifty-five total women mentioned still active. To speculate, this may have been because some women retired, worked in another area or did not enjoy the role.[8]

Table 3: Number of Devon women magistrates (*Kelly's Directory*, on county and borough lists)

1919	**1923**	**1926**	**1930**
0	22	37	50

Eight per cent of magistrates in Devon county, and across the whole county including boroughs, were women in 1930, according to the lists in *Kelly's Directory*, as shown in the Table 4.

Table 4: Percentage of total magistrates that were women (*Kelly's Directory* 1930)

	Total number of magistrates	**Number of women**	**Percentage of women**
Devon County	415	33	8
Barnstaple Borough	16	2	12
Bideford Borough	14	0	0
Dartmouth Borough	7	2	29
City of Exeter	32	5	16
South Molton Borough	14	1	7
City of Plymouth	50	6	12
Tiverton Borough	15	0	0
Torquay Borough	18	1	5
Torrington Borough	9	0	0
Totnes Borough	11	0	0
Total	**601**	**50**	**8**

[8] Women not in the 1930 *Kelly's* list: Mrs Patten, Card, Herbert, Fulford and Miss Leigh-Browne, who was 64 in 1930 and could have retired or been working in London.

Who were the Early Devon Magistrates?

Anne Logan describes women magistrates nationally as in their forties, born in the 1870s, reaching adulthood in the era of the New Woman and maturing when the suffrage movement was at its height. Probably, though not inevitably, from a middle-class background, the typical woman magistrate had Victorian values of service to the community and a gendered concept of citizenship. She may have had access to new educational opportunities available to middle-class girls and would have performed some sort of war service in the First World War. She had probably been a member of some sort of women's organisation and served as a Poor Law Guardian or local councillor.[9] Many of the same elements are found in Devon.

Age

While nationally most women magistrates were in their forties, the Devon women magistrates were aged 28–70 at the time of the 1921 Census.[10] The youngest was Mrs Eveline Winnicott who was 28 in 1921 (in post in 1930, aged 37); the oldest was Miss Annie Leigh-Browne from Sidmouth, aged 70, who died in 1936. The majority were in their forties (twenty-two women) and fifties (twelve women).

Table 5: Ages of Devon women magistrates in 1921

Age in 1921	**No. of Devon women magistrates**
20s	1
30s	10
40s	22
50s	12
60s	9
70s	1
Total	**55**

Marriage

The Sex Disqualification (Removal) Act provided that a person was not to be disqualified by sex or marriage from professions. However a major criticism of the Act was that this was not enforced. The marriage bar remained an issue for women's organisations until after the Second World War. In the civil service and education, women resigned on marriage. However married women could be MPs and were also magistrates, including in Devon one woman who had resigned from her medical profession on marriage (Mrs Elsie Thompson). In all, thirty-seven of the fifty-five women magistrates were married.

[9] Anne Logan, 'Making Women Magistrates: Feminism, Citizenship and Justice in England and Wales 1918–1950', unpublished PhD (University of Greenwich, 2002); Logan, 'In Search of Equal Citizenship: The Campaign for Women Magistrates in England and Wales 1910–1939', *Women's History Review*, vol. 16, no. 4, September 2007, pp. 501–518.

[10] Where a woman has not been found in the 1921 Census, the age has been ascertained from other sources.

Financial Support

To be a magistrate was a voluntary unpaid role. Many of the early Devon women magistrates were married to upper- or middle-class men and/or had private means, and had no role against occupation in the 1911 or 1921 Census except 'wife' or 'private means'. Some women did give specific occupation roles, though their financial situation meant they also had the freedom to take on unpaid voluntary work. Miss Annie Bazeley had been a police woman in Cologne (possibly as part of the post First World War occupying forces). Miss Annie Leigh-Browne described herself as an educationalist; she had private means to fund the progressive schemes she aided, such as College Hall, London and the establishment of The Society for Promoting the Return of Women as County Councillors. Mrs Ethel Yole was a farmer's wife/dairy worker and Mrs Louise Fowler, a married woman, was former secretary of the Exeter Labour Party (an unpaid role). By 1939, Miss Frances Dickinson described herself as 'Social Worker unemployed'. There was also a lodging house keeper (Mrs Butteris), a horse breeder (Miss Calmady-Hamlyn) and an author (Mrs Dashwood).

Caring Responsibilities

Another factor affecting availability to work unpaid as a magistrate was caring responsibilities. Eighteen of the women had the title 'Miss', and in 1920s society were therefore unlikely to have children. Only six of the married women have been found to have had children under 18 in 1921.

In some cases, the household had servants. Mrs Maud Hodges had two sons and three servants, Mrs Gallup had an 18-month-old child and servants. Three women had children and no servants: Mrs Amy Kingsford-Lethbridge in 1921 had daughters with an aunt and sons at boarding school. Two Labour Party women were unusual in working as a JP while having children and no servants: Mrs Elsie Thompson was 36 in 1921 and had three children; Mrs Betty O'Shea was 47 in 1929 when appointed and had a 16-year-old son (and two others over 18) when she was appointed in 1929 and no servants.

Land and Housing

Logan found nationally that a substantial number of the women appointed in the 1920s were linked to county landed families and thus did not threaten the traditional domination of the county magistracy by landed families.[11] In Devon, the wealth of the families of many women magistrates is indicated by the large homes they occupied, especially in the appointments in the earlier part of the decade. Six of the properties listed in *Kelly's Directory* as 'principal residences' were linked to women magistrates on the Devon list. The Aclands lived at Killerton, near Exeter; the Mildmays at Flete House, Plympton St Mary; the Peeks at Widworthy Court, Honiton; the Lethbridges at Wood, South Tawton; the Allhusens at Pinhay near Lyme Regis; and the Bullers at Downes, near Crediton. (Although Georgiana Buller lived in Exeter by the time of her appointment, her family home was at Downes near Crediton.) Others had country estates, farms or large town houses, revealing their upper-middle-class backgrounds. Only a few women lived in terraced housing, reflecting their more modest means – for example, Mrs Fowler, who had Labour Party connections, lived in an Wellington Road, St Thomas, Exeter; Winifred Phear boarded in terraced housing at 62 Exeter Road, Exmouth; and Miss Faulkner lived at 7 Castle Terrace, Ilfracombe.

[11] Logan, PhD, pp. 147, 160.

Family Connections

The women magistrates often had familial relationships that gave them some familiarity with either the law, law enforcement, the House of Commons or Lords, or the civil service. A handful had family members from industrial backgrounds. On the other hand, two women, identified as active within the Labour Party, were the wife of a railway guard and of a schoolmaster.

Thirteen Devon women magistrates had a father or spouse directly involved in the law, as solicitor, magistrate or MP. Eight had a father or spouse in the military, including five colonels, a commander and a captain. Seven had a father or spouse with aristocratic connections or honours. Eva Trefusis' father was gentleman usher to Queen Victoria and married a son of Earl Clinton. Lady Peek was daughter of a viscount and married a baronet. Miss Sylvia Calmady-Hamlyn's mother was daughter of a baronet. Mrs Dashwood's father was a colonel, son of a baronet. Lady Mildmay's husband of Flete House near Plymouth was ennobled after the First World War and became Lord Lieutenant of Devon in 1928, in which role he led the magistrates service in Devon. Lady Radford's husband was knighted for his work as an MP in London. Mrs Evelina Winnicott's uncle-in-law was Sir Frederick Winnicott, who was honoured as twice Mayor of Plymouth and other public roles alongside his partnership in the family form of Winnicott Brothers, hardware merchants.[12]

Five had a father or spouse in the civil service, in several cases for the Empire: Jean Baker's father was superintendent of the Geological Survey of India; Juliana Hume's father was a retired India civil servant and Amy Kingsford's husband was a civil servant with the post office. Mrs Fulford's father had been an Inland Revenue officer. Mary Townsend was born a resident of Barbados, where her father, William Young McClean, had also been born in 1842 (his profession has not been found). Mary Baillie's husband was born a British subject in India, and became a vicar.

Seven had a father or spouse in trade or industry, including a former steel manufacturer (Mary Card), retired pickle maker (Miss Katherine Lazenby), retired leather manufacturer (Eleanor Vicary) and an ironmonger (Elsie Batten). Alice Mildmay was daughter of a copper merchant, and Mrs Mary Brannam was wife of an earthenware manufacturer. Mrs Winnicott was married to a hardware merchant.

From the Labour side are the wife of a guard of the Great Western Railway who was also President of Exeter Labour Party (Louise Fowler), the wife of a school teacher (Mrs Richardson, from the Labour movement in Plymouth); and the wife of a Leading Stoker in the Fleet Coaling Service, Devonport (Mrs O'Shea, a Labour Party member, town councillor and alderman).

Servants

Many, though not all, of the women magistrates had servants, freeing up time for outside work. Of the households found, twenty-two households had one to three servants.

In some cases, privilege was conspicuous, particularly among the earliest appointments. Five households had four or more servants. For example, The Hon. Lady Peek (appointed 1921) in 1911 lived in a household with twenty-one people, of whom sixteen were servants. By 1921 there were eleven servants: she retained her lady's maid, Elizabeth Sargent; there was another lady's maid, a butler, cook, kitchen maid, two housemaids, a parlourmaid and two laundry maids, as well as the chauffeur in a separate cottage. Francis Bingham Lord Mildmay, husband of Mrs Alice Mildmay

[12] Old Plymouth UK <https://www.oldplymouth.uk/Who%20was%20Who%20in%20Old%20Plymouth-Winnicott%20John%20Frederick%201855%201948.htm> [accessed 16 April 2024]; 1939 Register.

(appointed 1920), as late as 1939 had at least sixteen servants at Flete, Ivybridge, with possibly more in adjacent properties: valet, two footmen, two houseboys, housekeeper, four housemaids, lady's maid, cook, two kitchen maids, scullery maid and chauffeur.

Dorothea Grigg (appointed 1921) of Cann House lived in a household with four servants. The Patten household (Mrs Patten appointed 1921) had seven servants. The Gallup household (Mrs Gallup appointed 1927) at Langstone Manor had four servants as late as 1939.

Some nine of the women magistrates lived in households with no servants: a woman running a boarding house (Miss Phear); the wife of a railway guard (Mrs Fowler); married to a clerk in Holy Orders (Mrs Kitson); a doctor's wife (Mrs Thompson); teacher of a nurse, living with her sister (Miss Kingdon); possibly married to a vet (Mrs Penhale); married to a naval pensioner (Mrs Butteris); married to a wool merchant (Mrs Fulford); married to a Stoker at Devonport (Mrs O'Shea).

Education

We do not have data on the education of most of the women magistrates. Of those that we do, two attended school. Lady Acland attended St Leonard's School (probably the boarding school in St Andrew's which encouraged women into higher education) and then Somerville College, Oxford, where she obtained a first-class degree in history. After graduating she worked at the University Women's Settlement in Birmingham. Sylvia Calmady-Hamlyn went to Wycombe Abbey School.[13]

Others were home schooled. Georgiana Buller was educated by a private governess,[14] as was Juanita Phillips – as Juanita Comber in the 1891 Census at 2 Cleveland Road, Ealing – following which she attended boarding school and went on to take a degree. Miss Leigh-Browne was educated at home by tutors and governesses and was a significant campaigner for women's higher education, co-funding a hall of residence for women students at the University of London.

Elsie Marsh Thompson had degrees of MD DPH from Manchester, though she had not practised since marrying another doctor. Before marriage she had been Medical Officer at the City of London and a pathology/clinical assistant at the Cancer Hospital, Manchester.

Suffrage Campaigners

Did the women who had campaigned assiduously for the vote become magistrates as part of taking up their citizenship? There are some continuities. Eleanor, Lady Acland, became president of Exeter and District National Union of Societies for Equal Citizenship (NUSEC) in 1923. She had been a vice president of the National Union of Women's Suffrage Societies (NUWSS) and on the South West Federation of the NUWSS. In Plymouth, the NUWSS became the Plymouth Citizenship Association, which supported women MPs, councillors and magistrates (see under Women's Organisations below).

Annie Leigh-Browne was on the Committee of the Union of Practical Suffragists' Executive Committee in 1898, a member of the Central Society for Women's Suffrage (and its successor, the London Society for Women's Suffrage), and in February 1907 took part in the march organised by

[13] For Calmady-Hamlyn see The Peerage <http://www.thepeerage.com/p33708.htm> [accessed 16 April 2024].

[14] 1901 Census shows a governess, Margaret Hogg, living with the Bullers at the Barracks, Aldershot: Georgiana was 17 and her step sisters in their mid-twenties, so the governess was probably for Georgiana.

the NUWSS.[15] In 1913, Browne became vice president of the Free Church League for Women's Suffrage. She became involved in women's suffrage activities in Devon, initially by participation in the activities of the Devon Union of Women's Liberal Associations.[16]

Juanita Phillips was a member of the Women's Social and Political Union (WSPU) and in London had taken part in deputations to the House of Commons. She organised a public meeting in Honiton and attended others. She was a Census refuser in 1911 and became chair of the Exeter WSPU. She met Mrs Pankhurst in Exeter in 1910, picketed Exeter prison when Mrs Pankhurst was imprisoned there and attended her funeral in 1929. She continued working for the full franchise for women as an early member, and branch chair, of the Exeter and District branch of the NUSEC.[17]

Miss Sophie Adams was a member, committee member and joint branch secretary with her cousin of Barnstaple NUWSS.[18]

Work in the First World War

New opportunities for women arose partly as a result of the way women had worked in the First World War. Eleven of the Devon women magistrates are reported to have undertaken war work in WWI in a variety of roles. Alice Mildmay on her appointment as JP was identified with the Devon Women's Land Workers.[19] Lady Owen, Mayoress of Exeter during WWI, was known for her relief work for prisoners in Germany and hospitality for troops passing through Exeter, for which she received the Freedom of Exeter in 1920.[20] Lady Acland received the Queen Elizabeth medal for the Belgian repatriation fund.

Miss Mary Calmady-Hamlyn was awarded the Member of the Order of the British Empire (MBE) for her work as secretary and organiser for the Devon War Agricultural Committee 1918–19 (having also worked for the Committee from 1915–17) and from 1917–18 an inspector involved in creating the Women's Land Army. Post-war, she continued this farming-related work on the Council of the Devon Agricultural Association and had a seat on a subcommittee of the Devon County Council Agricultural Committee.[21]

Miss Vicary was awarded the British War Medal and Victory Medal. Mrs Mary Brannam contributed to the success of Barnstaple Ladies War Depot, while Miss Annie Davie worked on the Barnstaple War Agricultural Committee. Mrs Mary Card was reported to have played a prominent part in food control and Belgian relief work. Mrs Elizabeth Butteris was an energetic war worker with the Voluntary Aid Detachment at Peak Hill, and Miss Edith Faulkner worked in war savings. Miss Edith Allhusen was a voluntary nurse from October 1914 to January 1919 at No 1 War Hospital and then the Rode Hill V.G. Hospital Uplyme – she was Commandant of the Red Cross Detachment (Devon 46) from 1912 to 1926).[22] Miss Sophie Adams and her mother housed Belgian refugees in their home.[23]

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[15] 'Anne Leigh Browne', Wikipedia <https://en.wikipedia.org/wiki/Annie_Leigh_Browne> [accessed 16 April 2024].

[16] Nigel Hyman, 'Browne, Miss Anne Leigh', *Devon Historical Society* (December 2018) <https://www.devonhistorysociety.org.uk/browne-miss-annie-leigh> [accessed 16 April 2024].

[17] Julia Neville, 'Phillips, Mrs Juanita', *Devon Historical Society* (November 2018) <https://www.devonhistorysociety.org.uk/phillips-mrs-juanita> [accessed 16 April 2024].

[18] Marilyn Smee and Julia Neville, 'Adams, Miss Sophie', *Devon Historical Society* (December 2018) <https://www.devonhistorysociety.org.uk/adams-miss-sophie> [accessed 16 April 2024].

[19] Thomas Skryme, *The History of the Justices of the Peace*, vol. 3, appendix V, p. 301.

[20] *Western Times*, 27 October 1920.

[21] Julia Neville, 'Mary Sylvia Calmady-Hamlyn', Chapter 8 in *Devon Women in Public and Professional Life,* pp. 203–4; note from Julia Neville, October 2023.

[22] VAD service card.

[23] Marilyn Smee and Julia Neville, 'Adams, Miss Sophie', *Devon Historical Society* (December 2018).

Experience of Political Life

Conservatives, Liberals and Labour women are represented among the women magistrates, a few of whom stood for parliament. Lady Acland, who was married to a Liberal MP, Francis Acland who represented Camborne 1910–22 and Tiverton 1923–24, stood in her own right as a Liberal in Exeter in 1931, coming second with 23 per cent of the vote.[24] Mrs Louis Simpson had ambitions to become an MP, standing unsuccessfully for the Labour Party in West Dorset: she *was* elected for the Labour and Cooperative Society to Plymouth Town Council.

Lady Mildmay had indirect knowledge of political life as an MP's wife – her husband Francis Bingham Lord Mildmay of Flete was a Conservative MP. Agnes Kitson was a Conservative, who during her life presided at the Conservative Association Sutton Division.[25]

Winifred Phear was President of Exeter Liberal Association in 1906. Miss Vicary was President of Totnes Liberal Association. Miss Ida Kingdon was Secretary of South Molton Liberal Association. Miss Annie Leigh-Browne, Miss Florence Skirrow, Torquay and Miss Phear, Exmouth were active Liberals.

Before appointment as a magistrate, Mrs Louise Fowler had been active as secretary of the new Exeter Labour Party, which was formed 'shortly after the end of the First World War', and had also worked for Exeter Trades and Labour Council.[26] Mrs Gertrude Richardson was associated with the Divisional Executive of the Labour Party (in Plymouth) and the women's organisations connected with the Labour movement.[27] Plymouth had had a Labour councillor since 1918 and by 1925 had fourteen members on the Council.[28] Mrs Freda Scardisfield was wife of Cllr Scardisfield, Chairman of the local Labour Party in Dartmouth.[29] Mrs Kitty O'Shea identified herself with the Labour Party for many years: she was elected for Labour to St Peters, Plymouth City Council in 1927 and served as an alderman 1929-30.[30]

She was not the only woman magistrate elected to local government. Mrs Jean Baker was elected to Budleigh Salterton Council in 1921; Katherine Cartwright to Teignmouth Urban District Council in 1927; Florence Skirrow stood as a Liberal in Torwood Ward supported by the Torbay Women's Council in 1925; Juanita Phillips was initially appointed to the bench because she was Mayor of Honiton and thus *ex officio* a magistrate, and when her term of office was over she was appointed in a personal capacity as a magistrate; Miss Faulkner was a councillor on Ilfracombe Urban Council for two years; and Mrs Butteris was elected to Sidmouth UDC in 1921. Miss Katherine Lazenby was a councillor on Devon County Council Education Committee, to which Mrs Altha Birdwood was also co-opted.

Miss Annie Leigh-Browne took an active role in promoting election of women in local government. In 1888 she was a funder of a 'Society for Promoting the Return of Women as County Councillors' which became the Women's Local Government Society.

<https://www.devonhistorysociety.org.uk/adams-miss-sophie> [accessed 16 April 2024].

[24] 'Eleanor Acland', *Wikipedia* <https://en.wikipedia.org/wiki/Eleanor_Acland> [accessed 16 April 2024].

[25] Obituary, *Western Morning News*, 17 February 1944.

[26] Exeter Labour Party, <https://www.exeter-labour.org.uk/about> [accessed 16 April 2024]; *Western Morning News,* 5 December 1922.

[27] *Western Times*, 1 August 1930.

[28] Julia Neville, 'Putting on the Top Hat: Labour Mayors and the Local Press in Inter-War Plymouth', accessed online, August 2023.

[29] *Western Morning News*, 3 June 1924.

[30] *Nottingham and Midland Catholic News*, 4 January 1930.

Other Experience of Public Service

In addition to council work, some women also had experience in public service as Guardians of the Poor (nine examples found, including Frances Wyatt who was Chair of Plymouth Guardians in 1924)[31] and on school and hospital committees (13 examples found)[32]. Sometimes this was before or after they became magistrates. Several were involved in housing. The Hon. Mrs Trefusis was Vice Chair of the Industrial Dwellings Auxiliary Committee formed to deal with providing additional accommodation for families on low incomes,[33] and became a member of the committee of the Exeter Church Army Housing Society and a Director of the Exeter Workmen's Dwellings Company.[34] Lady Radford took a keen interest in slum clearance in Exeter, also becoming a director of Exeter Workmen's Dwellings Company.[35] Georgiana Buller was an appeal committee member of the Exeter Church Army Housing Society.[36]

Experience in Women's and Other Organisations

Nationally, women's groups such as NUSEC, the Mothers' Union, the Catholic Women's League, the National Council of Women, the Women's Institutes (WIs) and Mothers' Union sought to encourage women to have the confidence to participate in public life.[37] Many of the Devon magistrates were associated with women's and other organisations in Devon, which in turn supported them into public life. Willingness to serve in one capacity often led to nominations for other positions.

NUSEC and Citizens' Associations supported women candidates. The Plymouth NUWSS was reconstituted after the war as the Plymouth Citizens' Association, and had a Women's Representation Council. The Plymouth Citizens' Association drew up a list of names of ladies they recommended for appointment as women magistrates in 1920.[38] In 1924, it supported Miss Mary Bayley (appointed magistrate in 1923) to stand for Mutley Ward on Plymouth Town Council.[39] She in turn held a meeting to support Lady Astor, the MP.[40]

Some of the women magistrates had roles within the WIs; Miss Calmady-Hamlyn, for example, was chair of the Devon Federation of Women's Institutes (DFWI) to 1924. Mrs Yole was DFWI Exhibition Secretary in 1930.[41] Mrs Dashwood (E.M. Delafield) was active in the Devon WI, lecturing to groups across Devon and writing 'the Women's Institute has done a great deal towards making women fit themselves for their new responsibilities, and towards drawing attention to the fact that they are wanted in public positions'.[42] WIs hosted talks on citizenship and the responsibilities of women getting the vote.[43]

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[31] Cartwright, Radford, Kitson, Batten, Bazeley, Penhale, Simpson, Wyatt, Allhusen. Winifred Phear's sister was a guardian.

[32] Lazenby, Skirrow, Birdwood, Adams, Brannam, Owen, Kitson, Batten, Davie, Penhale, Vicary, Fulford, O'Shea.

[33] *Devon and Exeter Gazette*, 14 and 31 October 1925, pp. 1, 8.

[34] *Devon and Exeter Gazette*, 24 March 1926, p. 6; *Western Morning News,* 2 December 1926, p. 2.

[35] *Western Morning News,* 2 December 1926; *Western Times,* 30 April 1937.

[36] *Western Morning News,* 15 December 1926.

[37] Catriona Beaumont, *Housewives and Citizens: Domesticity and the Women's Movement in England 1928–64*, Manchester University Press, 2013, p. 62. No crossovers between Devon magistrates and the Mothers' Union have been found.

[38] *Western Morning News,* 30 June 1920, p. 6.

[39] *Western Morning News,* 16 June 1924.

[40] *Western Morning News,* 17 May 1929.

[41] *Devon and Exeter Gazette,* 10 May 1930.

[42] *Western Morning News,* 30 September 1925.

[43] See, for example, Exmouth WI in *Western Times*, 18 November 1919.

Mrs Dashwood (E.M. Delafield) was a member of the national Six Point Group, described in 1929 as 'A brilliant band of practical feminists working for the equal political, occupational, and social rights of women.'[44] (The Secretary of the Six Point Group, Winifred Mayo, had lived in Exmouth c. 1889–1990.[45]) Florence Skirrow was chairman of the Torquay branch of the National Council of Women. Mrs Juanita Phillips was a member of the Executive Committee of the feminist organisation the Open Door Council.[46]

Magistrates also had positions within non-specifically women's organisations. Lady Radford, who enjoyed history, was president of the Devonshire Association, Lady Owen a founder member of the Friends of Exeter Cathedral, while Miss Wilmot was assistant county director of the Red Cross.

How the Women Magistrates Described Themselves

Miss Lazenby with her self-description, 'Home Duties and Honorary Public Work, mostly educational, JP for Devon' was more confident in describing her active public role than most of the women magistrates (she went on to become vice chairman of Devon Education Committee in 1933, the first woman in Devon to hold such as position).[47] Albeit that they were appointed magistrates during the 1920s before they had much or any experience as magistrates, the 1921 Census returns show a low key attitude by the listed women to their public roles, with descriptions such as 'home duties', 'no occupation', 'private', 'not occupied for a living' or the category left blank.

Those that gave an occupation therefore stand out. Three women put their work as a Justice of the Peace on the 1921 Census form: Lady Acland, Miss Leigh-Browne and Miss Katherine Lazenby. Mary Gallup described herself as a JP in the 1939 Register. Other activities in 1921 were lodging house keeper (Mrs Butteris), and teacher of nurse (Miss Kingdon).

Discussion

In the first half of the decade there was a substantial movement of women into the role of magistrate in Devon, with the appointment of forty-four women between 1920 and 1925. This slowed down in the second half of the decade with only another ten women appointed between 1926 and 1930 (one date not known). This slow down is consistent with figures for male magistrates, and is believed to have been caused by fewer appointments in the Great War leading to a general increase in appointments in the first half of the decade.[48] By 1930, fifty of the fifty-five women magistrates appointed during the decade were still active in Devon.

Anne Logan argues that nationally the appointment of women to the bench in a relatively short time was a success for the women's movement and that it was largely due to the agency of some early women magistrates and the effects of the organisations to which they belonged. Their project to advance women's citizenship was successful.[49] However, women were not equally represented with men. In 1930, eight per cent of magistrates in Devon were women, with none at all in some boroughs such as Bideford, Tiverton, Torrington and Totnes (see Table 4). Julia Neville has pointed

[44] *Western Mail* 2 February 1929.

[45] April Marjoram, 'Monck-Mason, Miss Winifred Alice, Professional Name, Winifred Mayo', *Devon History Society* <https://www.devonhistorysociety.org.uk/monck-mason-miss-winifred-alice-professional-name-winifred-mayo> [accessed 16 April 2024].

[46] Mrs Phillips' Preliminary Scrapbook (All Hallows Museum, Honiton).

[47] *Western Morning News*, 14 October 1933.

[48] Notes from Julia Neville, October 2023.

[49] Logan, 'In search of Equal Citizenship', *Women's History Review.*

out that in Devon, by the end of the following decade in 1939, total women JPs in Devon had inched up to fifty-nine for a population of 732,000,representing less than three women per petty sessions division, and in some parts of Devon only a small chance of finding a woman on the bench at a police court.[50]

During the 1930s there was an imperative to have women magistrates after the passing of the Children and Young Offender's Act 1933, which required there to be a woman on cases involving juveniles. While this was not law, in the 1920s some women regarded their role as having particular importance in regard to juvenile work, such as Mrs Dashwood who said that 'the human side, especially as it affects women and children, is what one cares most about', and 'I do feel, in the matter of the appointment of women magistrates, responsible women can be of the utmost value in any cases which affect women and children.'[51] Mrs O'Shea emphasised that she had a special interest in mothers and children.[52] The idea that women could be present in cases affecting children but not in the case of indecency by 'males of a filthy character' was used by a male judge to order a sole woman juror to leave the Devon assizes in 1921 during a case of indecency.[53] However, Louie Simpson was one of the first women magistrates to be involved in sending on a murder case, in this case from Plymouth to the Devon assizes for trial.[54] She was also the butt of comments that her role as a magistrate might be inappropriate because her husband was president of the Plymouth Temperance Society, raising the issue of whether a woman's appointment should be affected by her husband's interests (a point unlikely to have been raised about a male magistrate).[55]

As a group, the women magistrates reflected national trends with predominantly middle and upper class women, some married to landowners, some to professionals such as clergymen, doctors or lawyers, and many to councillors or JPs. Some had ties to the political elite. Volunteer experience as Poor Law Guardians or on council committees figured strongly. A substantial number were linked by blood or marriage to men in the legal sphere or in public service. There was some involvement in women's organisations.[56] Some women who had been educated and active elsewhere in the country brought that education and wider experience to Devon. Some women were politically active – from Conservative, Liberal and Labour camps. In Kent, a few less-affluent members of the Women's Cooperative Guild or Labour Party were appointed and this was also true in Devon (Fowler, Exeter, and O'Shea and Richardson, Plymouth, were connected with the Labour Party; Mrs Bertha Evans of Exmouth in 1931 was interested in the local Cooperative Society).[57]

Dierdre Beddoe has remarked that between the two world wars:

> Individual talented and resourceful women made their mark in business, in academic careers and in journalism. Their numbers were not great but they did open more doors for others to pass through in the future.[58]

In law, for example, there were fifty-two women members of the Law Society by 1928.[59] The same thought can be applied to the first tranche of women magistrates in Devon whose individual

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[50] Paul Auchterlonie, 'Introduction', *Devon Women in Public and Professional Life 1900–1950*, p. 8, footnote 29; Note by Julia Neville.
[51] *Western Morning News*, 30 September 1925.
[52] *Western Evening Herald*, 29 October 1931.
[53] *Cheltenham Chronicle,* 12 February 1921.
[54] *Western Morning News,* 25 September 1920.
[55] *Western Morning News*, 7 October 1920, 1 April 1921.
[56] For the national picture, see Logan, PhD, p. 161.
[57] Logan, PhD, p. 175.
[58] Dierdre Beddoe, *Back to Home and Duty* (Pandora, 2004), p. 84.
[59] Dierdre Beddoe, *Back to Home and Duty*, p. 78, cites Ferguson.

achievements in being 'first' in their local benches cannot be overlooked. From 1920 onwards their presence made a difference to women defendants, witnesses and jurors: those presiding in courtrooms were no longer exclusively male and this was an important step forward.

Beddoe's view that there was a fragmentation into an old and new feminism at work in the 1920s has been widely challenged, and Neville et al argue that a group of eight Devon women in public life were neither one nor the other, but practical incremental feminists.[60] Seen in this light, the introduction of women magistrates was an important long-lasting change, which – although slowing in the second half of the decade – represented a major permanent shift in women's history. Women continued to be appointed as JPs in the following decade, albeit not at the same rate as men: in 1931, for example, Mrs Evans of Exmouth, Mrs Lewis of Chittlehampton, Miss Shears of Brixham, Miss Wansbrugh of Umberleigh and Mrs Wimbush of Topsham were appointed.[61]

Were there enough women magistrates? There was nowhere near equal representation with men. Certainly in the 1930s after the passing of the Children and Young Offender's Act 1933, which required all juvenile cases to have a woman magistrate sitting, there were not enough: the *Western Morning News* reported a 'pressing need for more women magistrates' even after some new appointments had been made, and commented on the 'mysterious and generally unknown committee' that made the appointments.[62] The paper called for children's courts to have more of the motherly woman who had reared her own family and had a moderate purse and had observed that these type of women were often more valuable than the woman with extensive public service.[63] Logan suggests that there may have been an unofficial quota system for women magistrates in operation during the 1920s.[64]

Of course, full equality of representation was not achieved in the 1920s. Many of the appointees were supported by private means or marriage, living in large residences, and often with more than one servant, and did not represent the majority of women. Even among this group there was what might be regarded as a lack of confidence or perhaps womanly modesty: early on in the decade though many of them had been active in public roles in WWI. In 1921 most of these upper or middle-class women were tentative about describing their occupation as more than 'home duties' or 'not occupied for a living'.

Some of the first women magistrates may be regarded as exceptional women who made a tangible difference. Logan argues that the initial idea was that 'a few, exceptionally able and well-qualified women were to be appointed to the bench'.[65] This was certainly the case in Devon. To pick out just three, Eleanor Lady Acland had formidable energy, education and intelligence, undertook widespread Committee work with a particular interest in women's issues, including the vote, even standing for parliament. Annie Leigh-Browne was exceptional for her educational and environmental schemes and her role in the promotion of women in local government. Juanita Phillips had a radical WSPU background, carried out local government work and made a difference in the early years of the WI in Devon. Many of the other women magistrates could be cited, and most were 'first' women magistrates in their local area.

Logan concluded that nationally the appointment of women to the magistracy was a success due to

[60] Dierdre Beddoe, p. 233.
[61] *Western Morning News*, 23 July 1931.
[62] *Western Morning News,* 14 October 1933. *Western Morning News*, 11 November 33. Advisory Committees were chaired in the counties by the Lord Lieutenant and in the boroughs by his appointee. Membership was secret. (Logan, PhD, p. 146).
[63] *Western Morning News*, 11 November 1933.
[64] Logan, PhD, p. 93.
[65] Logan, PhD, p. 69.

the agency of some of the women magistrates themselves *and* the efforts of the organisations to which they belonged, such as women's organisations, suffrage societies, the National Council of Women, WIs and others, all of which stressed their members' rights to equal citizenship.[66] The wide range of organisations in which the Devon women magistrates were members is evident. In some cases the overt support of these organisations is on the record (the Plymouth Citizen's Association, for example). There is at least one example of a woman councillor pressing for women magistrates: Cllr Mrs Splatt told an Exeter City Council meeting in 1922 that 'Exeter is the only place of importance which has no women magistrate' and later that year three were appointed.[67] In other cases organisations supported women's citizenship in general (the WI, for example). Women magistrates also supported one another: for example Georgiana Buller often sat on the bench with Lady Radford and they became increasingly involved in juvenile work in the 1930s.[68]

Conclusion

The profile of Devon women magistrates in the 1920s was similar to that described nationally by Anne Logan. The Devon women magistrates appointed in 1920–30 were mostly middle class, though the inclusion of Labour women widened the profile. A majority were in their forties and fifties, married, and few had children under 18 when appointed. Some had very large houses and often had family connections to the law, the House of Commons or Lords, or the civil service. A substantial minority had servants. Conservative, Liberal and Labour women are represented. Many of the women brought with them and continued to develop experience in war work, public service and women's organisations. A few suffrage campaigners became magistrates.

While the women appointed as magistrates brought their own drive and abilities to the role, and – as Beddoe has pointed out - are to be celebrated as 'first' in their field, they did not appear in isolation but out of a matrix of supportive connections in families, political parties, local government, women's organisations and county groups. Although the number of appointments was much fewer than that of men, and did not represent all women, nonetheless it comprised a permanent and significant step forward for women's citizenship.

[66] Logan, PhD, and 'In Search of Equal Citizenship', *Women's History Review.*
[67] *Devon and Exeter Gazette*, 12 April 1922.
[68] Neville, 'Devon Women', Buller, pp. 157–178, p. 170.

Appendix 1: List of Women Magistrates Appointed in Devon, 1920–30

Appointed 1920
Mrs Eleanor Acland; Eleanor, Lady Acland (1879–1933)
Mrs F B Mildmay, Baroness Alice L. Mildmay (1869–1960) née Grenfell
Mrs Sarah Louisa Simpson; Mrs Louis Simpson (b.1863)
Mrs Eva Louisa Trefusis née Bontein (1861–1949)
Mrs Jean Ethel Baker née Theobald (1873–1959)
Miss Katherine Anson Cartwright (1867–1959)
Miss Mary Sylvia Calmady-Hamlyn (1882–1962)

Appointed 1921
Miss Annie Leigh-Browne (14 March 1851–8 March 1936)
The Hon Lady Auguste Louisa Peek, née Brodrick (1854–1934)
Miss Anna Margaret Dorothea Grigg; known as Dorothea (1887–74)
Mrs Mary Hancock (1877–1971)
Miss Katherine Maud Lazenby (1874–1950)
Miss Florence Skirrow (1860–1943)
Mrs Malcolm Patten; Mrs Hermione V.V. Malcolm Patten (b.1868)

Appointed 1922
Juanita Maxwell Phillips (1880–1966)
Mrs Altha [also Alma] Birdwood; Althea Smythe Birdwood; née Smythe (1859–1930)
Miss Winifred Mary Phear (1872–1942)
Miss Sophia Margaret Adams (1872–1971)
Mrs Mary Evaline Brannam (1879–1953)
Lady Emma Louise Radford; Lady Radford (–1937)
Mrs Janie Kirk Gibson Owen; Lady Owen (1866–1943)
Mrs Mary Catherine Byron Townsend née Mclean (about 1870, Barbados –1958)
Mrs Louise Fowler (b.1879)
Agnes Ellen Kitson; Mrs John Buller-Kitson JP; née Carus-Wilson (1859–1944)

Appointed 1923
Miss Elsie Batten (1869–1958)
Miss Annie Frances Davie (b.1879)
Miss Edith Amy Faulkner/Falkner (b.1859)
Mrs Elsie Marsh Thompson (b.1885)
Miss Edith Wilmot OBE (b.1872)
Miss Ida Kingdon S Molton (b.1862)
Miss Elizabeth Mary Bayly (b.1871)

Appointed 1924
Mrs Ethel Mary Yole (1873–1945)
Mrs Mary Matilda Card (b.1861)
Miss Frances Mary Dickinson (1884–1970)
Mrs Juliana Florence Cecilia Hume (1877–1956)
Mrs Amy Frances Kingsford-Lethbridge (1877–1963)
Mrs Mary-Margaret Charlotte Washington; Mrs Avant-Wahington (1877–1945)
Mrs Frances Wyatt
Mrs Teresa May Herbert; Mrs P Herbert (b.1874)
Mrs Freida Grace Scardifield (b.1890)
Mrs Maud Mary Hodges (b.1878)

Appointed 1925
Miss Annie Edith Bazeley, (1876–1951)
Mrs Esmee Elizabeth Monica Dashwood; nom-de-plume E.M. Delafield (1890–1943)
Mrs Jessie Aubrey Lock, formerly Mrs Spearman (b.1863)

Appointed 1926
Mrs Fanny Elizabeth Penhale (b.1861)
Miss Edith Allhusen (1881–1955)
Mrs Mary Harriet Baillie (1868–1953)

Appointed 1927
Mrs Elizabeth Jane Butteris (1866–1951)
Mrs Mary Margaret Gallup (b.1882)
Miss Eleanor Margaret Vicary (b.1880)

Appointed 1928
Dame Georgiana Buller (1884–1953)

Appointed 1929
Mrs Elizabeth O'Shea (b.1881)

Appointed 1930
Mrs H Fulford (b.1883)
Mrs Gertrude Marie Richardson (1889–1980)

Appointment Date Not Known
Mrs Eveline Winnicott (in post in 1930)

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