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ENGLISH JUDICIAL CIRCUITS.

Those who have lived in long and familiar contact with a system seldom feel disposed to thrust it aside, whatever may be its patent disadvantages and defects. In legal reforms the judges are often the last to summon energy to press for a change which seems desirable to outsiders, and even when one member of the bench assumes the task of urging reforms, his brethren are apt to treat his efforts coldly. The report of the English judges on the subject of Circuits seems to afford a fresh illustration of this. A committee of six members of the bench—Lord Chief Justice Coleridge, Lord Justice Brett, Mr. Justice Lush, Mr. Justice Manisty, Mr. Justice Lindley, and Baron Huddleston—was recently appointed to consider, in conjunction with the Attorney and the Solicitor General, the working of the present Circuit system. It answered the questions submitted to it in April, and a Parliamentary Return has now been issued containing the answers of the judges and some comments by the Home Secretary upon them. Five questions had been propounded by Lord Cairns and Mr. Cross, to which they invited replies from the eminent personages we have named. They desired to know what, on the assumption that there are to be four gaol deliveries yearly, are the most convenient seasons for holding them; how Quarter Sessions can be best made to work in with the Assizes; whether it is desirable to enlarge the jurisdiction of Quarter Sessions; how the system of grouping counties for Assizes has worked in practice; whether, by the total or partial abolition of commission days, by the despatch of a single judge to certain Circuits, or in any other way, judicial time on Circuits can be economized; and, lastly, how the judicial needs of Leeds, Liverpool, Manchester, and Surrey for the trial of *Nisi Prius* cases can be met.

In reply, the Committee, who must be taken to represent pretty fairly the mind of the English Bench, agree in recommending very little,

and seek, by expressing dissent and doubt on several of the changes contemplated or adopted, to check the ardor of the Lord Chancellor for reform. If there are to be four annual circuits, the Committee think that there should be a winter circuit and a summer circuit for the trial both of civil and of criminal business, and spring and autumn circuits for criminal trials only. But the Committee all agree in disputing the assumption that four gaol deliveries are necessary. The reasoning by which they support their views, according to the *Times* summary, is peculiar. "They cannot deny that prisoners are sometimes at present detained too long in gaol, but they assert that it is a question altogether of relative inconvenience. Prisoners, the judges declare, are generally guilty. Even of those who are acquitted only a minority are innocent. Of the very few innocent prisoners, an inconsiderable minority are kept in gaol unreasonably long. Such grievances as are suffered might be rendered infinitesimal by a more liberal use of the power of setting persons accused of minor offences at liberty on bail or even on their own recognizances. The Committee deprecates with almost unjudicial vehemence the transfer from guilty shoulders of what it considers the present very slight and avoidable inconvenience to the undoubtedly innocent judges, barristers, solicitors, sheriffs, grand and petty jurors, prosecutors, and witnesses. Are all these respectable and, many of them, prosperous gentlemen, who, the report indignantly puts it, 'as a rule, are much better than even the innocent prisoners in worth and character,' to be kept loitering about a court or rushing about the country every three months in order that an innocent girl may not be held for five months grinding her heart out in gaol on suspicion of a larceny she is proved after a ten minutes' trial never to have committed?" On this point, however, the report is not likely to have much weight. Mr. Cross expresses himself as confident that no Minister on either side of the House "would venture to propose such a retrograde measure as the abolition of the fourth Assize which has now been provided for by Parliament."

On the question of grouping counties, in order to save judicial time, the Committee entreat, that "at whatever cost of inconvenience to the judges," the system be abandoned.