

where, to use the words of Lord Haldane, "in the two cases of wards of court and of lunatics, where the court is really sitting primarily to guard the interests of the ward or the lunatic. Its jurisdiction is in this respect parental and administrative, and the disposal of controverted questions is an incident only in the jurisdiction." These are the only apparent exceptions to the broad and excellent principle that the courts of this country must, as between parties, administer justice in public, and this principle has been well enunciated by Lord Justice Fletcher Moulton (as he then was) in the Court of Appeal and by Lord Shaw in the House of Lords in the present case. The former said: "The courts are the guardians of the liberty of the public, and they must be doubly vigilant against all encroachments on that liberty by the courts themselves. The judges are not the tribunal to decide on the proper limitations of public rights. . . . Nothing would be more detrimental to the administration of justice in the country than to intrust the judges with the power of covering the proceedings before them with the mantle of inviolable secrecy." Lord Shaw said: "I will venture to enter my respectful protest against the assumption of any general power by the present English courts of law . . . to shut any courts of justice with closed doors," and, again, with reference to the order to hear in camera and the attempted suppression of the report: "They appear to me to constitute a violation of that publicity in the administration of justice which is one of the surest guarantees of our liberties and an attack upon the very foundations of public and private security." And he concluded:—

"I may be allowed to add that I should most deeply regret if the law were other than what I have stated it to be. If the judgments (first declaring that the cause should be heard in camera, and, secondly, finding Mrs. Scott guilty of contempt) were to stand, then an easy way would be open for judges to remove their proceedings from the light and to silence for ever the voice of the critic and hide the knowledge of the truth. Such an impairment of right would be intolerable in a free country,