



THE UNIVERSITY *of* EDINBURGH

Edinburgh Research Explorer

Policing women in urban Scotland c. 1890-1950

Citation for published version:

Jackson, LA & Sutton, R 2023, Policing women in urban Scotland c. 1890-1950. in J Turner, H Johnston & M Pluskota (eds), *Policing Women: Histories in the Western World, 1800-1950*. 1 edn, Routledge SOLON Explorations in Crime and Criminal Justice Histories, Routledge, pp. 23-38.
<https://doi.org/10.4324/9781003095286-3>

Digital Object Identifier (DOI):

[10.4324/9781003095286-3](https://doi.org/10.4324/9781003095286-3)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Policing Women

Publisher Rights Statement:

This is an Accepted Manuscript of a book chapter published by Routledge in Policing Women: Histories in the Western World, 1800 to 1950 on 29 September 2023, available online: <https://www.routledge.com/Policing-Women-Histories-in-the-Western-World-1800-to-1950/Johnston-Pluskota-Turner/p/book/9780367558192>

General rights

Copyright for the publications made accessible via the Edinburgh Research Explorer is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The University of Edinburgh has made every reasonable effort to ensure that Edinburgh Research Explorer content complies with UK legislation. If you believe that the public display of this file breaches copyright please contact openaccess@ed.ac.uk providing details, and we will remove access to the work immediately and investigate your claim.



Policing Women in Urban Scotland c.1890-1950

Louise Jackson and Rian Sutton

This chapter examines the interactions between male police officers and the women they policed in urban Scotland, focusing on charges relating to drunkenness and breach of the peace – which constituted the overwhelming majority of offences for which women (and also men) were brought before the courts (Knox and McKinlay, 2010, 204; Haider, 2013). We begin by highlighting the gendered nature of policing as an identity and occupation, as well as the ways in which the policing of women was thought about, articulated or ‘managed’ at a formal and official level and through the structuring of police roles. We then aim to set police attitudes, methods and practices alongside women’s responses, perspectives and experiences. To uncover the latter is no easy endeavour. The records of the police courts – through which summary justice was dispensed and before whom most women were charged – do not contain substantive accounts or transcriptions of hearings, even where registers or lists are extant. It is harder still to glean information about encounters that did not lead to a court appearance. Our discussion centres, therefore, on the use of Scottish national and regional newspapers as sources that reveal a range of narratives, including those asserted and produced by women themselves. The chapter is underpinned by a survey (entailing key-word searches of the digitised archive of the British Library’s newspaper collection for sample years) of the news press for Scotland’s four major cities: Aberdeen, a port whose economy was based on ship-building, fishing and textiles; Dundee, which was characterised as a ‘women’s town’ because of high female labour force participation in the jute mills (its dominant industry); Edinburgh, a major financial, legal and commercial centre (nationally and internationally); and Glasgow, the second largest city in the UK and, until the end of the First World War, the ship-building capital of the world. Whilst Aberdeen was situated on the north-east coast, the other cities were located in the central industrialised lowlands, where Scotland’s population was densely concentrated in urban areas. The majority of women who appeared before the courts or were subject to police intervention were the marginalised poor, although not exclusively so. Age, life-cycle, and socio-economic status profoundly shaped experiences and interactions and, thus, ‘women’ as a category needs to be disaggregated in any discussion of police methods. We focus on the period c. 1890-1950, as that in which the model of uniform beat policing (regular and highly visible foot patrol of urban areas) provided significant continuity as the predominant technology of urban surveillance. It is also a period of social and political

change linked to the democratic expansion of the electoral franchise to incorporate both female and working-class voters.

It is important to note that we examine the encounters between, on the one hand, those personnel formally employed in ‘the office of constable’ within civilian police forces and constabularies and, on the other, those women who were ‘policed’ in that their behaviours attracted police attention, surveillance, comment, warning or arrest. These distinctions can be problematic. Firstly, the categories of victim/complainant/offender may be porous, fluid or contested; they may be highly subjective (through processes of self-identification and/or labelling by others); and they are also a matter of legal status within the context of a criminal justice trial. It remains useful, however, to distinguish between women’s experiences in seeking access to justice as victims/complainants and – the focus here – in facing arrest for behaviour associated with offending and criminality. Secondly, the ‘police’ – and their role in decision-making – cannot easily be separated out from the system of local municipal policing and criminal justice of which they were part. In Scotland the Lord Advocate’s office was responsible for public prosecution, with his agents operating at a local level; yet in Glasgow in the first half of the twentieth century senior police officers acted as burgh prosecutors in most of the city’s police courts. The ‘police’ was one agency amongst many others (formal and informal) that were involved in the regulation (which might lead to prosecution) of women’s behaviour. For example, the Scottish National Society for the Prevention of Cruelty to Children (as well as local authorities) were involved in investigating parents in cases of child neglect. Moreover, the model of local ‘civil’ policing in Scotland was not simply a matter of law enforcement: across the eighteenth and nineteenth centuries the term ‘police’ was used to refer to a broad range of regulatory functions associated with municipal improvement, including sanitation, paving, street-cleansing and street-lighting (Barrie, 2008). By 1900 the concept of ‘police’ was predominantly associated with law and order but the remit to protect ‘life and property’ remained broad (Jackson et al, 2020, 3).

In Scotland, as elsewhere in the UK, policing as an occupation ‘was constructed, performed and embodied as explicitly male’ until at least the 1970s (Jackson et al, 2020, 209). Across the first half of the twentieth century police instruction manuals idealised the virtues of chivalric masculinity (Klein, 2012), including sobriety, self-control, obedience and ‘readiness to help elderly and infirm persons and children who seek his aid’.¹ Height requirements ensured ‘policemen’ were significantly taller than the average male population, with helmets and military-style uniforms further accentuating masculine stature, whilst the recruitment of

Highlanders (long associated with martial ideals and identities) was particularly encouraged in Glasgow. Where women and female prisoners were referred to specifically (which was rare) in instruction manuals, it was with distrust and an implicit fear of female sexuality as potentially corrupting. The *Glasgow Instruction Book* stated that ‘a constable should never accompany a female alone in a vehicle’ – out of anxiety regarding blackmail or complaint as much as any need to uphold female modesty through chaperoning. Similarly, it stated ‘a vehicle should be used whenever practicable for an intoxicated female prisoner’, suggesting the need to avoid compromising situations for both parties.² Austere discipline codes ensured that officers who were found drunk or engaging in sexual liaisons with women to whom they were not married were dismissed; and there was a very high turn-over of police personnel as a result (Klein, 2010; Jackson et al, 2020).

Where roles were created for female personnel in the years 1915-1939, these were small in number and highly gender-specific. By the late-nineteenth century it was required that female turnkeys and matrons attend to, watch and search all female prisoners in police cells (linked to concerns about propriety); in rural areas these duties were undertaken for free by the ‘wives’ of station officers. During the First World War, women were involved in surveillance work in a voluntary capacity as ‘patrols’, with the aim of preventing sexual liaisons between unmarried young women and servicemen. Emily Miller, a former rescue worker for the National Vigilance Association (NVA), was the first woman to be employed in a policing capacity in a Scottish police force. Miller was appointed as a plainclothes investigations officer attached to the Criminal Investigations Department (CID) of Glasgow City Police in September 1915 on very specific duties: to take statements from women and children who were victims (or witnesses) in cases of assault and sexual violence. This was the model that predominated until the eve of the Second World War (when there were only 37 female officers across the whole of Scotland) (Jackson et al, 2020, 175-188). Nevertheless CID women in Glasgow did step outside of this focus on female victims to undertake plainclothes observations or undercover work – most obviously in relation to the prosecution of women for fortune-telling (where they posed as clients) and the surveillance of ‘Bolshevik, Communist and other political meetings’³ in the early 1920s (Jackson et al, 2020, 205). The Scottish model contrasted with that of London’s Metropolitan Police, where women had built up a much more visible presence in the interwar years and where uniformed female officers had some involvement regulating street soliciting (dealt with exclusively by male ‘vice squad’ officers in Scottish cities) (Jackson, 2006, 175). Whilst female police officers in

Scotland moved into uniform during and after the Second World War, numbers remained tiny in terms of the overall police establishment – 139 in 1950 (Jackson et al, 2020, 175) – and the vast majority of the population would never have encountered them. With rare exceptions, the policing of women was undertaken by men, and it is to the dynamics of these encounters that this chapter will now turn.

Late-nineteenth-century policing was largely concerned with the regulation of the urban poor. Norman Morrison (the Gaelic-speaking son of a fisherman/crofter, and raised amongst a highly observant Protestant community on the island of Lewis), served in Glasgow City Police from 1889 to 1892. Looking back (some forty years later), he described his encounters, as a naïve recruit, with the inhabitants of ‘Slumdom’, who thronged the city’s High Street on a Saturday night, in terms of culture shock:

While gazing at this motley crew of humanity, I was horrified to observe a large number of them, young and old, staggering and reeling in an advanced state of intoxication. Many were howling, yelling and cursing like a mob from the region of Bedlam let loose for the evening ‘Hey, Bridget, look at that flabbergasted, open mouthed bluebottle!’ this remark was audibly made by a young woman to her companion as we passed, I being of course, the individual referred to. Another opprobrious remark mote my ears. ‘See that damned ass of a cabbage with the copper’s clothes on? Wait until he runs up against Flaming Paddy and he’ll make his cabbage leaves fly’. Flushing darkly, I glanced at the speaker and saw that she was a young woman about twenty years old. She was tall and remarkably handsome, despite her environment, with a mass of jet black hair and dark, flashing eyes. (Morrison, 1937, 19).

Morrison went on to portray this woman, ‘Black Lizzie’, as an educated, noble and tragic victim of male violence, whom he sought to save from life as an ‘outcast’ despite her view of the police ‘as mortal enemies’ (Morrison, 1937, 23-24, 27). On one occasion, too, she rescued him from a ‘hostile’ crowd. The language of ‘othering’, through which the urban poor was stereotyped as a savage and criminal underclass, is palpable. We see here, too, how such stereotypes might be challenged and complicated by the recognition of a shared humanity that resulted from more sustained encounters. Indeed, Morrison became so disillusioned by the attitudes of some of his colleagues, whose ‘zealousness’ in making false arrests was a shock to his ‘conscience’, that he left Glasgow, finding subsequent employment in a rural

constabulary more in keeping with his temperament. This vignette from Morrison's memoirs is worth quoting at length because it demonstrates, from a police perspective, the often adversarial relationships and identities – of 'us' and 'them' – between poor urban neighbourhoods and police officers in Scotland's cities. These antagonisms were fuelled by the proactive tactics of some officers and by the centrality of pugilism within male street culture, as police and 'roughs' fought it out for control of the streets.

The women who were brought before the courts as a result of police action in the late-Victorian and Edwardian Scottish city were overwhelmingly the poor working-class – and for low level public order offences which the authorities associated with the social problem of drunkenness in urban and industrial areas. These trends are very apparent when newspaper reports of court proceedings are set alongside criminal justice statistics. In 1900 females constituted over a quarter of all those dealt with for 'drunkenness or breach of the peace' (see Table 1 and Figure 1). These charges (relating to a spectrum of offences involving disorderly behaviour) together accounted for over two thirds (67%) of all crimes or offences for which women were charged in that year, slightly higher than for males where they constituted 60% of all charges. These charges (and indeed all those classified as 'offences' rather than 'crimes') were heard before the police courts, where summary justice was rapidly dispensed by a bailie (a magistrate appointed by the town council from amongst its members) without recourse to a jury. As Barrie and Broomhall have argued, 'from their inception [in the early-nineteenth century], police courts dealt with more business, prosecuted more cases and punished more offenders than any other centres of justice in the country' (2012, 84). The volume of summary justice dispensed in Scotland was recognised to be significant. Overall criminal justice prosecutions in 1900 were a third larger in relation to population than in England and, concomitantly, women constituted 24.4% of all charges in Scotland compared to less than 17% south of the border (HMSO, 1901; see also Table 2). Whilst a reflection of actual offending behaviours, criminal justice statistics are also the product of police priorities and styles of intervention. The rapid supply of instant justice (through the Scottish police courts) sustained a high level of police demand and enabled intensive policing of public order offences in relation to both men and women of the urban poor. Moreover, prosecutions for 'drunkenness and breach of the peace' were concentrated in the urban and industrial central lowlands where population was most dense (HMSO, 1901).

David Barrie (2015) has drawn attention to the crucial role of the newspaper press in the continuation of older practices entailing public shaming. Each of Scotland's four cities had a

vibrant newspaper press by the late-nineteenth century, covering news relating to crime and the courts in the cities and hinterland they served. Names, details, and the comments of bailies and other officials were reported for cases deemed of particular public interest. For other cases, names and convictions were listed as a matter of public record. Behaviours that were viewed with particular opprobrium in relation to dominant middle-class values, shaped by Calvinism and temperance, received notable coverage and censure (see also Hands, 2013). Analysis of samples of Scottish press coverage across the period 1890-1950 shows how distinct ‘problems’ regarding female offending emerged or were constructed in relation to assumptions about sex and gender. In the late-Victorian and Edwardian press, women in particular were named and shamed for drunkenness. In 1891, for example, a woman reported to have 147 previous convictions was brought before the Edinburgh Police Court for being drunk and incapable. Bailie M’Donald was ‘surprised’ when he was told she worked as a ‘ward assistant’ at the City Hospital. Further inquiry confirmed she ‘had only been employed as a scrubber’, but he ‘expressed his conviction that characters like these should not be employed in hospitals’. He used his position to convey a warning to her employers and to seek to intervene in her livelihood, as well as imposing a ten shilling fine or five days’ imprisonment.⁴ Further stigma was reserved for those whom the settled population labelled as ‘vagrants’ and ‘pedlars’. In 1898 a disabled woman who was described as ‘an old pedlar on crutches’, admitted to being ‘found drunk and incapable’ in the town of Cupar, Angus. She was further labelled ‘a pest to the police’ by the prosecutor, and the bailie dismissed the case ‘on the understanding that she would leave the town at once’, effectively banishing her.⁵

Concerns that the drunkenness of mothers led to child abuse and neglect were frequently articulated through essentialist assumptions about women’s maternal role as primary carer, with warnings (to newspaper readers) that such ‘cases are very bad and would almost justify the taking of the child away from its mother’⁶ (Hughes and Meek, 2014). Thus, in 1892, an Aberdeen woman was prosecuted before the sheriff’s court for child neglect after she was reported to the police by her husband. Rather than poverty or her husband’s failure to provide (her defence), her drinking was emphasized as the underpinning cause: ‘it was quite evident that she had addicted herself to drink and thereby diminished her slender means.’⁷ Women and men of the urban poor faced charges of drunk and disorderly behaviour in large numbers; but the intersection of gender and class with age, lifecycle and disability shaped the specific moral judgments (and thus the process of shaming) that they faced from press and magistrates.

Whilst newspaper reports tended to reflect the ethos and values of the authorities, coverage of court cases also provides historians with glimpses of alternative perspectives and the views (and voices) of the 'policed'. It is striking that press accounts regarding disorderly behaviour (and the use of the breach of the peace charge especially) routinely contained counter-narratives, in which women made allegations of harassment by the police. As one Edinburgh woman, charged with 'creating a disturbance in Broughton Street' in 1890, put it: 'the policeman comes and bothers me, and then I swear – I mean –I dinna swear at all; I just say a lot of daft things.'⁸ In Dundee those stereotyped by the press as 'female brawlers' put forward another account of events. One woman convicted of breach of the peace in Murraygate claimed 'the police burned her arm with their lamps to make her roar,'⁹ whilst another arrested at midnight in Overgate claimed that 'the police abused her after they got her in the cells.'¹⁰ Their allegations were disregarded by the court, in the first instance because the arresting officer claimed any injury would have been accidental given that the woman was 'hysterical' and, in the second, because she was 'one of the chronic complainers' who 'never appeared before the court without making some complaint at the constables'. In the majority of newspaper reports bailies followed the police evidence in convicting. In the same year, however, an account of 'the strange conduct of the police' appeared in press coverage of a Dundee police court case of 'a respectably dressed young married woman' who was charged with 'riotous and disorderly' behaviour whilst intoxicated on a Saturday. The woman told the court 'she was quite sober and had just come out of a flesher's shop [butcher] when she saw the police pushing and knocking about' a 'drunk man'. She had told a constable 'it was not right to abuse a man in that way' but the officer 'told her to hold her tongue or he would find a place for her'. Indeed, she told the court that the constable was himself drunk and 'like a mad dog running about looking for its prey'. Other witnesses partially corroborated her version of events and they also testified to her good character; the bailie found the case not proven commenting on the evidence of 'so many respectable witnesses for the defence.'¹¹ Crucial here were the references throughout to the respectability and, thus, status and reputation, of the accused. The constable's mistake was to miscategorise this woman as a 'female brawler' – and to use the tactics that he may have been accustomed to deploy on them. Undertaking her own defence, she was adamant that she was 'not guilty', asserting this in court although the bailie recorded the more equivocal finding of 'not proven'. Women contested police actions, although not always with the outcome that they sought.

‘Good’ and ‘bad’ conduct was subjective, in that the lines were not always clear, and considerable discretion was placed in the hands of police officers to interpret behaviours. The charge of breach of the peace, involving ‘riotous and disorderly conduct’ was a notoriously flexible tool; so, too, was the fall-back charge of intention to incite or provoke a breach of the peace. In urban areas the burgh police acts aimed to maintain ‘good conduct’ (including the prohibition of ‘obscene, profane or indecent language’ in urban streets) to prevent public ‘annoyance’; but who, exactly, constituted ‘the public’ with the right to be ‘annoyed’ was contentious (Jackson et al, 2020, 72). Moreover, forms of ‘bad’ conduct could easily escalate into ‘riotous and disorderly conduct’. As one commentator (the medical officer at Duke Street Prison in Glasgow) put it in 1908:

A complaint is made to the police of the bad language used by girls at a street corner in a certain slum district. It is certainly lurid; but where have they learnt it? The girls are warned, but they persist in speaking their own language, and in bravado ornament it profusely and shout opprobrium at the policeman. One is caught ... she is taken to the police station and again warned. The complaints persist. Again she is arrested. She is the bad one; she was taken in the act before ... She is sent to prison in default of paying a fine. On examination it is quite clear that she is just an ordinary slum-bred girl, with no special vice. She has been working ten hours a day, and at night wants some amusement (Devon, 1908, 43).

Being known to the police as a result of previous encounters was crucial in shaping the outcome of any further encounter. As Farmer succinctly states: ‘The policing of public order produced categories or classes of deviants who were treated as social problems. The attribution of guilt was based ... on character, situation and history rather than responsibility for actions’ (Farmer, 1997, 118). Thus an individual’s reputation as ‘rough’ or ‘respectable’ shaped the style of the police response.

Newspaper reports of cases involving women arrested and charged with disorderly behaviour in the 1890s and 1900s repeatedly demonstrate the antagonistic and confrontational relationship between the police and poor neighbourhoods. When Dundee police arrested two ‘disorderly’ women in Lochee on a summer evening in 1898, they were followed to the police station ‘by a disorderly crowd assailing the officers’ who then smashed windows .¹² Women themselves were regularly involved in aiding relatives and neighbours to resist arrest by police. In Edinburgh a young woman admitted to charges of disorderly behaviour and

assaulting a police constable whom she had struck with a glass bottle when he was in the process of ‘locking up a relation of the accused for breach of the peace.’¹³ As Glasgow’s Chief Constable, James V. Stevenson admitted in 1907: ‘The feeling towards the police is decidedly good in the better class localities and amongst the shop-keeping classes. In the rougher localities the feeling is hostile and always in favour of the arrested person’ (HMSO, 1908, Q.40246-7). The police might on occasion be temporary allies for women, most obviously in relation to violence perpetrated by husbands and partners. Published criminal justice statistics suggests this was prevalent, constituting 77 per cent of all crimes against the person for which males were prosecuted in 1900 (HMSO, 1901). However, as Annemarie Hughes (2010) has shown, sentencing outcomes in these cases can be seen as remarkably lenient and access to justice for women difficult to come by. Thus, Norman Morrison’s depiction of ‘Black Lizzie’ as ultimately siding with her community against the police resonates with the glimpses apparent in a wide range of other sources.

The other statistically significant charges for which women were the subject of police action and, to a lesser extent, prosecution were offences related to ‘prostitution’ (importuning and loitering for its purposes). Unlike drunkenness and disorderly behaviour, these were entirely sex-specific charges and they were dealt with by the plain-clothes Licensing Department (or ‘vice squad’) rather than uniformed officers in urban police forces. In terms of legal action, they constituted eight per cent of all crimes and offences for which women were prosecuted in 1900 (and nine per cent in 1910). A notable decline in the years after the First World War, however, was a result of the introduction of a police ‘warnings’ system, whereby the majority of cases were sifted out of the criminal justice system altogether (Settle, 2016; Jackson et al, 2020, 106-113). When it came to street soliciting, the assessment of character by police was a crucial dynamic. As Louise Settle (2016) has argued in her study of the policing of prostitution in Glasgow and Edinburgh, police distinguished between hardened ‘older’ female offenders and youthful ‘victims’ to be ‘saved’ into the 1920s. William Merrilees, the evangelical head of Edinburgh’s vice squad, referred in his memoirs to a ‘sweep up’ of the coffee stalls on the Mound’ in the late-1920s to target (for arrest and imprisonment) ‘the inveterate prostitutes who were unhappily spreading venereal disease’. He distinguished between this group and those who were younger and ‘immature’ for whom ‘reformation’ was preferable (Merrilees, 1966, 65 and 76). As in Morrison’s sentimental attachment to ‘Black Lizzie’, age and appearance intersected with gender and social class to assign blame and culpability.

The profile of women's offending according to criminal justice statistics and newspaper reporting had shifted somewhat by the 1920s, as the volume of drunkenness and breach of the peace charges dropped by half numerically (as importuning cases disappeared too). Indeed *The Scotsman* interpreted these trends as a result of improved employment opportunities for women; the opening up of commercial leisure including cinema and dancehalls as an alternative to street culture were also a factor.¹⁴ Despite the numerical decline, drunkenness and breach of the peace continued to constitute 57 per cent of all crimes and offences for which women were prosecuted in 1930. Nevertheless, in the 1920s and 1930s press stories concentrated instead on female property crime, including workplace appropriation, charity fraud (including stealing from collection boxes), the exploits of 'daring' female thieves and the apparent rise of the female 'shoplifter' as an 'alarming' trend.¹⁵ Stores in central Glasgow faced an 'epidemic of shoplifting' in 1925, with 'respectably-dressed' women from neighbouring towns stealing handkerchiefs, hat ornaments, bangles and dresses in the Christmas sales.¹⁶ This broadly mirrored the trends in other UK cities demonstrated most recently by Charlotte Wildman (2016 and 2021). Discussion in courtroom and press increasingly focused, too, on psychiatric explanations of female offending that explained shoplifting in terms of sexual difference rather than the moral and social environments of the urban poor.¹⁷

Yet the tensions between working-class women and police did not dissipate in the 1920s and 1930s. As Andrew Davies (2019) has shown, entire neighbourhoods in Glasgow were still stereotyped as 'rough' by the police, with women as well as men experiencing heavy-handed policing tactics on an everyday basis. However, confrontation was most apparent in press coverage of the policing of strikes, demonstrations and political protest. As Hughes has detailed, Scottish women were active protesters and sometimes combatants during the interwar rent strikes, miner's lock-out and General Strike of 1926. As Hughes charts, whilst women were amongst those on the receiving end of a police baton charge in Edinburgh in May 1926, they also faced prosecutions for throwing missiles at police and inciting others to attack officers (Hughes, 2010b, 189). Newspapers such as the *Glasgow Herald* and *Scotsman* packaged such stories through disapproval of the actions of 'the lawless mob' on the part of 'the law-abiding section of the community.'¹⁸ Yet amongst many communities in the industrial lowlands of Scotland, resentment of police methods during the General Strike persisted as a legacy into the 1950s and 1960s (Banton, 1964, 211).

As Barbara Weinberger has stated in her meticulous study of the policing of strikes in early-twentieth-century Britain, ‘the breadth and vagueness of the law itself, particularly in public order matters’ was ‘so imprecise’ that ‘virtually any public behaviour could be made an arrestable offence’ (1991, 2). The breach of the peace charge was routinely deployed in this context (as well as in the case of the drunken ‘brawler’). Press reports of working-class women’s prosecution for political and industrial protest contain invaluable insights on their experience of police tactics as well as their ability to narrate it in the courtroom. These are particularly illuminating when read alongside oral history interviews, enabling further identification of narrative and counter-narrative (Smith, 1995). The example we discuss briefly here is that of the young Dundee millworker and communist campaigner Mary Brooksbank (née Soutar, 1897-1978), jailed three times for her activism on account of breach of the peace and sedition charges (Smith, 2004; Knox, 2006, 203-19, Brooksbank, 1968).

By the autumn of 1921, 23-year-old Soutar was known to the police as a prominent Communist Party speaker involved in the activities of the National Unemployed Workers’ Movement (NUWM) in Dundee. Plain-clothes officers were clearly monitoring her speeches and she was arrested twice in September and October for addressing meetings of the unemployed in Euclid Street.¹⁹ She later told folklorist Hamish Henderson, in an interview that he conducted with her in 1970, ‘They were trying to break me. They lifted me again for addressing the meeting outside the High School gate and they put me on the same charge, for sedition’.²⁰ It is very apparent from both this interview and the extensive newspaper coverage of her court appearances that she was determined to assert her ‘narrative agency’ (see Sutton, 2020) and ensure her version of events was heard and reported. Thus she recounted how she rejected the ‘fatherly’ advice of the NUWM’s own solicitor who told her to admit both charges since she would be treated leniently as ‘a respectable young woman’, saying ‘If you don’t want to do it, I’ll defend myself’.²¹ Plainclothes police quoted Soutar’s speech as self-evidently inciting the crowd to violence and criminality: ‘Fellow-workers, organize and seize the machinery of production; it belongs to you, and work it for the community.’²² In the witness box, however, Soutar offered a different interpretation: ‘she meant the workers to be organised on a political basis ... She did not mean to encourage the crowd to break windows.’²³ Her words had been used to constitute police evidence, and Soutar sought to reclaim them for her own purposes. She did this with limited success; whilst this second charge was dropped, she was convicted on the first and given a suspended sentence.

She was back in court within days: on a charge of breach of the peace for participating in a demonstration against the first Armistice Day two minutes' silence on 11 November 1921. The case against her hinged on the fact she was known to (senior) police and closely watched. A plainclothes detective inspector told the court she 'was on a vehicle with some other women and children. During the silence she was shouting, singing and waving the red flag [and] ... taking a leading part in the whole affair'. Similarly, a superintendent stated 'he knew the accused as a leader of the organised unemployed. She was formerly a frequent speaker at their meetings. He was able to hear her voice above those of others, for she had a very strong voice when singing and she was singing very lustily.'²⁴ The day's events were contested from multiple sides, but it was ultimately the evidence of the plainclothes officers regarding Soutar's exuberant singing that secured her conviction for breach of the peace.

As Mary Brooksbank she faced prosecution again in Dundee in 1930, for disturbing a meeting in the Caird Hall organised by the church to protest against religious persecution in Russia. The prosecution (for breach of the peace) was based on police testimony that she had shouted "'Thou shalt not kill'" and "'hypocrites'", refusing to sit down.²⁵ Brooksbank told Henderson:

The police hustled me into the van. Outside the Caird Hall there were two young women. They were not in the hall and they had nothing to do with the demonstration and they were hustled in wi' me ... And the police made liars of themselves. One policeman said they were shouting and bawling but they were n'ae.²⁶

According to Brooksbank, she refused to enter a plea until the prosecution of the two others was dropped. On this occasion she pleaded guilty, but alleged rough treatment by the arresting officers: 'the constables had twisted her arm and ill-used her and one of them made the remark "You're a b ___ spitfire".'²⁷ Her refusal to perform 'appropriate' femininity – to exercise quiet and restraint – shaped the responses and tactics of both police and judiciary.

This was even more in evidence in events on April 1932, when Brooksbank was charged once again with breach of the peace, this time for gate-crashing a council meeting at Dundee City Chambers with two male NUWM protesters to demonstrate against the Means Test. She knocked over an ink bottle and papers before being ejected. The police surgeon raised concerns about fitness to plead given her 'tendency towards fixed ideas'; she was placed under observation for seven days in Perth prison 'regarding her mental condition'²⁸ (Smith, 2004). When it was announced she was fit to plead, Brooksbank requested that the report be

read in court. Quoted by the press, it thus became a matter of public record: ‘The ability to see only one side will lead her into many conflicts with settled authority, but those convictions, most impervious to reason, do not amount to monomania requiring certification and treatment in any asylum.’²⁹ Unsurprisingly, neither of the two men were subject to psychiatric investigation. Brooksbank pleaded not guilty, once again conducting her own defence and stating: ‘as for the attempt to say that her conduct was that of a hysterical woman, she had not an ounce of hysteria in her.’³⁰ Her defence failed because she sought to justify her actions as ethical and rational, not to disprove their effects. As in so many of her court appearances, the struggle was one of words; what was at stake was the published record of events, her agency to act, and her ability to present her own account of herself.

Most of this chapter has been concerned with the policing of poor and working-class women in urban areas as the most frequent targets – and on drunkenness and breach of the peace as the most common charges across the period. Nevertheless, middle-class women (in Scotland as elsewhere) encountered the police as offenders in small but increasing numbers across the first half of the twentieth century. During the First World War – and subsequently the Second – they came under police scrutiny for infringements of the black-out and lighting regulations.³¹ Then, with the gradual take-up of the motorcar, the first middle-class women motorists encountered the police for traffic and motoring offences.³² Finally, middle-class women were most visible in Scottish press coverage of police encounters with suffrage militants in the years 1908-1914, culminating in the arrest of leading suffragette Emmeline Pankhurst in Glasgow as she addressed an audience in St Andrew’s Hall in March 1914. Uniformed police officers entered the hall and stormed the platform with batons drawn; members of the audience and police officers were injured in the fray. Suffragettes and their supporters highlighted the ‘brutal, unmanly and cowardly’ behaviour of police and called for a public inquiry through a letter-writing campaign to the Scottish press. This was not just about sex but also about class. Female property owners had gained the municipal franchise in 1882 (in 1872 for those single or widowed) and were thus already ratepayers and political taskmasters. Hence one correspondent implicitly reminded readers of both the middle-class status of some women and the working-class backgrounds of police officers (as well as their public duty to ‘serve’ all citizens): ‘the policemen are our servants, paid for by women as well as men’.³³ Yet their call for a public inquiry into the event was not heeded. The relationship between suffragettes, police and Glasgow City Council remained icy and it is noticeable that, when Emily Miller was appointed in 1915 as the city’s first female officer, it

was to the local branch of the NVA (associated with temperance and social conservatism) that the police authority turned rather than to other organisations connected with militancy.

Looking back on the 1890s from the perspective of 1937, Norman Morrison wrote that ‘since then, of course, a great change towards sobriety and better behaviour has come over not only the people of Glasgow but the whole country’ (Morrison, 1937, 19). Criminal Justice Statistics charted a significant shift across the period 1890-1950 as the prosecution of women for offending behaviour declined, in large part because of the very significant reduction in public order offences from nearly 30,000 in 1900 to just over 3000 in 1950 (with women’s presence in the courts diminishing from one in four to one in ten). Increased living standards, the democratisation of commercial leisure, and (significantly in the Scottish context) the amelioration of housing conditions and overcrowding played their part, although largely from the later 1930s onwards. This chapter has been centrally concerned with an examination of what press coverage tells us about the relationship between police and female ‘offenders’ and of their experience of policing. We have demonstrated that, although the main purpose of crime reporting was to hold individuals to public account through a process of naming and shaming, glimpses emerge of other viewpoints – including the antagonistic and adversarial relationship between the police and poorer working-class women well into the twentieth century. The participation of working-class women in forms of political and industrial activism, heightened in the 1920s and early-1930s against the backdrop of the General Strike and the Depression, meant this negative relationship continued in large pockets of Scotland’s central lowlands. Finally, we have seen how some women used the courtroom and the press coverage associated with it, to articulate their own counter-narratives of events and to contest the one provided by police and prosecution. On the one hand, women who felt wrongly accused by police used the court to assert their respectability as law-abiding citizens. On the other, Mary Brooksbank asserted her agency – not by denying guilt but by insisting that her framing of events made its way into the public record.

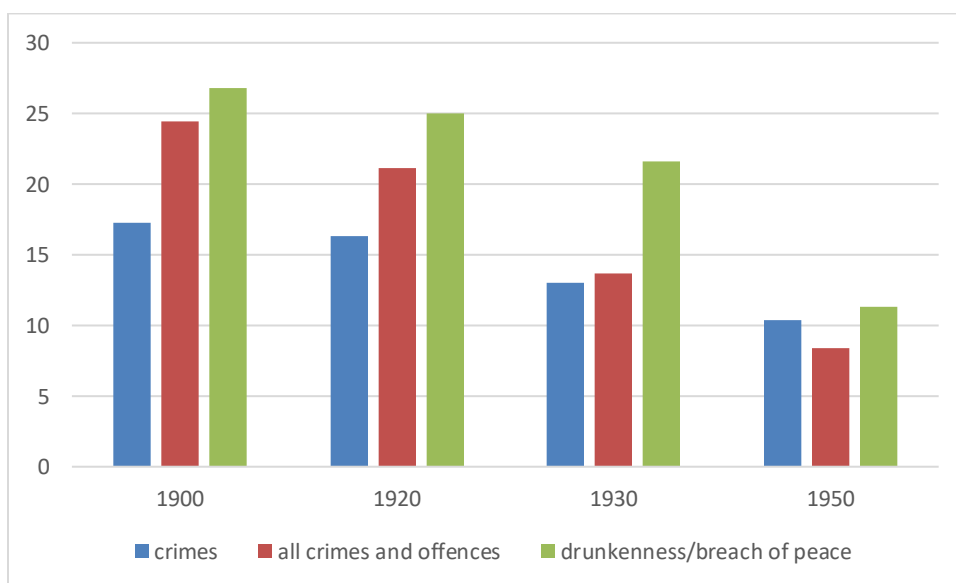
Table 1: Drunkenness and breach of the peace charges in Scotland 1900-1950: persons proceeded with. Source: Criminal Justice Statistics, Scotland, Cd. 878, Cd. 5981, Cmd. 3963, Cmd. 8330.

Year	1900	1910	1920	1930	1950
Male	79,104	60,077	61,150	30,884	23,790
Female	28,965	20,047	15,310	8,525	3,033
Total	108069	80124	76460	39409	26823
Female as % of all	26.8	25.0	20.0	21.6	11.3

Table 2: Persons proceeded against in Scotland (crimes and offences). Sources: see Table 1.

Year	1900	1910	1930	1950
All male	132868	118590	94368	99884
All female	42952	31740	15008	9170
Male crimes only	18264	21093	17156	21060
Female crimes only	3818	4114	2574	2432
Female theft	2503	2787	1734	1684

Figure 1: Females proceeded against in Scotland as a proportion of all proceedings (for males and females). Sources: see Table 1.



Bibliography

- Banton, M. (1964) *The Policeman in the Community* (London).
- Barrie, D.G. (2008) *Police in the Age of Improvement. Police development and the civic tradition in Scotland, 1775-1865* (Cullompton: Willan).
- Barrie, D.G., and S. Broomhall (2012) 'Public men, private interests: the origins, structure and practice of police courts in Scotland, c. 1800-1833', *Continuity and Change*, 27, 83-123.
- Barrie, D.G. (2015), 'Naming and Shaming: Trial by Media in Nineteenth-Century Scotland', *Journal of British Studies*, 54, 2, 349-76.
- Brooksbank, M. (1968) *No Sae Lang Syne. A Tale of This City* (Dundee: Dundee Printers).
- Davies, A. (2019) 'Police violence and judicial bias in the age of mass democracy: Glasgow, 1933-1935', *Social History*, 44, 57-85.
- Devon, J. (1908) 'Some causes of crime', *Transactions of the Royal Philosophical Society of Glasgow*, XL, 29-52.
- Farmer, L. (1997) *Criminal Law, Tradition and Legal Order: Crime and the Genius of Scots Law 1747 to the Present* (Cambridge: Cambridge University Press).
- Haider, S. (2013) 'Female Petty Crime in Dundee, 1965-1925: Alcohol, Prostitution and Recidivism in a Scottish City' (PhD thesis: University of Dundee).
- Hands, T. (2013), 'Sobering Up The Magdalenes' Drunken Sisters: The Institutional Treatment of "Female Drunken Pests" in Scotland, 1900-15', *Social History of Alcohol and Drugs*, 27, 1, 62-81.
- HMSO (1901) 'Criminal Justice Statistics, Scotland, 1900', Cd.878.
- HMSO (1908) Minutes of Evidence, Royal Commission on the Duties of the Metropolitan Police, Cd. 4260.
- Hughes, A. (2010) 'The "Non-criminal" class: wife-beating in Scotland (c. 1800-1949)', *Crime, History and Societies*, 14, 2, 31-54.
- Hughes, A., *Gender and Political Identities in Scotland, 1919-1939* (Edinburgh, 2010b).
- Hughes, A. and J. Meek (2014) 'State regulation, family breakdown and lone motherhood: the hidden costs of World War I in Scotland', *Journal of Family History*, 39, 4, 364-87.
- Jackson, L.A., Davidson, N., Fleming, L., Smale, D. and Sparks, R. (2020) *Police and community in Twentieth-Century Scotland* (Edinburgh: Edinburgh University Press).
- Jackson, L. (2006) *Women Police: Gender, Welfare and Surveillance in the Twentieth Century*. (Manchester University Press).

- Klein, J. (2010) *Invisible Men. The Secret Lives of Police Constables in Liverpool, Manchester and Birmingham, 1900-1939* (Liverpool: Liverpool University Press).
- Klein, J. (2012) 'Quiet and determined servants and guardians: creating ideal English police officers, 1900-1945', in D.G. Barrie and S. Broomhall (eds) *A History of Police and Masculinities 1700-2010* (London: Routledge).
- Knox, W.W.J., and A. McKinlay (2010), 'Crime, protest and policing in nineteenth-century Scotland', in T. Griffiths and G. Morton eds. *A History of Everyday Life in Scotland 1800-1900* (Edinburgh: Edinburgh University Press), 196-224.
- Knox, W.W.J. (2006) *The Lives of Scottish Women. Women and Scottish Society 1800-1980* (Edinburgh: Edinburgh University Press).
- Merrilees, W. (1966) *The Short Arm of the Law* (London).
- Morrison, N. (1937) *My Story* (Inverness: Highland News Office).
- Smith, G.R., (2004) 'Brooksbank [née Soutar], Mary Watson', *Oxford Dictionary of National Biography*, <https://doi-org.ezproxy.is.ed.ac.uk/10.1093/ref:odnb/54394> [accessed 4 Jan 2021].
- Smith, G.R. (1995) 'Protest Is Better for Infants: Motherhood, Health and Welfare in a Women's Town, c.1911-1931', *Oral History*, 23, 1, 63-70.
- Settle, L. (2016) *Sex for Sale in Scotland: Prostitution in Edinburgh and Glasgow, 1900-1939* (Edinburgh: Edinburgh University Press).
- Sutton, R. (2020) *The Narrative Agency of Women Accused of Homicide: New York City and London, 1880-1914* (PhD thesis: University of Edinburgh).
- Weinberger, B. (1991) *Keeping the Peace? Political Strikes in Britain, 1906-1926* (Oxford).
- Wildman, C. (2016). 'Miss Moriarty, the Adventuress and the Crime Queen: The Rise of the Modern Female Criminal in Britain, 1918–1939', *Contemporary British History*, 30, 1, 73-98.
- Wildman, C. (2021). 'An "Epidemic of Shoplifting"? Working-Class Women, Shop Theft and Manchester's New Retail Culture, 1918-1939', *Social History*, 46, 3, 278-99.

¹ Glasgow City Archives, SR 22/60/4, *City of Glasgow Police Instruction Book*, 1912, 31.

² *Ibid.*, 32.

³ *The Scotsman*, 29 July 1922, 7.

⁴ *Edinburgh Evening News*, (hereafter EEN) 3 June 1891, 4.

⁵ *Dundee Courier & Advertiser*, (hereafter, DCA) 12 May 1898, 7. Newspaper in full, first time?

⁶ *EEN*, 30 Dec 1905.

-
- ⁷ Aberdeen Weekly Journal (Hereafter *AWJ*), 1 March 1892, 3.
- ⁸ *EEN*, 15 Aug 1890, 2.
- ⁹ *DCA*, 10 May 1890, 3.
- ¹⁰ *DCA*, 25 Jan 1890, 3.
- ¹¹ *DCA*, 2 Sept 1890, 2.
- ¹² *DCA*, 28 June 1898, 4.
- ¹³ *EEN*, 12 July 1898, 2.
- ¹⁴ *The Scotsman*, 18 April 1922, 4.
- ¹⁵ *Scotsman*, 27 Nov 1928, 7; 24 Aug 1928, 7.
- ¹⁶ *Glasgow Herald (hereafter GH)*, 18 Dec 1925, 5.
- ¹⁷ *Scotsman*, 6 Sept 1932; *DCA*, 11 Feb 1932.
- ¹⁸ *Scotsman*, 14 Jan 1925, 9.
- ¹⁹ *Evening Times (Dundee) (hereafter ET)*, 14 Oct 1921, 6; *DCA* 19 Oct 1921, 4; *DCA* 29 Oct 1921, 7; *DCA* 10 Nov 1921, 2.
- ²⁰ Brookbank, Mary, School of Scottish Studies Archives, SA 1970.375, Tobar an Dualchais/Kist o Riches, <http://www.tobarandualchais.co.uk/en/fullrecord/58809> accessed 5 May 2021.
- ²¹ *Ibid.*
- ²² *DCA*, 19 Oct 1921, 4.
- ²³ *DCA*, 29 Oct 1921, 7.
- ²⁴ *ET*, 22 Nov 1921, 5.
- ²⁵ *DCA*, 27 March 1930, 10.
- ²⁶ Brookbank, Mary, School of Scottish Studies Archives, SA 1970.375, Tobar an Dualchais/Kist o Riches, <http://www.tobarandualchais.co.uk/en/fullrecord/58809> accessed 5 May 2021.
- ²⁷ *DCA*, 1 April 1930, 10.
- ²⁸ *DCA*, 9 April 1932, 8.
- ²⁹ *ET*, 15 April 1932, 3.
- ³⁰ *ET*, 22 April 1932, 6.
- ³¹ For example, *CA*, 16 Sept 1942, 2.
- ³² For example, *CA* 31 Aug 1938.
- ³³ *GH*, 11 March 1914, 7.