

**ADMINISTRATIVE
REFORM AND THE LOCAL
GOVERNMENT BOARD**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649477852

Administrative Reform and the Local Government Board by J. Theodore Dodd

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

J. THEODORE DODD

**ADMINISTRATIVE
REFORM AND THE LOCAL
GOVERNMENT BOARD**

ADMINISTRATIVE REFORM

ADMINISTRATIVE REFORM

AND THE

LOCAL GOVERNMENT BOARD

BY

J. THEODORE DODD, M.A. (Oxford)

Barrister-at-Law (Lincoln's Inn)
A Councillor and Guardian for
the City of Oxford

Author of "The Parish Councils Act Explained," etc.

SECOND EDITION.

LONDON

P. S. KING & SON
ORCHARD HOUSE
WESTMINSTER

1906.

PREFACE

TO THE FIRST EDITION.



It has for some time been obvious that, from various causes, the difficulty of obtaining by Act of Parliament those reforms which are essential to the well-being of the community is almost insuperable.

Yet much can be done by any Government which has the support of a majority of the House of Commons, and is backed up with respect to just reforms by the country.

One object of this work is to give a small sample of what can be done in the way of reform by administrative action without any Act of Parliament.

The powers of the Government, representing both in constitutional theory and practice the Crown, and in practice the House of Commons, may be divided, as far as the present purpose is concerned, into two classes: (1) those derived from the Royal Prerogative and the Common Law; and (2) those given to various departments of State by statute.

These latter, again, may be subdivided in

1066.1.1.1

various ways. Many statutes give definite powers to departments; others confer on departments authority to make rules, orders, or regulations, which, when duly framed, are as much law (until revoked or altered) as the statute law itself.

In this book, the powers and duties of only one of the great departments (the Local Government Board) are discussed; and even in dealing with that Board I have almost entirely restricted myself to considering its powers in connection with the Poor Law.

Reform by administration possesses not only the advantage of not requiring the consent of a Second Chamber, but it has the further advantage that it has not to be pressed by mere force through a House which includes a minority, who, though unable to prevent reform altogether, can both maul, and to a large extent spoil and delay, all reforms, and, by the very time they consume, as absolutely prevent many reforms as if the obstructive minority were a triumphant majority.

The subject of Poor Law has now for some time been prominently before the public, and real and substantial movement with regard to its administration cannot long be delayed; also the unsolved question of the "unemployed" is a disgrace to our civilisation and a danger to the State. As

Mr. Stansfeld¹ has well pointed out at a recent Poor Law Conference,² the legislative reforms of 1832 were quickly followed by the "middle-class" Poor Law legislation of 1834, and the great constitutional changes which have taken place in this country since that date now necessitate alterations in the present Poor Law, so as to make it *more humane*. Indeed, Mr. Stansfeld, who was formerly a President of the Local Government Board, expressed his opinion that such a change was not only necessary but desirable. The conduct of the Local Government Board towards the poor is, in my opinion, sometimes of doubtful legality, sometimes harsh, and sometimes unsatisfactory.³

A word should be said as to the reforms which the authorities connected with the Poor Law made under the late (*i.e.*, the Gladstone-Rosebery) Government. When Mr. (now Sir Henry) Fowler was first appointed President of the Local Government Board, he effected some useful, if not heroic, administrative reforms.⁴

* * * * *

¹ [Afterwards Sir James Stansfeld.]

² See p. viii. below.

³ *I.e.*, in the old circulars, etc., of the Board and its predecessors. See pp. xxiv.-v., xxvii., 33, 40, 44, 49, 52, 53, 104.

⁴ Among Sir H. Fowler's administrative reforms may be mentioned the orders allowing the guardians to give tobacco and "afternoon tea" to the aged, and that permitting the guardians to give "dry tea" so that tea may be "made" in the wards. The object of this latter order was, of course, to give

viii PREFACE TO THE FIRST EDITION.

It will now be convenient to mention some resolutions for administrative reform passed by the Conference¹ on Poor Law Reform

a more home-like character to the meal. His order authorising *every* guardian to visit the house is one of great value. Previously a guardian who was not on the Visiting Committee could only go over the house *by leave* of the master of the workhouse. Also Sir H. Fowler authorised the appointment of lady visitors. The Local Government Act, 1894, made no substantive change in the Poor Law, but reformed the mode of election of guardians, etc., and so greatly altered its machinery.

¹ The following bodies appointed representatives to this conference:—

Boards of Guardians.—Bethnal Green, Camberwell, Fulham, Greenwich, Islington, Kensington, Lambeth, Lewisham, St. Olave's, St. George's East, St. Saviour's, Shoreditch, Stepney, Wandsworth and Clapham, Whitechapel, Woolwich.

Societies.—Battersea Labour League, Bethnal Green Rate-payers' Association, British Women's Temperance Association, Christian Social Union, Club and Institute Union, English Land Restoration League, Fabian Society, Guild of St. Matthew, Helpers' Association, Leighton Hall Neighbourhood Guild, Lifeboat Shelter, Metropolitan Association for Befriending Young Servants, Metropolitan Board School Teachers' Association, Midwives' Institute, Newman House Settlement, Nonconformist Council, Poor Law Officers' Association, Positivists' Society, Southwark Diocesan Workhouse Association, the United Sisters' Friendly Society, University Hall, West London Ethical Society, West London Mission (Social Department), Wesleyan East End Mission, Women's Poor Law Guardian Society, Women's Suffrage Society, Women's University Settlement.

Trade Unions.—Clothiers' Cutters, East London (Women) Ropemakers, Electro- and Stereo-typers, Engine Drivers, House Painters (Islington and North London), Labour Protection League, Litho Stone Preparers, Navvies, Operative Bakers (Amalgamated Society), Operative Bakers (Amalgamated Union),

called by the London Reform Union. At a meeting of this Conference, held on April 25th, 1894, at the Club Union Hall, Clerkenwell Road, Mr. Thomas Lough, M.P., in the chair,¹ the following resolutions were carried:—

ADMINISTRATIVE REFORMS.

(a) Improved Inspection.

(1) "That this Conference asks for an

Pressmen, Printers' Labourers, Type Founders, Vellum Binders, Women's Trade Union Association.

Political Associations.—North Kensington Conservative Association; Liberal Associations of Bow and Bromley, Chelsea, East Dulwich, Hampstead, Hoxton, Lewisham, Limehouse, Mile End, North Hackney, North Kensington, Poplar, Rotherhithe, West Marylebone, West Southwark, West St. Pancras; Women's Liberal Federation; Women's National Liberal Association; Women's Liberal Associations of Bethnal Green, Chelsea, Hammersmith, Lambeth, Mile End, Norwood, North Kensington, Paddington, Penge and Beckenham, South Kensington, Westminster, West Islington.

Clubs.—Battersea Progressive, Bloomsbury Young Men's, Cobden, Democratic, Hammersmith, Mildmay Radical, Newington Reform, North London, St. James' and Soho, St. Pancras Reform, West Norwood Reform; Liberal and Radical Clubs of Battersea, Clapham, Central Finsbury, Chiswick, Dulwich, East Greenwich, Hackney, Hatcham, Lewisham and Lec, North Camberwell, North Lambeth, Paddington, South Wimbledon.

London Reform Union Branches.—Bethnal Green, Bow, Chelsea, Central Hackney, Fulham, Holborn, Lavender Hill, Lewisham, North Lambeth, Paddington, Peckham, Plumstead, Poplar, St. George's East, Stepney, West Islington, West Southwark.

¹ The Conference sat for two evenings, Mr. Passmore Edwards presiding on the other evening. It was arranged