

THE
BRITISH JOURNAL OF NURSING
WITH WHICH IS INCORPORATED
THE NURSING RECORD
EDITED BY MRS BEDFORD FENWICK

No. 1,128.

SATURDAY, NOVEMBER 13, 1909

XLIII

Editorial.

THE SCAPEGOAT.

We print in another column the circumstances under which Nurse Bellamy was acquitted of the charge of manslaughter, on which she was committed to the Hertford Assizes for trial, on the warrant of the Coroner for the Hemel Hempstead district and two Justices of the Peace. The action of the jury in throwing out the Bill will be received with general satisfaction, but the forces against which Nurse Bellamy had to contend were powerful, and the defenceless position of a nurse when forced to defend her personal reputation and to fight for her personal liberty, has never been better illustrated.

Suddenly this nurse found herself compelled to obtain legal assistance and to retain counsel in her defence. She had no private means, and nurses have no Defence Union. Besides this she had no legal professional status, and, indeed, probably owing to the chaotic condition of nursing organisation, had only received training in one branch of nursing.

She had to face the fact that the Coroner, Mr. Lovel Smeathman, who held the inquest on the dead man, was Clerk to the Hemel Hempstead Guardians—and therefore had to judge between his employers and one of their employees—he was also Clerk to the Justices, who committed her for trial; that the whole trend of the evidence of the Matron of the Hemel Hempstead Workhouse (who is also Superintendent Nurse), at the inquest was to hold her subordinate responsible—although according to the Local Government Board Nursing in Workhouses Order, 1897, it is “the duty of the Superintendent Nurse to superintend and control the other Nurses and Assistant Nurses in the workhouse in the performance of their duties.” Lastly,

as Mr. Justice Lawrance pointed out in his charge to the Grand Jury at Hertford on Saturday, there was the question of a fault in the system of the workhouse, a fault which without doubt existed, for the Matron was censured by the jury at the inquest for not having closer oversight over the nurses, and allowing a serious lack of discipline. It also appears certain that the infirmary was understaffed.

When the triple tragedy occurred, as tragedies are apt to occur when the organisation of the nursing in an institution is inefficient, it was inevitable that there should be a scapegoat, and probably equally inevitable that the part should be assigned to the nurse, who had no powerful official position, and only the minute salary of a subordinate woman worker with which to defend herself.

Nurse Bellamy's position was thus one of great peril, but happily, guided by the legal acumen of Mr. Justice Lawrance, a British jury “truly and indifferently ministered justice,” and spared her the ignominy of standing in the dock to answer to a charge of manslaughter, a well-deserved reproof both to the Coroner and Magistrates who committed the nurse for trial on so outrageous a charge.

We hope the Hemel Hempstead Guardians will now set their house in order, but we do not blame the Guardians primarily for their failure to provide adequate nursing. They have no standard to guide them as to what constitutes an efficient nurse, and, if lack of nursing efficiency is traced back to its source, responsibility must be placed on the monopolists of nursing labour, who have for years so strenuously opposed any adequate organisation and supervision of the nursing profession by a legally constituted authority, thus depriving poor and defenceless patients of the protection such a system would afford.

[previous page](#)

[next page](#)