

DANGEROUS PRECINCTS: THE MYSTERY OF THE WAKEFORD CASE

By JOHN TREHERNE

(Jonathan Cape 1987: pp.192, with plates and line illustrations. £10.95)

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The Wakeford Case was one of the **causes célèbres** of the early twenties. In 1920, Canon John Wakeford, then aged 61, was Archdeacon of Stow and Precentor of Lincoln Cathedral. He was accused under the Clergy Discipline Act of immorality, in spending the night at the Bull Hotel in Peterborough, with a woman who was not his wife, on two occasions in March and April 1920. Found guilty by a Consistory Court, he appealed to the Judicial Committee of the Privy Council. That body granted a full rehearing, which occupied seven days, and involved Douglas Hogg (the future Lord Chancellor, Viscount Hailsham) for the prosecution, and Sir Edward Carson for Wakeford. The then Lord Chancellor, Lord Birkenhead, presided and on 26 April 1921, he delivered the opinion of the Committee dismissing the appeal. Wakeford was stripped of his offices, although not of his priesthood.

That was not the end of the affair, which excited a good deal of public interest, much of it sympathetic of Wakeford. The matter was taken up by Horatio Bottomley in the pages of *John Bull*, and that periodical waged a typically energetic campaign to have the case re-opened. It soon unearthed a witness for Wakeford ("The Girl in the Cathedral") whose suspicious absence from the hearing had counted against him. A filmed reconstruction was made by Gaumont for *John Bull*, and from July 1921 until the spring of 1922, Wakeford addressed mass meetings up and down the country, at which the *Girl in the Cathedral* was produced and the film shown. The film also went on general release and played to full houses throughout the land in the latter half of 1921. A request to the Privy Council for a re-opening of the case having got nowhere, a monster petition was handed in to the Home Office and promptly rejected. Wakeford retired to the parish of a supporter in Biggin Hill, where he was intensely unhappy as a priest without a parish. In 1923, the case briefly hit the headlines again. One of the witnesses against him in the main proceedings was unwise enough to boast of his part in bringing Wakeford down, and to embroider his story by saying that Wakeford was a frequent adulterer. Wakeford sued him for slander, but lost on a technicality. The costs of this action, on top of his other expenses, pushed Wakeford into bankruptcy, from which he was rescued by a fund organised by four bishops. At Biggin Hill his mind crumbled, he was committed to an asylum in 1928, and in 1930 he died there of a heart attack. Such was the sad end of one who, having risen from nowhere with the meagrest educational qualifications, had become one of the most celebrated of the high church party in the Church of England.

The affair has never been entirely forgotten because for some, both then and since, nagging doubts about the rightness of the decision have remained. These doubts cannot rest solely on the known characters of the man and of his supporters at the time. It is true that no credible aspersions on his moral character had even been made; he was apparently happily married to a wife who staunchly supported her husband throughout the affair and until his death; and various persons of unimpeachable character who knew Wakeford well continued to express

amazement and disbelief at the notion that he could conduct himself in a manner so completely out of character. But two sad facts are well known to all with experience in criminal trials: first, that intimates are sometimes grossly deceived as to the character of a person they have every right to assume they know well, and second, that sometimes someone with a well-earned spotless reputation on some particular occasion kicks over the traces and acts competely out of character. Character evidence is at most presumptive only, and must yield to clear factual evidence of what actually occurred on the occasion in question.

It is the factual evidence in the Wakeford case which is so puzzling. The question for the Privy Council seemed the simplest one of fact – did he spend the nights of 14, 15 March and 2 April 1920 at the Bull Hotel, Peterborough, with a woman? It was not disputed that he stayed at the Bull on those occasions, in a double room containing only a double bed. He was seen by a large number of witnesses, who either knew him or recognised him at the hearing. Was he or was he not accompanied by a woman? Hardly a question on which any doubt could remain after the witnesses had been heard. But the witnesses were in two diametrically opposed groups. One group swore that on one or other or both of the occasions in question, Wakeford was accompanied by a young lady. This group consisted of the hotel keeper Pugh, his wife, hotel domestics; a friend of Pugh who happened to be sitting in Pugh's office on both occasions when Wakeford registered; two police sergeants and a constable who were, for somewhat obscure reasons, keeping watch; and a married couple staying in the hotel who, although they surfaced only at the last moment when the hearing was almost over, were apparently respectable and unconnected with anyone involved. Some of this group were positive that Wakeford took meals in the dining room with a woman. But other guests in the hotel, including the poet Edmund Blunden and his wife, and other diners in the dining room, were positive that Wakeford was alone whenever they saw him.

In addition to the eye-witness evidence, there was the evidence of the hotel register, although this is also very puzzling. The admittedly genuine signature 'J. Wakeford' appeared on both March and April occasions, followed by 'and wife', and on the April occasion followed by a separate entry 'M. Wakeford' in the line below. Wakeford said that all except his signature was written at some later time. Although Pugh admitted adding the first 'and wife' in pencil himself, and although an expert called by the prosecution was inconclusive, Lord Birkenhead accepted that the second 'and wife' was in Wakeford's handwriting. That would not on its own have been enough, but in Birkenhead's view, it furnished corroboration of the eye-witness evidence. As to this, Birkenhead acknowledged that there were certainly several highly suspicious inconsistencies and obscurities in it, but he felt that in the absence of conspiracy, its force was enough to secure a verdict against Wakeford. What caused him to reject the conspiracy hypothesis advanced by Wakeford was that since the police were waiting in the hotel on the evening of 14 March, it followed that any conspiracy must have been hatched by that date, which made no sense since no-one knew that Wakeford was going to stay there that night. There was also the non-appearance of 'the Girl in the Cathedral' as the press called her. On the morning of 15 March, Wakeford was seen by unimpeachable witnesses with a girl in Peterborough Cathedral and a few minutes later in a post-card shop. Wakeford said that he met her by chance when they were both sheltering from the rain, he got talking about certain tombs, helped her to buy a post-card and never saw her again. He said he wasn't with her at any other

time on the 14/15 March visit, or on the second visit. It weighed heavily against Wakeford that this girl could not be found. The fact that she had not come forward seemed inexplicable except on the footing that she was his companion at the Bull, unwilling to face the scandal. 'The Girl in the Cathedral' was unearthed afterwards by John Bull; she confirmed his account and gave a credible family reason for not coming forward before; but this circumstance did not persuade the authorities to re-open the case.

Wakeford's response to the array of witnesses against him was to say that they were part of a conspiracy to destroy him. Such an allegation, although not unheard of in cases where the *dramatis personae* belong to the criminal underworld, is even in such cases likely to meet with some scepticism. In a case coming from the civilized world of respectable ecclesiastical personages, it is both startling and inherently quite incredible. But in Wakeford's case, there were two candidates for the roles of chief conspirators. One was his brother-in-law, Herbert Worthington, Rector of Netherscal; the other was Charles Moore, Rector of Appleby Magna. They were friends, intimates on the hunting field and at the dining table, and both had or thought they had good reasons to hate Wakeford with a consuming hatred.

Worthington disliked Wakeford from first meeting him, as a jumped-up person of no breeding or education. He strongly disapproved of Wakeford's marriage to his sister and became obsessed with the idea that he treated her badly. Worthington it was who laid the complaint to the Bishop which began the proceedings and, with Moore, he employed one Agar, a recently retired Superintendent of Police at Loughborough, as a private sleuth to dig up evidence against Wakeford. Moore was a popular but dissolute parson, who was also the patron of Kirkstead, and had allowed that church to fall into ruin. Wakeford persuaded the Bishop to give him the living of Kirkstead, and set about restoring the church. To get to it, Wakeford had to cross Moore's land; Moore tried to scare him off and on one occasion, accompanied by his labourers, obliged Wakeford and his wife to turn back. Moore was accused of immorality with a woman of ill repute and, although the charge was withdrawn half-way through a formal hearing, Moore was convinced that Wakeford was responsible for the prosecution and also, indirectly, for the stroke which Mrs. Moore suffered during the hearing against him. He it was who recruited Agar, who had married his cook, to do Worthington's sleuthing work.

Even given the existence of ill-wishers determined enough to frame Wakeford, there remain formidable difficulties in the way of accepting a conspiracy. There is the impossibility, which Birkenhead saw as evident, of arranging for the police to be waiting on 14 March at a hotel which no-one had any reason to think Wakeford would ever visit. On any footing, the behaviour of the Peterborough police is one of the most baffling elements of the affair. The one explanation of their presence which won't wash is that given by Sergeant King in his evidence in chief, namely that they were investigating reports of a bogus clergyman going about the district passing dud cheques. As he admitted in cross-examination, that person had been caught and gaoled for three years before. Since a pre-existing conspiracy is impossible to credit, the only conceivable explanation is the one advanced by the author of the book, namely the police, being sensitive to bogus clergy on their patch and having been alerted by reports of a distinguished-looking ecclesiastic ("dressed like a bishop") visiting the Cathedral and a postcard shop in company with a strange young woman kept watch at the Bull in the hope of catching someone. A conspiracy **after** Worthington and Moore had heard of Wakeford's first visit is just conceivable, and if it were formed quickly enough,

it could have achieved an ambush on Wakeford's second visit, since on that occasion he obligingly sent a post-card booking his room. Moreover the four months elapsing before a complaint was laid to the Bishop was time enough for the suborning of the police and other witnesses connected with the Bull.

Was Wakeford wrongly accused and convicted? One is able to be positive about the actual result of the proceedings. Whether he was or was not guilty, he should not have been found guilty. Those who say that a clergyman has been guilty of serious immorality, such as will, if proved, certainly ruin him utterly, must come under a heavy burden of proof. The bedraggled state of the prosecution's case, and the existence of unshaken evidence for the defence, ought to have led to a finding that the burden was undischarged. But discharge of a burden of proof is a lawyer's concept, and a lay enquirer nearly seventy years later is not so much interested in whether the prosecution proved its case properly as in whether Wakeford did in fact do what he was said to have done. Mr Treherne is in no doubt, indeed is passionately convinced that Wakeford was an innocent victim of a miscarriage of justice. His readers will have to make up their own minds, but should bear in mind that they are to a considerable extent in Mr. Treherne's hands. His account of the actual proceedings is necessarily selective to some extent, and his character sketches of the various participants are just that – sketches. The public figures, such as Birkenhead, are delineated in a few quick strokes, which will seem inadequate to anyone who has read the many different published accounts of them. Of the 'private' personages, such as Worthington, there must certainly be more to be said than is said in these pages. Doubtless a partisan account on the other side would produce quite different but equally credible portraits. That said, the impression gained by this reader is that Wakeford was not guilty of what was put against him. The notion of a post-hoc conspiracy between Worthington and Moore sounds preposterous, but it is conceivable, which is more than can be said of any other explanation of the massive conflict of evidence in the case. Certainly no-one did or could suggest a conspiracy between the witnesses who were positive that Wakeford was alone in the dining room. Such tenuous connections as existed between the Peterburgers who testified against Wakeford were not present among the fortuitous collection of hotel and dining room guests who spoke for him.

Any book on this fascinating affair could hardly be dull, and Mr. Treherne's book is a very good read, in a racy sort of way. It is not free of padding, in that much space is devoted to showing that Wakeford made enemies during his earlier ministry in Liverpool and in the Lincoln Chapter, although it is not suggested that any of these professional adversaries was party to the conspiracy. It is in places slap-dash, as where the author quotes verbatim from a handwriting expert's opinion that the disputed entries in the hotel register were forgeries but does not name the expert. There are journalistic passages, e.g. the account of the Wakefords' wedding in 1893, from which we learn, along with such details as the weather, that the bride wore a wreath of orange blossom veiled with tulle and a pearl and gold necklet. A catchpenny title and a wrapper depicting a shadowy figure lurking in a cloister do nothing for the book's claim to be taken as a serious study. But it will hold the interest of the reader, who will be additionally diverted by the illustrations – a splendid gallery of be-whiskered, gaitered, sub-Trollopian figures. Alas, anyone making a serious effort to weigh the evidence and assemble the pieces of the jig-saw will be hampered by the unforgivable omission of any index.