The Care and Control of the Feeble-Minded

Notes upon the Report of the Royal Commission 1908

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NOTES UPON THE REPORT.

INTRODUCTION.

It is more than twenty-five years ago since the subject of the treatment of the feeble-minded, i.e. those mentally deficient persons who were not provided for either as lunatics or idiots, began to attract attention. At that time persons engaged in the administration of the Poor Law and of elementary education were becoming convinced of the gravity of the evil and the magnitude of the subject, and commenced to press upon the public the necessity for legislative action.

In 1889 the Royal Commission on the Blind, Deaf and Dumb drew special attention to the requirements of feeble-minded children in schools, and in 1896 the Departmental Committee on Defective and Epileptic Children was appointed for the purpose of inquiring particularly into this subject. The result of its report was the passing of the Elementary Education (Defective and Epileptic Children) Act 1899.

Up to the present time, this Act is the sum total of Parliamentary action with regard to the subject and it only affects a small section of the general question.

In 1904, after considerable public agitation, H.M. Government was persuaded to appoint a Royal Commission to consider the whole matter, and this Commission reported in 1908.

It may be added that an important branch of the subject relegated to this Commission, viz., the position of the feeble-minded under the Poor Law, has also formed part of the recent enquiry by the Poor Law Commission, and that Commission have in their report expressed themselves as being in agreement with the views of the former Commission. Thus we have an important section of this question reported
upon by two separate Commissions and forming the subject of almost identical recommendations.

The question therefore having been ripening during at least a quarter of a century has now been definitely considered and prepared for legislative action, which ought not to be any longer postponed.

These notes have been prepared with the object of laying before the public in a concise and comprehensible form the main facts that appear from the Report of the Royal Commission and the principal recommendations which appear therein.

THE CASE AS PRESENTED BY THE ROYAL COMMISSION.

THE GRAVITY OF THE EVIL.

A large volume of evidence was given before the Royal Commission as to the present condition of affairs, and the Report shows conclusively that there is a grave and national evil that urgently requires to be remedied.

In the ninth paragraph of the Report the Commissioners say:—"Of the gravity of the present state of things there is no doubt. The mass of facts that we have collected, the statements of our witnesses, and our own personal visits and investigations compel the conclusion that there are numbers of mentally defective persons whose training is neglected, over whom no sufficient control is exercised, and whose wayward and irresponsible lives are productive of crime and misery, of much injury and mischief to themselves and to others, and of much continuous expenditure wasteful to the community and to individual families."

"We find a local and 'permissive' system of public education which is available, here and there, for a limited section of mentally defective children, and which even if it be useful during the years of training, is supplemented by no subsequent supervision and control, and is in consequence often misdirected and unserviceable."

"We find large numbers of persons who are committed to prison for repeated offences which, being the manifestations of a permanent defect of mind, there is no hope of repressing, much
less of stopping, by short punitive sentences. We find lunatic asylums crowded with patients who do not require the careful hospital treatment that well-equipped asylums now afford, and who might be treated in many other ways more economically and as efficiently. We find, also, at large in the population many mentally defective persons, adults, young persons, and children, who are, some in one way, some in another, incapable of self-control, and who are therefore exposed to constant moral danger themselves, and become the source of lasting injury to the community.”

The Number.

The Commissioners estimate the number of mentally defective persons in England and Wales at 271,607 persons. This number includes certified lunatics and also such idiots, imbeciles and feeble-minded as are at present provided for.

The number of mentally defective who are uncared for and urgently in need of provision is stated to be 66,509.

The Poor Law.

The problem of the mentally defective appears by the Report to present itself most prominently in connection with the administration of the Poor Law. In four typical urban areas it was found that in addition to the certified lunatics and casuals 12.7 per cent. of the population of the Poor Law institutions were mentally defective, whilst in four rural Unions the percentage was 18.75. In one place the proportion was as large as one fourth. Generally speaking the condition of these defectives was very unsatisfactory. Especially is this the case with respect to feeble-minded women, who with their constant succession of illegitimate and defective children are a permanent source of trouble and expense to the Guardians. The Report quotes a number of examples, of which two may be here cited, testified to by one of the Inspectors of the Local Government Board in the following words:

“This case is a woman aged forty-five who has three illegitimate children. She is on the border line of imbecility, but the medical officer will not certify her as insane. Two of
the children are said to be the result of an incestuous connection. She makes no application to go out, but there is no means of legally detaining her."

"In one workhouse I found five young women all of whom were feeble-minded. Number one was going to be confined and had had two children before; number two had had two children; number three had had two children; number four had had one child; and number five had been confined in the summer and had three children previously. All these were illegitimate. The cost of these cases is a very great burden on the ratepayers, especially as the children will probably turn out to be feeble-minded also. The fact is this class become practically the prostitutes of the rural districts."

**THE FEEBLE-MINDED IN THE SCHOOLS.**

Next to the problem of the feeble-minded under the Poor Law the Commissioners investigated that of the feeble-minded in the schools. In almost all the elementary schools there are to be found feeble-minded children requiring better provision for their care and education. The proportion that they bear to the total number on the rolls varies between about 3 per thousand and 12 per thousand. On the evidence submitted the Commissioners arrived at the conclusion that 5·9 per thousand may be taken as an average proportion, and this would show that there are 35,662 such children in the elementary schools of England and Wales.

Under the Elementary Education (Defective and Epileptic Children) Acts 1899, specials schools and classes have been instituted in certain of the industrial centres with more or less success; but, 'taking England and Wales as a whole such schools are few in number and very unevenly distributed.'

For most of the children in these schools the education is of but little use, and it is clear that the majority leave school as helpless and incapable as when they entered, and with but little of the manual training which alone is suitable for the greater number of the mentally defective.

The following case affords an insight into the difficulties of this problem. It refers to three children educated in a special school of the London School Board:—
Three boys were admitted in 1892-98 from one family, all deaf and bad-tempered; home very low-class; father a compositor, diseased and drank; ill-treated his wife and children; mother's family of weak intellect and consumptive; in 1898 all went into the workhouse. The first boy left in 1896; repeated attempts to get work for him failed. He became violent, and in 1897 was placed in an asylum. In 1902 he was still in the asylum and the report was good. In 1905 he is at home, aged twenty-five, earning 3s. and food at a greengrocer's. His employer is very kind, but says he has to be very careful not to put him out. The second boy, aged twenty-three, has been in Darenth since 1898. The third boy, aged twenty-one, is at home and earning 14s., and doing well. The father is dead; two sisters, both weak, are in service.

THE PRISONS.

The third class of institution wherein the mentally defective were found was the prisons. The number of these on a particular day was estimated at over 2500. Evidence of a striking character was given in relation to this branch of the enquiry. It was stated that in Pentonville prison 'about 100 prisoners a year were so far mentally affected as to be quite unfit for prison discipline.' Besides these there were not less than 20 per cent. of the prisoners who showed mental inefficiency. Of the juvenile offenders as many as 40 per cent. were described as feeble-minded. An example was given of a lad of fourteen who had 'already served three terms of imprisonment at Pentonville. His father had been there twice, and his mother had been sentenced as a drunkard. Of his brothers one had done two years at Maidstone, another one year at Wormwood Scrubs, and the third was in a Reformatory.'

In the case of women, out of 803 women in Holloway Gaol 39 were feeble-minded. The sentences of 21 of them were for one month or less. In convict prisons the same evil was shown to prevail. There were 111 weak-minded convicts in Parkhurst Prison on March 31, 1904. Of these 111 prisoners only 35 had had no previous conviction, whilst 33 had been previously convicted over ten times and 6 over twenty times.

These last figures showed the extent of the evil. The feeble-minded constitute no small fraction of the criminal population. They pass, in an unceasing stream, in and out
of police-courts and prisons, receiving and serving a continuous succession of unsuitable sentences for the reason that for such persons there is no proper treatment available at present.

EXISTING PROVISION FOR THE MENTALLY DEFECTIVE.

According to the Report of the Commission it appears that the mentally defective are at present provided for by means of three groups of institutions:

1. Lunatic Asylums, public and private.
2. Asylums for Idiots and Imbeciles.
3. Voluntary Homes for the Feeble-Minded.

LUNATICS.

The number of certified lunatics in England and Wales is given at 121,979. To this figure must be added 19,517 uncertified, making a total of 141,496. Of these, the number in county or borough lunatic asylums chargeable to the Poor Law is 111,079. This latter class has increased rapidly in recent years, owing chiefly to the Government grant of 4s. a week payable towards the maintenance of lunatics when in asylums, and also to the increasing practice of sending aged persons of weakening intellect from the workhouse to an asylum. Thus the asylums are being filled with persons who are indeed certified as lunatics, but whom the Commissioners regard as being only 'mentally infirm,' and who could be treated more suitably and more economically in other institutions.

IDIOTS AND IMBECILES.

Evidence was given that there are about 3500 idiots and imbeciles accommodated in asylums provided either by voluntary agencies or by public authorities. This number is only a small fraction of the total idiot population of the country, and inasmuch as numbers of these afflicted persons are scattered over the country, either in workhouses or at large, more accommodation is urgently required.

In the voluntary asylums it is the rule not to keep patients
the causes of the unprotected condition of so many persons of weak intellect was the fact that the designation of the classes for which protection is afforded, such as 'Lunatics,' 'Idiots,' 'Imbeciles,' and 'Feeble-Minded,' is of too restricted a character both in popular and in technical usage. The Commission arrived at the conclusion that these classes are only divisions of one class—a class which they propose shall in future be called the 'Mentally Defective.'

The Commission propose that all the mentally defective who require protection and supervision shall be placed under the care of a central national authority corresponding somewhat to the present Commissioners in Lunacy; but enlarged in numbers, and possessing much wider powers and a new name, viz. 'The Board of Control.'

It will be the duty of the 'Board of Control' to see that all persons suffering from mental defect are properly maintained and protected. By registration, visitation and general supervision over the local authorities, the Board will be able to guide and direct the administration of this important public duty in every part of the kingdom. A wise and sympathetic exercise of its powers on the part of such a central authority should result in an immense improvement in the condition of the mentally defective and considerable economies in the expenditure of public money.

The functions of the Judge and Masters in Lunacy will be altered by transferring to the Board of Control the duty of ascertaining the mental condition of persons alleged to be insane (except in certain cases), and to the Chancery Division of the High Court the work of managing the estates of persons found to be mentally deficient.

It is recommended that in constituting the Board of Control at least one member shall be a woman.

**THE LOCAL AUTHORITIES.**

This consolidation of central supervision is to be accompanied by similar concentration of local management. As has been already explained the mentally defective are at present under the cognisance of at least four branches of public administration:—(1) The Asylum Committees of County
and Borough Councils, (2) The Guardians of the Poor, (3) The Education Committees of County and Borough Councils, and (4) The Prison Authorities.

To these may be added the Voluntary Institutions and Homes of various descriptions.

In the course of the enquiry it became evident that the attempts to deal with the mentally defective under separate heads of administration involved great complication and waste of money, and was specially disadvantageous to the persons so treated.

The Commissioners concluded therefore that it was essential that the mentally defective should be withdrawn from the supervision of the authorities administering the Poor Law, Education, and Prisons and relegated to some authority which would treat them as defectives rather than as paupers or criminals.

Inasmuch as the Councils of Counties and County Boroughs are already charged with the care of lunatics, the education of children and the maintenance of Reformatories and Inebriates' Homes, and in many cases have to do with the administration of matters generally affecting the health and well being of the people, the Commissioners arrived at the conclusion that these Councils would be the most suitable authorities to be charged with the duty of providing for the mentally defective, and they have accordingly recommended that 'the Council of each County and the Council of each County Borough, be the local authority under the proposed Act and be required by Statute to make suitable and sufficient provision for the care and control of the mentally defective in the County or County Borough in institutions, homes or houses, in observation or reception wards, or under family guardianship, or in any other way of which the Board of Control shall approve.'

They also recommend that the local authority shall exercise its powers through a statutory committee.

In every County there will be appointed medical officers specially qualified for advising the authorities on matters affecting the mentally defective, who will be responsible for certifying and providing for such persons.
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London.

In the special case of London, the Commissioners recommend that all the duties and property of the Metropolitan Asylums Board relating to mentally defective persons shall be transferred to the London County Council, and that all grants made by the Exchequer to the Guardians in respect to such persons shall be paid directly to that Council.

Methods of Treatment Recommended.

Having thus centred the responsibility upon one authority in each locality the Commissioners advise the fullest differentiation in the method of dealing with the various degrees of mental defect, such as treatment in hospitals, education in special day or boarding schools, maintenance in homes, employment in farm or industrial colonies, or boarding out with friends or guardians under home care.

Their view is that the Central Authority and the County Councils would, as they gain experience, elaborate a system suited to the varying needs of the mentally defective.

The Commission think that by such differentiation or classification as they propose considerable saving in cost will be attained. By the provision of simple and inexpensive buildings suitable for the harmless and feeble folk who are at the present moment housed in Lunatic Asylums it will be possible to restrict the cost and extravagance involved in the construction of the latter institutions. By paying for the maintenance of suitable patients in private homes or cottages, as has been successfully done in Scotland and in Belgium, many of the feeble-minded could be supported in comfort and happiness at far less cost than that which is now incurred by the present lunacy authorities.

Voluntary Institutions.

The Commission draw attention to the useful work done by voluntary homes and institutions, and to the advisability of the local authorities making use of such institutions for the mentally defective persons for whose maintenance and education the public will be responsible. By this means also no little saving of money would be accomplished.
Nomenclature.

A subsidiary but not unimportant result of this method of dealing with the subject will be the disuse of all terms to which objection is felt in the public mind, as, for instance, 'Lunatics' or 'Idiots,' 'Lunatic Asylums,' 'Workhouses,' &c. Such names tend to deter people from allowing their friends to obtain proper care. In future, persons suffering from brain trouble will be regarded in the same light as persons suffering from physical disease, and will be similarly treated for it in 'hospitals,' 'homes,' or 'colonies.'

Guardianship and Detention.

Inasmuch as one of the worst features of the present position is that after leaving school feeble-minded children are often left without any protection or control and are often subjected to cruelty or neglect, the Commissioners propose that the local authority may (subject to an order of a magistrate) constitute itself the guardian of any child requiring protection until it attains twenty-one years of age, and in this capacity may take what steps it deems best in the interest of the child. After attaining the age of twenty-one a person may be further detained and protected. This last most valuable provision is subject to certain conditions which will prevent any possible abuse of this power.

Certification.

The Commission recommend that the system of certification at present in use with respect to persons of unsound mind shall be adapted so as to meet the extended requirements of their Report. They propose that a mentally defective person shall not be received into an institution except under an order of a magistrate made upon petition; but they extend the right of petitioning to the local authority, who will thus, through their medical officer, be able to take steps for securing the admission of any mentally defective person for whom they are responsible. The magistrate may give directions as to the particular institution in which the person concerned will be most suitably provided for.

The magistrate will make the order upon a certificate given by two medical men to the effect that the person is mentally defective and requires care and control.
In cases of urgency or of persons wandering at large the certificate of the medical officer of the County Council will suffice, but the order for detention will be for fourteen days only, after which period the County Council will decide as to further action.

A magistrate may authorise the reception and detention of any mentally defective person who is not under proper care or is cruelly treated or neglected upon representation being made to him by an officer of a public authority.

**Admission and Discharge.**

The Commission make proposals for improving the system of admitting and discharging persons suffering from mental defect.

They also advise the establishment of receiving houses or reception wards where persons alleged to be mentally defective may be detained for observation prior to their being interned in an asylum. This provision will be of great value in many cases in which at present there is no option but to send a person direct to an asylum who otherwise might be differently treated.

**Notification.**

In view of the necessity for informing the public authorities as to the existence of mentally defective persons the Commission make several recommendations whereunder the officers of public authorities, police, prisons, etc., shall be bound to notify all cases which come under their cognisance. The local authority is also to take steps to ascertain the number of mentally defective within its area of jurisdiction.

**Education.**

The recommendations of the Commission with respect to the education of the mentally defective children lay it down that the County Council shall be under an obligation to provide manual and industrial training for all such children who cannot otherwise be properly provided for, and that in carrying out this duty the Council shall act through its Statutory Committee for the care of the mentally defective.

The Statutory Committee will thus be placed in the position of a parent or guardian, and will deal with the education of a child as they think best, either in schools of
its own, or in voluntary institutions, or by contracting with
the elementary education authorities, such as the Education
Committees of the County Councils, for teaching the children
in schools or classes belonging to the latter.

Thus the scheme proposed will allow of a wide scope of
dealing with this question in whatever way the respective
County Councils think best in the interests of the children.

CRIMINALS.

The Commission recommend that whenever a person
charged before a court is mentally defective the court may
remand the person to a reception ward or institution con­trolled by the local authority or to the custody of their
officer, and may adjourn the trial whilst he is in the
institution or after conviction may order his detention in
such institution. This power will extend to a mentally
defective person even if he is acquitted of the offence with
which he is charged. It will also be the duty of the Police
to draw the attention of the local authority to cases of re­peated offences by a mentally defective person.

FINANCE.

The Commission give careful estimates of the cost of
carrying their recommendations into effect. They find that
the number of mentally defectives 'needing provision' in
England and Wales is 66,509. Many of these persons are
already chargeable, in one way or another, to the public purse.
The money at present estimated as being spent upon them is £634,810. When provision has been supplied for these
persons the cost will, in the opinion of the Commission, be
£1,175,802, or £541,492, more than is now paid. The
Commission add that it does not follow that the whole
of this amount will have to be borne by the public. Some
part will doubtless be furnished by relatives of the persons
provided for, as is the case at present with lunatics and
inmates of reformatories and industrial schools, and further
they anticipate that the establishment of a new class of
institutions on simpler and more economic lines, and the
adoption of new methods of care and maintenance, especially
family care or guardianship on the plans that they had
described in France and Belgium, or boarding out as applied
to the case of the mentally defective in Scotland, will result in a considerable diminution of the expense now incurred in respect of the treatment of persons of unsound mind.

As the report of the Commission involves removing the responsibility for the mentally defective from the Poor Law Authorities to the County Councils the Commissioners advise the discontinuance of the grants in respect of lunatics now made by the Exchequer to the Guardians, and they adopt the view of the Royal Commission on Local Taxation 1901, that the contribution from national funds for this object is insufficient and should be increased, and they make certain proposals which whilst leaving on the local authorities a sufficient proportion of the burden to ensure economic administration will result in a substantial relief of local taxation.

CONCLUSION.

The foregoing pages show that the Royal Commission have dealt with the matters referred to them in a comprehensive and thorough manner. They have shown that the question of the care of the mentally deficient is one of national importance, affecting every grade of society and every branch of public administration. They have elaborated a scheme of reform which is complete in itself and which covers the whole field. Their recommendations have been drafted in so full and so detailed a form that when once the principles contained in them are agreed to the actual preparation of the necessary enactments will be comparatively simple.

That the evil cries out for immediate remedy there can be no doubt; other countries, notably the United States of America, have already grasped the import of it and are well in advance of ourselves in the steps they have taken to check its growth. The uncontrolled presence of a large class of persons feeble in physique, in will, in mind, and in morals is eating into the very vitals of our nation, and now that the spade work of preparation has been done Parliament should be called upon to do its share to free the country from what has already become a danger to its well-being and a disgrace to its good name.

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