



# NEWSLETTER

## DERBYSHIRE BRANCH

01/14



AUGUST 2014.

THE NATIONAL ASSOCIATION OF RETIRED POLICE OFFICERS

## Chairman's Chat

The Murder of Pc 36 Joseph Moss  
Derby Borough Police – 12<sup>th</sup> July, 1879.

The circumstances surrounding the unfortunate and untimely death of Pc Joseph Moss began with the arrival of Gerald Mainwaring from Manitoba, North America. He was the 23 year old son of the Rev. Charles Henry Mainwaring of Whitmore Hall, Staffordshire, who had recently passed away. Mainwaring was soon bored with life back in England and whilst the business of the estate was being resolved, he hired a pony and trap and made his way to Derby. Upon his arrival around the 10<sup>th</sup> July, 1879, Mainwaring took rooms at the Royal Hotel in the Cornmarket.

That evening he met up with Annie Green, a local prostitute whose place of business was in Bradshaw Street and he spent the next two days in her company. During this time Mainwaring visited a local Gunsmith in Derby and purchased 300 rounds for a revolver given to him by his brother and also purchased a smaller revolver with 200 rounds.

On the morning of Saturday, 12<sup>th</sup> July, 1879, having spent the previous night at Bradshaw Street with Green, they both returned to the Royal Hotel for breakfast, which included claret and brandy. By early afternoon, both were intoxicated and made their way back to Bradshaw Street, as it was Mainwaring's intention to gain permission from the Madame, a Mrs. Sophie Gilbert, to take Green back to Ashbourne with him. Gilbert initially refused and only relented when Mainwaring produced a revolver from his coat pocket and drunkenly pointed it at her, asking if she would now let Green go.

The pair then made their way outside and climbed into the pony and trap, making off via London Road and St. Peter's Street back to the centre of Derby. At the junction of Cornmarket and Victoria Street was Pc John Clamp who, noticed the reckless manner in which the pony and trap was being driven, ordered it to stop. He was ignored, Mainwaring continued along Victoria Street towards Friargate and Ashbourne Road. Pc Clamp set off in foot pursuit and was joined at Cheapside by Pc Joseph Moss and a little further on by Pc John Shirley, who had the presence of mind to hail a taxi cab. The pursuit ended shortly after at The Travellers Rest, Ashbourne Road, where Pc Shirley arrested Mainwaring. Green was violent and abusive to Pc Shirley and in company with Pcs Moss and Clamp all parties returned to Lock-up Yard, the location of Derby Borough Lock up.

Insp. Ashley Spibey, the Lock up Commanding Officer and Pc William Price were already present when the group arrived at the Reception Room. Green continued to behave violently and after she had struck Pc Clamp in the face an attempt was made to restrain her. Mainwaring, who had remained passive during the fracas, then saw Pc Moss go towards Green to assist in the restraint.



It was at this point he produced his revolver and fired at Moss from a distance of less than four feet, hitting him on the right side of his body. Moss fell to the ground gravely injured shouting, 'I've been shot'. And Pc Price reacting quickly moved towards Mainwaring to disarm him. Three more shots were discharged, one knocking Price's helmet off and another hitting him in the arm. Mainwaring was eventually overpowered and taken to the cells whilst the injured officers were taken to the Derbyshire Infirmary.

The Infirmary later informed the Chief Constable, Col. William Addis Delacombe that Price's wound, although serious was not life threatening. Pc Moss however was giving great cause for concern. As Moss' condition worsened it was decided he should make a statement while he could. Moss dictated a brief statement but was too weak to sign it, adding only an 'X' as his signature. He died from his injuries the following day at 12.55pm., Sunday, 13<sup>th</sup> July, 1879. Mainwaring now sober, was advised of the death and formally charged with the wilful murder of Pc. Moss and the attempted murder of Pc Price.

At the trial on the 31<sup>st</sup> July, 1879, the jury retired for three hours and twenty minutes returning a verdict of 'Guilty' although adding 'With a strong recommendation to mercy.' Mainwaring was nevertheless sentenced to hang on the 13<sup>th</sup> August, 1879.

The trial attracted a lot of interest because the accused was a 'gentleman' and the victim a Police Officer. Much was debated on the issue of searching procedures and the fact that Mainwaring was not searched because of his status. The newspaper of the day reported the trial in great detail, as it was a national event. The newly formed Derby Daily Telegraph whose offices overlooked the 'lock up yard' was no exception, seizing on an interview with a member of the Jury, it reported incorrectly that Mainwaring's fate had been decided by an illegal ballot in the form of drawing lots. (The ballot was in fact to elect a new foreman of the jury, the verdict having been split 50/50 with the original foreman not wanting to take the responsibility of the casting vote). True or not, the Telegraph's report was re-printed by the major national newspapers of the day crying 'foul'. It caused much consternation.

The Home Secretary (co-incidentally the MP for Derby, Sir William Vernon Harcourt) felt obliged to intervene and decided the only course of action open was to commute the death sentence to one of Life Imprisonment, which is what happened.

Following numerous petitions from friends and family, Mainwaring served 15 years of his sentence and was released on licence on the 16<sup>th</sup> May, 1894.

Pc 36 Joseph Moss, Police Officer and ex. Grenadier Guardsman was buried with full military honours and lies in Nottingham Road Cemetery, Chaddesden, Derby.

Best Wishes to all.

**Len Smith - Chairman**

## **Updates.**

The Derbyshire Branch website is being visited regularly (about 1000 hits per month) thanks in the main to member Pete Wise who is our official webmaster. Visit us at [www.derbysnarpo.co.uk](http://www.derbysnarpo.co.uk) where you can place adverts for and specialisation that you may have or items for sale or anything that you feel other members may be interested in. The Archive photos are of interest. All deaths and funeral arrangements are placed on the website, when they are known. There is a section called '**contact us**' so if you are on the internet contact me so I can have your up to date email address. Also if you follow the link to the Main Narpo website, there is a lot of information and help from Computer help, House and Car and Travel Insurance to Tax advice.

If you need to contact the **Federation Office** their new telephone number is 0300 122 8533 and Sue Ferguson will help you.

## **Widows Pension for Life –Petition.**

An enduring injustice in the 1987 Police Pension scheme is that widow or widowers' pension under the scheme lose their pension if they remarry or cohabit. Although improvements have been made to this aspect of the police pension in subsequent schemes, the provisions were not retrospective; so most police widows are still in the position of losing their pension in these circumstances. NARPO believe this provision is demeaning and not an appropriate condition in a modern age and should be abolished.

We encourage members to sign the petition, a link to which can be found on the national website [www.narpo.org](http://www.narpo.org) – click on 'Notices'.

## **Farewell and Welcome.**

John Pearson and Maurice Pink have retired from the Branch Committee. I am sure you will join me and wish John and Jean Pearson and Maurice and Mary Pink our thanks and best wishes for the future. Welcome to David Ashley as a new Committee member and his wife Gail.

## **Flint House.**

Just a reminder, that to benefit from convalescing/treatment at Flint House you must have been a member of the Mutual Welfare Fund whilst serving.

## **Injury on Duty.**

As most of you will now be aware the withdrawal of Annex C. from the Home Office Guidance 2004 has caused a bit of a stir. I have had meetings with Derbyshire HR and as I have said previously they are not going to reinstate anyone automatically because of the withdrawal. They have however said they will only reconsider after a review and they have sent out a standard letter to former officers who are in receipt of an Injury Pension to this effect so anyone who feels affected by this should apply for a review under Section 32(2) or get in touch with me and I will do the same for you.

I have submitted four to HR for consideration which has been sent to their legal department and I am awaiting a decision.

Annex C deals with reviews when a former officer reaches the age for retirement 55, 57, 60 or 65, dependant on rank on receiving his pension and the force. The age discrimination factor was dealt with by High Court ruling in the past but Annex C also deals with the method used to calculate the pension and the Home Office Guidance advises forces to use the National Average Earnings to arrive at a figure. This was not dealt with previously and their position on this issue is that they do not consider the withdrawal of Annex C casts any doubt on the use of ASHE (Average Earnings) as a relevant comparator for use in reviews and calculating awards, where the force considers it justifiable and appropriate.

My view is that the withdrawal of Annex C means that it should not be used in the future so therefore where it was used in the past it is now deemed unlawful. But Derbyshire are relying on words to get out of it and I feel that in the future a case should go to the High Court and put this to bed once and for all. I feel it may come to this but we have to see what they decide on the cases in the pipeline because they have stated that cases will be dealt with on an individual basis but they have also stated that not all will get a review should they decide that no new matters have come to light that would warrant a further review in a particular case.

Should anyone feel that they have a case relevant to what I have said then get in touch with Sean and he will pass it on to me.

Regards, Frank Gregory, Injury on Duty Rep.

## Villa Scylla, Italy and Villa Endymion, Holland.



I can't recommend a visit to Villa Scylla enough. It is free to NARPO members. Look at the main NARPO website and the section on Villa Scylla and Villa Endymion, which is an art deco house in Bloemendaal near Amsterdam. Please do not hesitate to contact me if you decide to take up this offer.

## Derby NARPO Social Evening.

This year's Social at Mickleover Golf Club, is to be held at 7pm., 31st October, 2014. A buffet meal is being provided free by the Branch and will be served at 7.45pm. The Club can only accommodate 65 so it would be appreciated if members can let the Secretary know if they are attending, for catering purposes, at least two weeks prior to the Social at the latest. Sean can be contacted on **01773 609043** or via email at [sean-eileen@thedelves.freeserve.co.uk](mailto:sean-eileen@thedelves.freeserve.co.uk) or via the website.

It is important that you let us know as we have to confirm the exact numbers by the 19th October.

As you know we hold two Social evenings, one at Buxton Conservative Club, which by the time you read this will have taken place on the 15<sup>th</sup> August, 2014, and the other as detailed above. I would like to get a Chesterfield Social off the ground. We just need someone in the Chesterfield area to arrange a venue and a date and NARPO will assist and pay for a buffet/meal. Please contact the Secretary via the website. Why should C Division miss out?

## Coach Trips.

During 2014, NARPO organised the following trips to The Wimpole Estate, a National Trust Property in Cambridgeshire, Black Country Museum and London with one to come, Wicksteed Park on the 1<sup>st</sup> October, 2014. There are a few seats left. (See details on the website) The trips have become very popular so when the list comes out in the Annual Report, get your name down. You will not regret it.

The following trips have been booked for next year.

Wednesday, 13<sup>th</sup> May, 2015 Trip and meal on the Upper Peak Forest Canal, Whaley Bridge.

Wednesday 17<sup>th</sup> June, 2015 – Trip to Powis Castle, Welshpool (NT Property)

Wednesday, 15<sup>th</sup> July, 2015 – Trip to the seaside. Venue tba.

Full details and prices etc will appear in the Annual Report. Our thanks to Michael and Ruth.

## BRANCH CHRISTMAS LUNCH

The Branch Christmas Lunch will be held at Horsley Lodge on Wednesday 3rd December, 2014. 12.30pm for 1 pm. The cost will be £17 for members and £18 for non-members with Widow Members attending free of charge. If you wish to attend, please indicate your choice of meal from the menu below and return it, together<sup>th</sup> with your remittance:-to Roy Potts by 16/11/14.

### MENU



Leek and Potato soup  
Prawn cocktail with Marie Rose sauce  
Chicken liver pate with homemade chutney.



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Turkey with all the trimmings  
Fillet of Salmon with hollandaise sauce  
Braised beef in red wine, thyme and mushroom sauce  
(V) Wild Mushroom Risotto.

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Xmas Pudding & brandy sauce  
Eaton Mess with seasonal fruits.  
Brandy Basket with fresh fruit.



Cheese & biscuits (£1.00pp supplement)



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Coffee/Tea and Mints

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I/we will be attending the Branch Lunch on 4<sup>th</sup> December & enclose a cheque made payable to **Derbyshire NARPO** for £.....Contact Tel.No.....

Name 1.....Name 2.....

My choice of menu is:

.....  
.....  
.....

If possible I would like to sit with.....  
(Every effort will be made to seat you with your friends. Early application is advisable.)

## New Members

The following have become members since the Annual Report:

Gary Cooke (Gary was not included in the Annual Report- Apologies Gary).	
Andrew Sutherland	Kate Hodson
Michael Geoffrey Evans	Andrew Langton
Paul Harris	Ranjodh Sund
June Maltby	Eileen Banton
Claire Grice	Shaun Woodcock
Christopher Linscott	Robert Goodman
Alan Johnson	Mrs. Pauline West
Nick Sigley	Mrs. Margaret Devereux
Andrew Mark Turton	Jaswinder Bains
Mrs. Barbara Dugard	Alan Christopher Parker
Gary Rigby	Graham Betteridge.
Robert Drury	Guy Robert Nicholson
Gary Agnew	

## In Memoriam

***To the families, relatives and friends of our retired and serving colleagues who have passed away since the Annual Report, we extend our sympathies and support. May all who have departed rest in peace.***

Insp. Michelle Coxhead partner of Nick Jones.	Pc Alan West
Mrs Gillian Cooper widow of D/I Geoffrey Cooper.	Pc Eric Goddard
DC William (Bill) Dugard	Pc Harold Price
PC Terence Wayne Johnson	Pc Anthony Marrs
Sgt. Fred Devereux	Insp. Alan Mate
Sgt Roy Berkin	Ch/Insp. Andrew Wright
Pc. Richard Oldknow	Pc. David Glossop
Pc Ian Carswell	Sgt. Alan Bannister.
	Mrs. Woolley
	Mrs. H. Blair



Members and friends enjoyed a lovely day out to The Wimpole Estate.



Dave and Barbara Hollands at the NARPO AGM. Our Congratulations to them on their Diamond Wedding Anniversary.