



## ATHELSTAN POPKESS, CBE, OStJ, KPM

### The Twentieth Century's Greatest Chief Constable?

by

**Tom Andrews**

**A**thelstan Horn Popkess was born in the tiny settlement of Kynsna, near to Bedford in Cape Colony (now the Eastern Cape of South Africa) approximately 125 miles north east of Port Elizabeth on Thursday 23 November 1893, and grew up in the midst of the Second Boer War. Brother of Edmund, Ethelbert, Gilbert, Rosamund and Muriel, he was later quoted as saying that his 'father favoured Saxon names'.<sup>[1]</sup>

From the age of thirty-seven he led the Nottingham City Police remaining at the helm for nearly thirty years (barring a short period of suspension that will be covered later) retiring at sixty-six. Popkess was one of the most influential and pioneering figures of the age in terms of policing, and it is possible to speculate that no other one person since Sir Robert Peel himself has had such a lasting and key impact on the landscape and methods of policing in Great Britain. It would perhaps amaze people to know that Popkess was primarily responsible for, or heavily involved in, among other things, the introduction of 'radio cars', personal issue radios, forensic science, Air Raid Precautions, roads policing and burglar alarms.

Yet he is a largely forgotten figure in history, even the history of policing, but what he *is* remembered for is the controversy that resulted in his suspension (after he had caused the Nottingham City Council to be criminally investigated) and then his refusal to bow to political pressure from the Nottingham Watch Committee, in what became known as 'The Popkess Affair'. It is hoped that this article will go some way to realising Athelstan Popkess's greatness, and place him in his rightful position at the forefront of British policing history, a subject which Popkess himself was fascinated by.

Popkess spent his childhood growing up quickly on the plains of South Africa, living a life akin to something from a Rudyard Kipling novel. Frequently going hunting and adventuring with the other local boys, Popkess quickly experienced the harsh realities of bush life. In one incident, he was out dynamite fishing with some other boys, when one of them neglected to throw the stick of dynamite into the lake in time, and so blew his hand off, bleeding to death in minutes, and blinding another boy. In another incident, Popkess narrowly cheated death when playing in a quiet stream with some friends, he got out to get some mud to throw at them, when a freak surge, as a result of a flash flood further upriver, carried the other two boys away and drowned them.<sup>[2]</sup>

It is during this formative time that Popkess appears to have had his first encounter with 'the law' when bathing in a local pond - forbidden at the time because of drought. A policeman came along and Popkess narrowly avoided arrest by fleeing from the officer naked from the waist down - much to the amusement of the local villagers. He was to be re-united with this officer many years later during the First World War on a troop ship, when a Sergeant approached him, and asked (Lieutenant) Popkess if he recognised him, When informed that he didn't, the Sergeant replied 'It was when you were a lad. Perhaps I shouldn't remind you of it now, sir, you see, you were only in your shirt at the time, I was the policeman who chased you'.[3]

In 1914, Popkess was out hunting lions with a friend (appropriately named Simba) when a party of white men came across them, and told them there was a war on.[4] He immediately went to the nearest population centre, and from there headed to Salisbury, Rhodesia where they were forming the Rhodesia Regiment for service in German South West Africa.

Under the command of General Louis Botha, he fought in the first major infantry engagement at Trekkopjes, where he was shot in the leg, and sent to hospital for a period. Whilst in hospital, the fighting in South-West Africa ended, so he caught the next mail steamer to England, where he was commissioned into the First Battalion, the North Staffordshire Regiment. He spent three months training and five months in the reserve battalion on Guernsey, 'interspersed with badminton, bridge in the Mess and dances and concerts in the gymnasium.[5] This bored Popkess who apparently wrote so often to the War Office to get away, that he received orders to head back to German South East Africa with the Legion of Frontiersmen.

He fought with this unit for three hard years before it was 'so depleted and fever-stricken that...they ceased to be an effective unit'.[6] They were evacuated to Cape Town to recuperate, but Popkess, not one for idling, transferred to the King's African Rifles. He later contracted malaria and was put on morphine which resulted in violent hallucinations and resulted in him being put in a straight jacket.

When discharged, he caught Blackwater Fever (from which at that time, seventy per cent of sufferers died) and was given six months paid leave by the Army to be spent back in England. There he reported to the Colonial Office doctor and was reported as being 'unfit to return to the tropics' and was sent back to the North Staffordshire Regiment, his six months leave being cancelled.[7]

After the War, Popkess, still with the North Staffordshires, served in Ireland during 'possibly the worst two years in Irish history, against the Sinn Fein'. Relief from this came with a secondment to the Palestine Gendarmerie in 1921, but he rejoined the Second Battalion of the North Staffordshires in 1924. On Thursday 8 March 1928, he was promoted to the rank of Captain and on Tuesday 15 May 1928 was appointed as Assistant Provost Marshall, Aldershot Command.[8]

In 1930, aged thirty-seven, he was appointed the Chief Constable of Nottingham City Police. His appointment was to be his first run-in with the Nottingham City Council, who strongly opposed the Watch Committee's choice. It was a somewhat controversial decision, with his lack of police experience and having been on the short list against three existing chief constables of smaller forces, combined with Regulation Nine of the Police Regulations 1920, which stated that no chief constable should be appointed who had no prior police experience.[9] The rationale for this choice, and the circumstances leading to it, remain shrouded in mystery,[10] but his appointment by the Watch Committee was however ratified by the Home Secretary, John Clynes.

Popkess's military service, as well as his aversion to idling, was to shape and guide his tenure as a police chief, influencing many of his policies and decisions. Most notable of these was his preference of employing former soldiers, and the most foreboding of those

at that. The average height of the Nottingham City Police was a staggering 6'2½", with the two tallest officers standing 6'8½" (thus with helmet, well over seven feet tall), one of whom, Dennis 'Tug' Wilson is a Nottingham legend in his own right. These two imposing figures were both ex-Grenadier Guardsmen who had served as pallbearers at the funeral of King George VI in 1952.

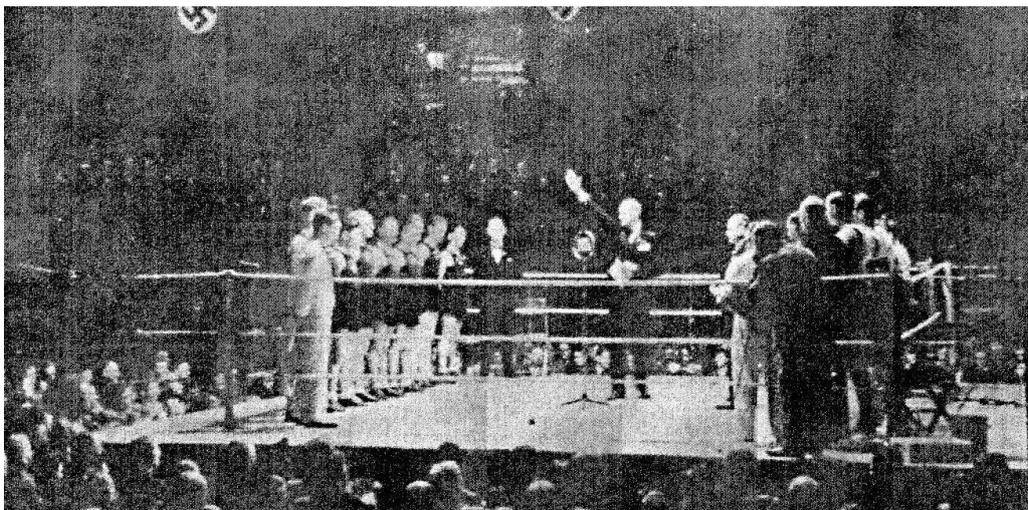


Popkess was also keenly encouraging his men in the field of sporting prowess, most notably boxing. The Nottingham City Police Boxing Team in the 1930s 'was considered to be the best amateur boxing team in Europe...producing several international and ABA champions at various weights'.[11]

The Nottingham City Police team had an annual contest against police teams from Stuttgart in Germany. Despite tensions between these two nations increasing throughout the 1930s, both forces did their utmost to preserve their friendship and those of their nations.

*Popkess (front row, second from right) and the Nottingham City Police Boxing Team visit Stuttgart in 1936*

In hindsight, this led to some very surreal historical anomalies. In 1936, for instance, Popkess led his team to Stuttgart, and there gave the capacity crowd a Nazi salute, a picture of which survives. Similarly, on a reciprocal visit to Nottingham, the County Hotel flew a Nazi Swastika flag alongside the Union Flag, possibly one of, if not the only time, such a juxtaposition occurred on the UK mainland. Sadly, the historical importance of this not being realised at the time, no photograph of this exists.[12] Bizarrely however, at the same time, Popkess was a leading figure nationally in the establishment of the Air Raid Precautions network to counter the increasingly imminent threat of German Luftwaffe bombings, with Nottingham's precautions (implemented primarily by Popkess) being hailed as the best in the country.[13]



*Popkess performs a 'Nazi Salute' in Stuttgart in 1936*

History was a subject of passionate interest to Popkess, and in April 1945 he delivered a paper to the Thoroton Society of Nottinghamshire belatedly commemorating the centenary of the Nottingham City Police in 1935. This paper was published later that year and contained details of the history of policing in Nottingham, from the pre-Peelian era to the establishment of the city force, and detailing its notable achievement and events.[14] Little was Popkess to know that perhaps the force's greatest achievements were to come under his stewardship. After a mere eight years at the helm of the force, the King recognised Popkess's expertise, by awarding him the King's Police Medal in 1938 'for distinguished service'.[15]

Perhaps his most notable contribution to policing nationwide, was the development of mechanised patrols and the use of wireless communications in deploying officers rapidly to the scene of incidents. Popkess seems to have been the forerunner in recognising the potential for improving policing methods and abilities through utilising cars and wireless two-way communication. He and the Nottingham City force were so instrumental in the development of this area of policing, that the model and methods pioneered there were instigated nationwide.

In his book *Mechanised Police Patrol*, Popkess describes cars being fitted with wireless radio technology, and explains to his readers not only the benefits of this, but amongst other things, discusses at great length how to teach officers in its use, and how to get best reception across areas, as well as 'best practice' in radio etiquette. He also covers in explicit detail how best to deploy 'radio cars' to achieve maximum patrol and response coverage, and also how best to deploy these patrols in various scenarios that today we might recognise as a 'snatch plan' deployment to key junctions and locations. He also details the use of satellite stations and different radio frequencies for various areas.

All these methods resulted from trials he conducted on his own initiative at the expense of the Nottingham City Police, with no central government grant or directive.[16] All this was completely new and at the forefront of policing methods at the time, and large proportions of what today's reader sees in *Mechanised Police Patrol* would still be immediately recognisable as current practice.

A significant proportion of the book is also devoted to good and safe driving, complete with diagrams on where to position a car not only to achieve best safety, but also best speed through corners; how to keep a vehicle travelling at speed as stable as possible; and how to gain the best observations of the road ahead, among other things.[17] Former officers and advanced drivers will recognise these as all being elements of *Roadcraft*, the police drivers' 'Bible'.

'The System of Car Control' (as outlined in *Roadcraft*), was devised by the racing driver Mark Pepys (also the Sixth Earl of Cottenham) in the mid 1930s at the Metropolitan Police Driving School at Hendon, and as such, was already well known in police circles. So although Popkess did not 'invent' 'The System', he was the first to bring it to a wider audience, as *Mechanised Police Patrol* was published in 1949, and it was not until 1954 that the first recognisable edition of *Roadcraft* was released.[18] In company with this, Popkess outlines the requirements of routine maintenance checks and inspections of all vehicles prior to their usage to ensure their roadworthiness - a practice still followed today.

The necessity for driving advice was evidently coming to the fore at the time as motor vehicles reduced in price and became an ever more common feature on British roads. This seemed to be a subject close to Popkess's heart, leading him to write another work entitled *Traffic Control and Road Accident Prevention* aimed at officers dealing with roads policing.[19] Following on from this, in 1954, Popkess, along with John Browne, Chief Constable of Nottinghamshire Constabulary, established the Nottingham Police Driver

Training School for teaching Advanced Driving (*your Editor testifying by personal experience, having passed his Advanced Driving Course there, in Spring 1974*).

Also on Tuesday 28 May 1957 Popkess delivered a paper to the Association of Chief Police Officers entitled *Our Mounting Traffic Problems* on the drastic need to improve road safety, and the policing of the highways.[20] He further appeared at a Royal Society for the Prevention of Accidents conference on Wednesday 7 October 1959, speaking about the need for police to focus on reducing the number of road accidents 'which were costing infinitely more in life and property than crime'.[21]

Popkess also recognised the need to regulate car parking as well as driver behaviour, and proposed to the government the idea of 'a body of men, eager for police work, but barred by height or age to deal with trifling motoring offences like illegal parking and obstruction...'.[22] This proposal, despite being praised by the Transport Minister, was shelved. Popkess tried to introduce the idea in Nottingham alone, but the City Council refused on budgetary reasons, unless Popkess reduced the force size by thirty police officers.[23] Traffic wardens were ultimately adopted nationwide under the control of the police in the 1960 Road Traffic Act, based on Popkess's proposal. A drink-drive limit and breath testing of drivers suspected of having consumed too much, was also something proposed by Popkess during his tenure as police chief that was shelved (largely because of public opposition) but later introduced nationally.[24]

Popkess's love for technology and pioneering policing methods did not end at wireless communications and 'radio cars', far from it. In 1947 Nottingham City Police was the pioneer of the direct response burglar alarm system, and a brilliant British Pathé newsreel of this is available online, showing the harmony between this brand new device, and the new mechanised patrols.[25]

Forensic science was also to take a huge leap forward under Popkess's stewardship, again with Nottingham at the fore. In November 1934, Nottingham City Police was the first force in the country to develop its own forensic science laboratory after Popkess had toured the forensic science laboratories of Europe, to see how they did it.[26] Using and pioneering all the very newest advances in that field, work from all over the country was soon being sent to Nottingham for processing.

He also did not rest on his laurels with regards to his preparations for a possible war. Having successfully pioneered Air Raid Precaution measures in the build up to the Second World War (*for which he received the OBE, in the London Gazette Thursday 1 January 1942, p 17, where he is described as Chief Constable and lately ARP Controller, Nottingham. And in the London Gazette of Monday 2 January 1956 p 12, he was promoted to CBE - Editor*), with the coming of the Cold War, Popkess was again at the forefront of national security and public safety. On Monday 14 May 1956, Nottingham City Police ran a hypothetical 'post-nuclear explosion' Civil Defence exercise, in which a police van representing an aid column was directed through the city by two-way radio from a helicopter (containing police dogs) circling above, to test rapid deployment capabilities.[27]

Sadly, it is not for all these incredible achievements which the great Athelstan Popkess is primarily remembered. It is the events of 1959 that were to become his legacy, named, as it was, and subsequently referred to in any policing history now published as 'The Popkess Affair'. It was 'The Popkess Affair' which, it could be argued, led directly to one of the greatest reforms of the police nationally in the twentieth century. It directly resulted in one of only three Royal Commissions into policing during that century, and thus ultimately to the Police Act 1964, which finally resolved many of the vagaries of the various police establishing acts of the mid-nineteenth century, and improved police officers' pay and conditions. Even as recently as 2013, following the introduction of the

Police and Crime Commissioners, it is 'The Popkess Affair', which is held to be a prime example of why there should not be any political interference with policing.[28]

'The Popkess Affair' began in mid 1958 when key members of the Nottingham City Council appeared to accept several gratuities and hospitality from a company wishing to install a planetarium in Nottingham. In January 1959, a politically motivated Nottingham resident made a formal complaint of corruption to the police, meaning they were duty bound to investigate. At the time, legislation suggested that, in the borough forces (but not county ones), police chiefs were accountable to the local councils indirectly via the Watch Committee - although it was very vague in this area.[29]

Popkess, sensing possible frictions that might arise from such an investigation into the body which was, after all, indirectly his employer, requested the Metropolitan Police to conduct the enquiries on his behalf. Detectives from the Metropolitan Police conducted the investigations, even seeking approval from the Director of Public Prosecutions (DPP) who confirmed that there did not appear to be a case against at least two Councillors under Section 1 of the Public Bodies Corrupt Practices Act of 1889. The officers visited Nottingham in late April, which was reported in the local press, significantly, prior to the local elections. It is this that seems to have particularly irked the senior figures in Nottingham City Council, who now strongly suspected a political motive behind the investigation, and accused Popkess of being behind this, although this has now proven to be untrue.

On Wednesday 3 June 1959, based on the investigations by the Metropolitan Police, the DPP informed Popkess that whilst the activities of the Councillors might not be highly reputable, he did not believe them to be criminal in nature. The Councillors and the Town Clerk were duly informed, and that very same day, the Watch Committee passed a Resolution instructing the Chief Constable to submit reports to them on the matter. Popkess did not agree with this, and on Wednesday 8 July at the next meeting of the Watch Committee, Popkess refused to disclose anything, and was summarily suspended. Crucially, both the key Councillors who had been investigated, were serving members of the Watch Committee, and were present at that meeting. Thus they were involved in Popkess's suspension.

By this time the issue was in the national press, and the Home Secretary ('RAB' Butler) became involved, informing the Watch Committee that the police were responsible for criminal investigation and should not be subject to political control. Furthermore, it was also pointed out to them, that had Popkess submitted the requested reports, he would have actually been in breach of his duty.

These instructions, coupled with a staggering 6,000 strong petition by the people of Nottingham, and a rally in the Market Square with a similar number, resulted in Popkess being reluctantly reinstated on Sunday 9 August 1959. His heart was never in it again, though, and on Monday 30 November that same year, he retired, as he had always planned to do.

He left Nottingham for Torquay, never to return, and in retirement wrote children's books under the pen name Bardo Kodogo.[30] He died in Torquay only eight years later on Monday 1 May 1967.

Popkess was ultimately exonerated from any wrong doing whatsoever, with the Affair's main historian describing it as largely stemming from a personality clash between the Chief Constable and the Town Clerk, who believed (incorrectly) that the Chief Constable was head of a council department and therefore subject to his authority.[31]

As can be seen from the overwhelming contribution Athelstan Popkess made to policing in the twentieth century, it could be strongly argued that he represents the single most influential police officer of that epoch. He is likely responsible for more progression in the police service during his tenure, than any other chief officer since the early

Metropolitan Police Commissioners. He was also indirectly responsible for bringing about one of the most important pieces of police legislation during the century, the Police Act 1964, which demarked the powers and responsibilities of the police and politicians once and for all, and which continued as the legal standard for nearly fifty years, until the introduction of the elected Police and Crime Commissioners in 2012.

Athelstan Popkess is sadly not remembered for any of his innovations, and is confined to a footnote in policing history, and possibly would be forgotten to it entirely, except for the use of his name to describe the scandal that highlighted the inadequacy of the Municipal Corporations Act 1835. Instead he should be remembered and highlighted as the innovator, revolutionary idealist and father of modern twenty-first century policing that he is, and given honourable mention as such in any future histories of the police in Britain.

References :

- 1 *The Sun-Herald* Sunday 3 May 1959 p 40
- 2 Popkess, Athelstan *Sweat in My Eyes* (Edgar Backus, Leicester 1952) pp 20 and 33
- 3 *Ibid* pp 20-21
- 4 *Ibid* p 71
- 5 *Ibid* p 106
- 6 *Ibid* p 129
- 7 *Ibid* pp 170 and 175-179
- 8 *London Gazette* 25 May 1928 (issue 33,387) p 3654 and 1 June 1928 (issue 33,389) p 3783
- 9 Cowley, Richard A *History of the British Police : From its Earliest Beginnings to the Present day* (The History Press, Stroud 2011) p152. The caveat here was that if a candidate 'possesses some exceptional quality...which specifically fits him for the post'. Quite what this special quality was is not documented anywhere
- 10 Bowley, Alfred S. 'Politicians and the Police in Nottingham: The Popkess Affair, 1959' in *Transactions of the Thoroton Society of Nottinghamshire* Vol. 108 (2004) pp 173-175
- 11 Hyndman, David *Nottingham City Police: A Pictorial History 1930-1960* (Davage Printing Limited, Newark) p 11
- 12 *Ibid* p 11
- 13 *Nottingham Evening Post* Monday 6 September 1937 p 5
- 14 Popkess, Athelstan *Nottingham City Police: Centenary 1935* (Nottingham City Police Press 1945)
- 15 *The London Gazette* (issue 34,469) Saturday 1 January 1938 p 19
- 16 Popkess, Athelstan 'Pursuit by Wireless: The value of mobility' quoted in full in Hyndman, David op.cit. pp 20-27.
- 17 Popkess, Athelstan, OBE *Mechanised Police Patrol* (The Wessex Press, Somerset 1954)
- 18 Initially released as *Attention All Drivers!* by Jock Taylor a former Hendon police driving instructor and re-released a year later as *Roadcraft* <http://www.police-foundation.org.uk/projects/roadcraft> as accessed Saturday 21 November 2014
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- 20 Popkess, Athelstan *Our Mounting Traffic Problems* 1957 available at <http://www.open.ac.uk/Arts/history-from-police-archives/PolCit/resources/Guide.pdf> as accessed Saturday 21 November 2014
- 21 *Commercial Motor* Friday 9 October 1959 p 42

- 22 *Sydney Morning Herald* Sunday 3 May 1959 p 78
- 23 *Commercial Motor* Friday 13 February 1959 p 50
- 24 Hyndman, David op.cit. p 6 and  
[http://www.bbc.co.uk/nottingham/content/articles/2009/01/20/chief\\_constable\\_popkess\\_feature.shtml](http://www.bbc.co.uk/nottingham/content/articles/2009/01/20/chief_constable_popkess_feature.shtml) as accessed Saturday 21 November 2014
- 25 <http://www.britishpathe.com/video/new-police-alarm-to-fight-theft-wave>  
as accessed Saturday 21 November 2014
- 26 *Nottingham Evening Post* Thursday 22 November 1934 p 10
- 27 Hyndman, David op.cit. p 39
- 28 MacVean et al. (editor) *Handbook of Policing, Ethics, and Professional Standards* (Routledge, Oxford 2013) p 187
- 29 Cowley, Richard op.cit. p 39
- 30 Hyndman, David op.cit. p 6
- 31 Bowley, Alfred S. op.cit. passim. I have taken the details and chronology of the entire summary of the Popkess affair from this excellent and comprehensively well researched article and would highly recommend it to anyone with even a passing curiosity into the incident. The article certainly seems to vindicate completely Popkess's course of action with regards to the alleged (although some might say, blatant) corruption

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## **JOHN SMITH**

### **Durham Constabulary**

### **1855-1883**

Taken from a photograph of 1870, after he had just been promoted to Sergeant. He was further promoted to Inspector in 1873.

In 1880, a pit explosion occurred at Seaham Colliery, whereby 175 miners lost their lives. Inspector Smith had the tragic duty of keeping a record of the 175 bodies as they were being recovered, and then making a report of every recovery for the Inquest.