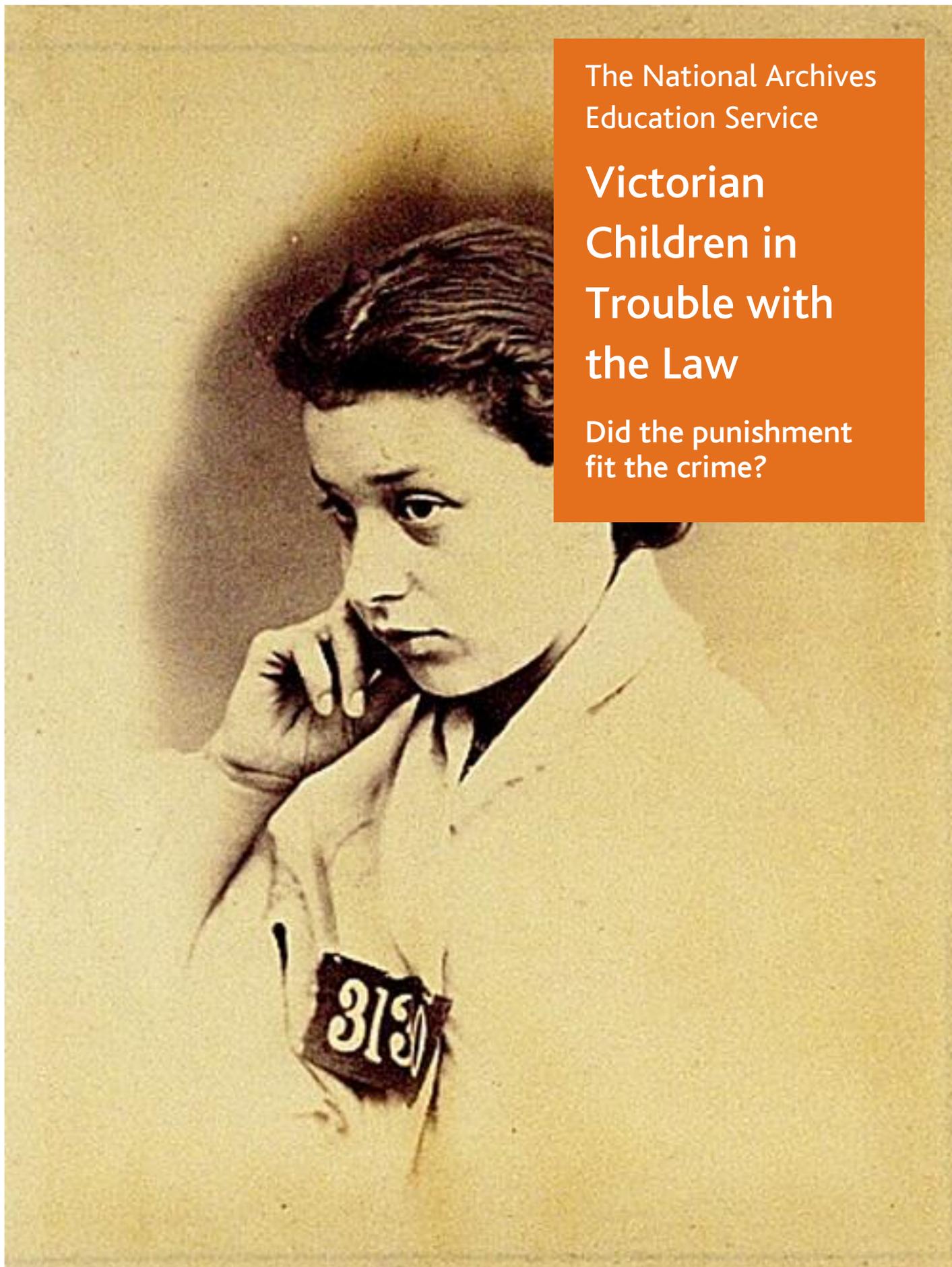


The National Archives
Education Service

Victorian Children in Trouble with the Law

Did the punishment
fit the crime?



Introduction

Lesson at a Glance

Suitable For: KS1-3

Time Period:

Empire and Industry
1750-1850

Curriculum Link:

Ideas, political power,
industry and empire:
Britain, 1745-1901

- Britain as the first industrial nation – the impact on society.
- Party politics, extension of the franchise and social reform.

Enquiry Questions:

What kind of punishments did Victorian child criminals receive?

How different were the punishments to those given today?

Did the punishment fit the crime?

Resources needed:

Printed sources

Child Criminals

Young people have always got into trouble with the law. What changes over time is how society deals with its young offenders.

Before Victorian times no distinction was made between criminals of any age. Accordingly, young children could be sent to an adult prison. There are records of children aged 12 being hanged.

The Victorians were very worried about crime and its causes. Reformers were asking questions about how young people who had broken the law ought to be treated. They could see that locking children up with adult criminals was hardly likely to make them lead honest lives in the future. On the other hand, they believed firmly in stiff punishments. In 1854 Reformatory Schools were set up for offenders under 16 years old. These were very tough places, with stiff discipline enforced by frequent beatings. Young people were sent there for long sentences – usually several years. However, a young offender normally still began their sentence with a brief spell in an adult prison.

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Background

Crime, and how to deal with it, was one of the great issues of Victorian Britain. In the first place there seemed to be a rising crime rate, from about 5,000 recorded crimes per year in 1800 to 20,000 per year in the 1830s. The Victorians had a firm belief in making criminals face up to their responsibilities and in punishment. Between 1842 and 1877, 90 new prisons were built in Britain.

Child crime shocked the Victorians. Dickens' account of Fagin's gang of young pickpockets led by the Artful Dodger, in 'Oliver Twist' published in 1837, played to this popular concern. In 1816, Parliament even set up a 'Committee for Investigating the Alarming Increase in Juvenile Crime in the Metropolis' (London). But how far should ideas of punishment, of making the criminal face up to their actions by a long, tough, prison sentence, apply to children?

A step towards treating children differently was the Juvenile Offences Act of 1847, which said that young people under 14 (soon raised to 16) should be tried in a special court, not an adult court. More far-reaching were the first Reformatory Schools, set up in 1854. Young people were sent to a Reformatory School for long periods – several years. The long sentences were designed to break the child away from the "bad influences" of home and environment.

Reformatories were as far as the government was prepared to go towards treating children differently for most of the 19th century. Attitudes began to swing towards reform in the early 20th century. From 1899 children were no longer sent to adult prisons. In 1902 an experimental school was set up at Borstal, in Kent. It was run like a boarding school, with lots of sport, staff not in uniform and a more encouraging attitude towards the children. Several more 'Borstals' were set up, but in 1982 there was a swing away from reform towards punishment and they were mostly turned into Young Offenders Institutes.

The documents are also interesting as an example of early use of photography in police records.

Useful links:

[The Workhouse](http://www.workhouses.org.uk/)

(<http://www.workhouses.org.uk/>)

The Workhouse often conjures up the grim world of Oliver Twist, but its story is a fascinating mix of social history, politics, economics and architecture.

Teacher's notes

This lesson could be used in the context of the history of Crime and Punishment, or as an illustration of one aspect of life in Victorian Britain. Alternatively, it could be used to spark off discussion about prison today.

Crime and the treatment of offenders is always controversial, today as in the past. The pendulum of reform and rehabilitation versus punishment has swung throughout history and continues to swing in most classroom discussions.

The two cases in the documents illustrate what many would see as the severity of Victorian justice, based on retribution.

Sources

Image and Source 1 and 2 – PCOM 2/291

Source 3 – PC 1/2717 Lists of convicts embarked on the Elphinstone for Van Diemen's land

Task One:

Look at Source 1. Read through the document to make sure you understand what it is telling you.

- How old was Joseph?
- What offence had he committed?
- What was his sentence?

Task Two:

Look at Source 2. Read through the document and compare it with the one shown in Source 1.

- How old was John?
- What offence had he committed?
- What was his sentence?

There are two parts to John's sentence. What do you think the Victorians thought was the point of:

- Sending the offender to prison?
- Sending the offender to the Reformatory?

Task Three:

Look at Source 3. Another form of Victorian punishment was transportation to a penal colony in a different country.

- What is the average age of these convicts who are being transported?
- What are the crimes that most of them have been convicted of? (Hint : Larceny means theft)
- How long is the average sentence?
- Do you think they were allowed to come home at the end of their sentence?

Which of the following words do you think describes conditions at the penal colony? Explain why

- hard
- easy
- frightening
- simple
- tough
- boring
- interesting

Task Four:

Punishment of crime has a number of aims:

- punish the offender
- reform the offender so they won't do it again
- deter others from committing crimes
- protect the public

Which of these aims were being met by these sentences on Victorian young offenders?

Task Five:

What would happen to Joseph Lewis and John Greening if they committed the same crimes today?

Task Six:

What sentences would you pass on Joseph Lewis and John Greening? What are the reasons for your decision?

Source One: Joseph Lewis, prisoner no 5248 (PCOM 2/291)

26 April 73

77/4 Name N^o Joseph Lewis 5248
and Aliases.

| | |
|-------------|----------------------------------|
| Description | Age (on discharge) — 11 |
| | Height — 4 ft 6 3/4 |
| | Hair — Lt. Brown |
| | Eyes — Grey |
| | Complexion — Fresh |
| | Where born — Eng ^{land} |
| | Married or Single — Single |
| | Trade or occupation — None |

Distinguishing marks — Scar right wrist



Address at time of apprehension — 32 Prince St
Rotherhithe

Place and date of conviction — Greenwich 10 April 73

Offence for which convicted — Simple Larceny s. 54
Stg 28 lbs of Iron = 3/

Sentence — 1 Cal Mo 11R

Date to be liberated — 9 May 1873

Intended residence after liberation — Same

Previous Convictions { Summary

By Jury

Remarks, antecedents &c.

Source One - Transcript

Transcript

26 April 73

Name No – Joseph Lewis 5248

and Aliases. _____

Description:

Age (on discharge) _____ 11

Height _____ 4ft 6 3/4

Hair _____ Lt Brown

Eyes _____ Dk Grey

Complexion _____ Fresh

Where Born _____ England

Married or Single _____ Single

Trade or occupation _____ None

Distinguishing marks _____ Pockmarked Scar right wrist

Address at time of apprehension – 32 Princess St Rotherhithe

Place and date of conviction – Greenwich 10 April 73

Offence for which convicted – Simple Larceny for st[ealin]g 28lb of Iron = 3/-

Sentence – 1 Cal[endar] Mo[nth] H[ard] L[abour]

Date to be liberated – 9 May 1873

Intended residence after liberation – Same

Previous Convictions:

Summary

By Jury

Remarks, antecedents &c

Look at Source 1.

Read through the document to make sure you understand what it is telling you.

How old was Joseph?

What offence had he committed?

What was his sentence?

Source Two - John Greening, prisoner no 5997 (PCOM 2/291)

320
4

Name No. John Greening 5997 5 July 73

and Aliases.

Description

| | |
|----------------------|------------------|
| Age (on discharge) | 11 |
| Height | 4 ft 4 in |
| Hair | Dark Brown |
| Eyes | Dark Gray |
| Complexion | Fair |
| Where born | Worthington |
| Married or Single | Single |
| Trade or occupation | None |
| Distinguishing marks | Scar on forehead |



Address at time of apprehension — 1 Senior Place, Worthington

Place and date of conviction — Richmond 18 June 73

Offence for which convicted — Steal a lot of Groceries (groceries)

Sentence — 1 Cal. Wks. St. 5 years Rep.

Date to be liberated — 17 July 73

Intended residence after liberation — 13 Bayn Castle, East Ham Essex.

Previous Convictions

Summary

- 11 March 71 - Steal some coal f. 0.2. 10 Days St. or 10/- Richmond
- 15 Feb 73 Steal coal
- Steal coal
- 2 Cal. Mos. St. & whipped Richmond

By Jury

Remarks, antecedents &c.

Pr. sent 5 April 73

Source Two - Transcript

5 July 73

Name No – John Greening 5997

and Aliases _____

Description:

Age (on discharge) _____ 11
 Height _____ 4ft 4 1/4
 Hair _____ Lt Brown
 Eyes _____ D Grey
 Complexion _____ Fresh
 Where Born _____ Mortlake
 Married or Single _____ Single
 Trade or occupation _____ None
 Distinguishing marks – Scar on forehead

Address at time of apprehension – 1 Senior Place, Mortlake

Place and date of conviction – Richmond 10 June 73

Offence for which convicted – St[ealin]g a Q[uar]t[er] of Goosberries (growing)

Sentence – 1 Cal[endar] M[on]th H[ard] L[abour] & 5 years Ref[ormitor]y

Date to be liberated – 17 Jul 73

Intended residence after liberation – Boleyn Castle, East Ham, Essex

Previous Convictions:

Summary

11 March 71 – St[ealin]g coal J.O.A. 10 Days H[ard] L[abour] or 10/- Richmond

15 Feb 73 St[ealin]g coal

St[ealin]g coal

2 cal[endar] mo[nth]s H[ard] L[abour] & whipped Richmond

By Jury

Remarks, antecedents &c

Rab. sent 5-April 73

Look at Source 2.

Read through the document and compare it with the one shown in Source 1.

- How old was John?
- What offence had he committed?
- What was his sentence?

There are two parts to John's sentence. What do you think the Victorians thought was the point of:

- Sending the offender to prison?
- Sending the offender to the Reformatory?

List of convicts embarked on the Elphinstone for Van Diemen's Land 1842 (PC 1/2717)

| No. | NAME. | Age. | Crime. | Convicted. | | Sentence. | Mar-ried or Single. | Read or Write. | Trade. | Gaoler's Report. | Character on board the Hulk. |
|------|--------------------|------|-------------------------------------|----------------------------|---------------|-----------|---------------------|----------------|--------|--|------------------------------|
| | | | | Where. | When. | | | | | | |
| 4097 | Henry Botam. | 15 | Steal a pair of spectacles. | Arrested. | 30 Decr 1839. | 7 yrs | " | R. | " | Convicted & tried. Whiffers & Co. Prisoner King. | Good |
| 4020 | James Campbell. | 14 | Keft. | Arrested. | 9 Sept. 1839. | 7 " | " | R. | " | Other. Convicted. Rat character. | Pr. |
| 4124 | Henry Johnston. | 15 | Larceny & game Conv. | Cont. bet. Ct. | 1 Feb. 1841. | 10 " | " | M. | " | Before. Convicted. | D. |
| 4127 | Judrick Schneider. | 15 | Larceny. | Cont. bet. Ct. | 1 Feb. 1841. | 7 " | " | B. | " | 2 Months H. Co. | Good |
| 4128 | Richard Taylor. | 15 | Larceny for a hat. | Cont. bet. Ct. | 1 Feb. 1841. | 7 " | " | B. | " | Not known. | D. |
| 4166 | John Garrett. | 14 | Larceny by a hat. | Cont. bet. Ct. | 1 Mar. 1841. | 7 " | " | B. | " | D. | D. |
| 4167 | George Ambley. | 16 | Larceny. | C. Co. Ct. | 1 Mar. 1841. | 7 " | " | B. | " | D. | Indiff. |
| 4185 | John Killisley. | 15 | Stealing a coat. | Arrested on 29 Nov. 1841. | | 7 " | " | H. | " | Law prisoner before. | Good |
| 4191 | Job Parkinson. | 13 | Larceny. | Arrested on 2 April 1841. | | 7 " | " | H. | " | Bad character. convicted from last haul. | D. |
| 4217 | William Shaw. | 16 | Larceny. | Cont. bet. Ct. | 10 May 1841. | 7 " | " | B. | " | 3 Months H. Co. | Pr. |
| 4218 | Richard Pinnock. | 15 | Steal a hat & Larceny. | C. Co. Ct. | 10 " | 10 " | " | M. | " | Not known. | Good. |
| 4220 | Henry Hooper. | 14 | Larceny. | C. Co. Ct. | 10 May 1841. | 7 " | " | B. | " | D. | Pr. |
| 4224 | John Wood. | 16 | Larceny & game Conv. | C. Co. Ct. | 10 " | 7 " | " | B. | " | Before. Convicted. | D. |
| 4222 | James Ferrone. | 13 | Larceny. | C. Co. Ct. | 10 " | 7 " | " | B. | " | Not known. | Pr. |
| 4223 | Joseph Williamson. | 14 | Larceny for game. | C. Co. Ct. | 10 " | 10 " | " | B. | " | 1 Mo. H. Co. | Pr. |
| 4224 | Thomas Scarper. | 13 | Larceny & game Conv. | C. Co. Ct. | 10 " | 7 " | " | B. | " | Before. Conv. H. Co. & other. | Bad. |
| 4225 | William Jones. | 14 | Larceny. | C. Co. Ct. | 10 " | 7 " | " | B. | " | Arrested 21 days. | Bad. |
| 4226 | Nathan Stant. | 15 | Steal a hat & game. | Arrested on 5 April 1841. | | 7 " | " | A. | " | Character very bad. 11 times in Jail. | Bad. |
| 4220 | John Linsley. | 16 | Steal a pair of boots. | Arrested on 12 April 1841. | | 7 " | " | B. | " | 2 years. bad character. very dishonest. | Good. |
| 4231 | George Debbor. | 14 | Steal 1/2 bag. 2 bottles & 790 net. | Arrested on 1 March 1841. | | 7 1/2 yrs | " | R. | " | 2 nd Conv. very bad character. | D. |
| 4235 | Leslie Robertson. | 14 | Keft. | Arrested on 21 April 1841. | | 7 " | " | B. | " | Conv. before. very bad character. Pr. | Pr. |
| 4236 | William Spown. | 14 | Keft. | Arrested on 23 " | | 7 " | " | B. | " | Bad character. good dispo. | Pr. |
| 4237 | John Mc Donald. | 13 | dit | Arrested on 23 " | | 7 " | " | B. | " | dit do. disorderly. | Good. |

Source Three - Transcript

| No. | Name | Age | Crime | Convicted Where | Convicted When | Sentence | Married or Single | Read or Write | Trade | Gaoler's Report | Character on board the hulk |
|------|--------------------|-----|---------------------------------|-------------------------------|----------------|----------|-------------------|---------------|-------|--|-----------------------------|
| 3997 | Henry Bolam | 15 | Steal[ing] a peice of Velveteen | Worcester | 30 Dec 1839 | 7 yrs | " | R | " | Convicted & twice Whipp[e]d a common thief | Good |
| 4020 | James Campbell | 14 | Theft | Glasgow | 9 Sept 1840 | 7 " | " | R | " | Often Convicted. Bad Character | In |
| 4124 | Jerty Johnston | 15 | Larceny & prev conviction] | Cen[tra]l Cr[imina[l] C[our]t | 1 Feb 1841 | 10 " | " | N | " | Before Convicted | Ditto |
| 4127 | Frederick Schweder | 15 | Larceny | Cen[tra]l Cr[imina[l] C[our]t | 1 Feb 1841 | 7 " | " | B | " | 2 Mo[nth]s & 2 weeks H[ard] L[abour] | Good |
| 4128 | Richard Taylor | 15 | Larceny by a Serv[an]t | Cen[tra]l Cr[imina[l] C[our]t | 1 Feb 1841 | 7 " | " | B | " | Not known | Ditto |
| 4166 | Tho[ma]s Garrell | 14 | Larceny by a Serv[an]t | Cen[tra]l Cr[imina[l] C[our]t | 1 Mar 1841 | 7 " | " | B | " | Ditto | Ditto |
| 4167 | George Hambley | 16 | Larceny | Cen[tra]l Cr[imina[l] C[our]t | 1 Mar 1841 | 7 " | " | B | " | Ditto | Indiff[erent] |

| No. | Name | Age | Crime | Convicted Where | Convicted When | Sentence | Married or Single | Read or Write | Trade | Gaoler's Report | Character on board the hulk |
|------|-------------------|-----|-------------------------------|--------------------------------|----------------|----------|-------------------|---------------|-------|---------------------------------------|-----------------------------|
| 4185 | John Hillesley | 15 | Stealing a Coat | Kingston on Thames | 29 Mar 1841 | 7 " | " | N | " | In prison before | Good |
| 4191 | Job Parkinson | 13 | Larceny | Grantham | 2 April 1841 | 7 " | " | N | " | Bad Charact[e]r co[?] poor but honest | Ditto |
| 4217 | William Shaw | 16 | Larceny | Cen[tra]l Cr[imina][l] C[our]t | 10 May 1841 | 7 " | " | B | " | 3 Months H[ard] L[abour] | In |
| 4218 | Richard Pinnuck | 15 | Ho[use] break[in]g & Larceny | Cen[tra]l Cr[imina][l] C[our]t | 10 ~"~ ~"~ | 10 " | " | N | " | Not known | Good |
| 4220 | Henry Hooper | 14 | Larceny | Cen[tra]l Cr[imina][l] C[our]t | 10 May 1841 | 7 " | " | B | " | Ditto | In |
| 4221 | Josh[ua] Mood | 15 | Larceny form[e]r conv[ictio]n | Cen[tra]l Cr[imina][l] C[our]t | 10 ~"~ ~"~ | 7 " | " | B | " | Before Convicted | In |
| 4222 | James Jerrome | 13 | Larceny | Cen[tra]l Cr[imina][l] C[our]t | 10 ~"~ ~"~ | 7 " | " | B | " | Not known | In |
| 4223 | Joseph Williamson | 14 | Larceny from person | Cen[tra]l Cr[imina][l] C[our]t | 10 ~"~ ~"~ | 10 " | " | B | " | 1 M[onth] H[ard] L[abour] | In |

| No. | Name | Age | Crime | Convicted Where | Convicted When | Sentence | Married or Single | Read or Write | Trade | Gaoler's Report | Character on board the hulk |
|------|----------------------|-----|--|-------------------------------|----------------|----------|-------------------|---------------|-------|---|-----------------------------|
| 4224 | Thomas Harper | 13 | Larceny & prior conviction | Cen[tra]l Cr[imina[l] C[our]t | 10 ~"~ ~"~ | 7 " | " | B | " | Before Convicted H[ard] L[abour] often | Bad |
| 4225 | William Jones | 14 | Larceny | Cen[tra]l Cr[imina[l] C[our]t | 10 ~"~ ~"~ | 7 " | " | B | " | Bridewell 21 days | Bad |
| 4226 | Nathan Hant | 15 | Steal[in]g a watch & former conviction | Pontefract | 5 April ~"~ | 7 " | " | B | " | Character very bad 11 times in prison | Indif |
| 4229 | John Linsley | 16 | Steal[in]g a pair of boots | Kingston on Hull | 12 April 1841 | 7 " | " | B | " | 2nd Conv[ictio]n. bad character very disorderly | Good |
| 4231 | George Dubber | 14 | 2 Indict[ment]s 7 years each | New Sarum | 1 March 1841 | 7 7=14 " | " | R | " | 2nd Conv[ictio]n very bad character | Ditto |
| 4235 | Leslie Robertson | 14 | Theft | Aberdeen | 21 April 1841 | 7 " | " | B | " | Conv[icte]d before. Very bad character | Ind |
| 4236 | William Brown | 14 | Theft | Aberdeen | 23 ~"~ ~"~ | 7 " | " | B | " | Bad Character quite dishonest | In |
| 4237 | Cha[rl]e[s] McDonald | 14 | Ditto | Ditto | 23 ~"~ ~"~ | 7 " | " | B | " | ditto ditto disorderly | Good |

Key to Reading and Writing column: R = Reads

W= Writes

B= Both reads and writes, N= Neither reads nor writes

Tasks

Task Three

Look at Source 3. Another form of Victorian punishment was transportation to a penal colony in a different country.

- What is the average age of these convicts who are being transported?
- What are the crimes that most of them have been convicted of? (Hint : Larceny means theft)
- How long is the average sentence?
- Do you think they were allowed to come home at the end of their sentence?
- Which of the following words do you think describes conditions at the penal colony? Explain why.
 - hard
 - easy
 - frightening
 - simple
 - tough
 - boring
 - interesting

Task Four

Punishment of crime has a number of aims:

- punish the offender
- reform the offender so they won't do it again
- deter others from committing crimes
- protect the public

Which of these aims were being met by these sentences on Victorian young offenders?

Task Five

What would happen to Joseph Lewis and John Greening if they committed the same crimes today?

Task Six

What sentences would you pass on Joseph Lewis and John Greening? What are the reasons for your decision?