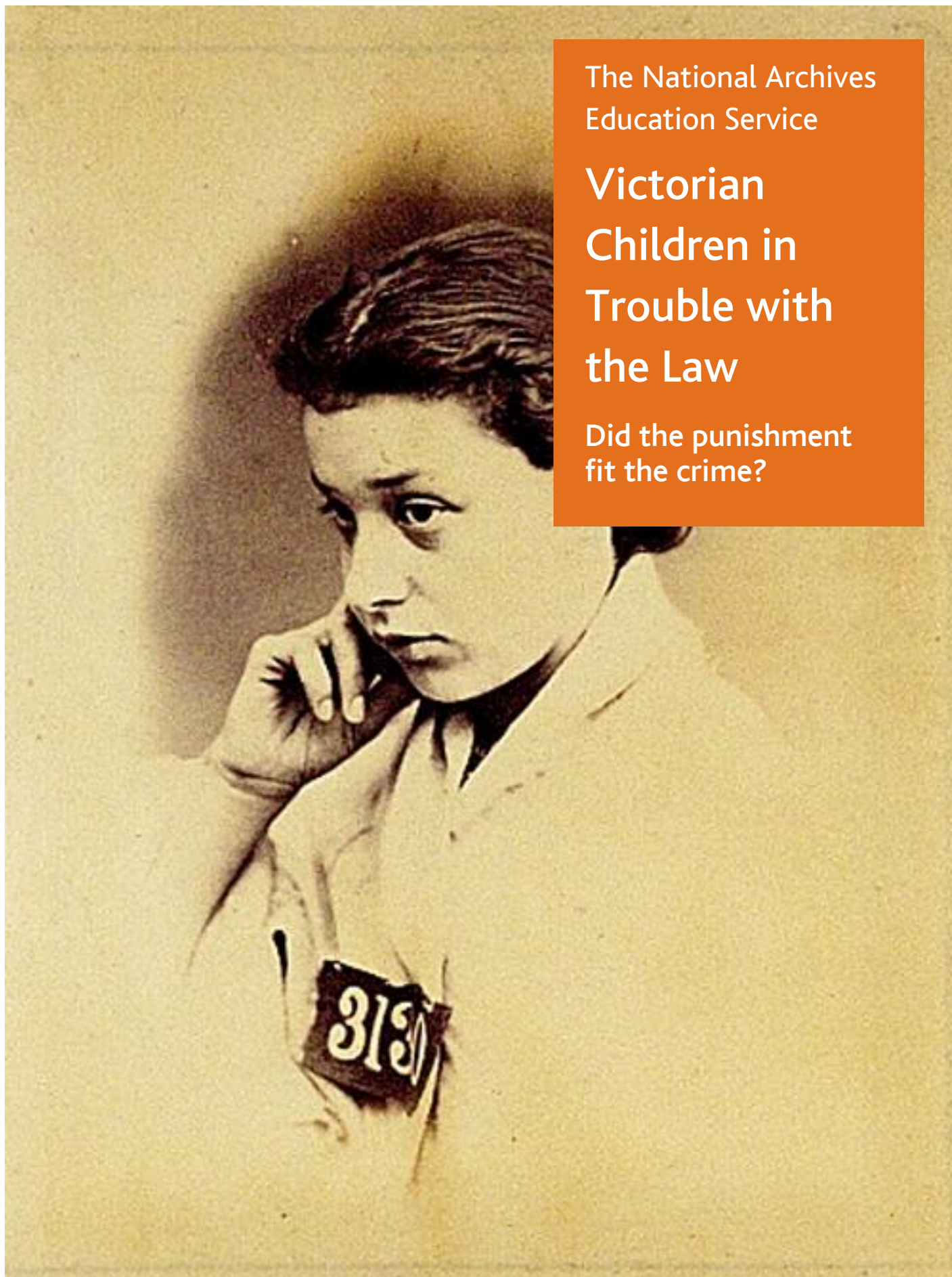


The National Archives
Education Service

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 | • frightening | • tough | • interesting |
| • easy | • simple | • boring | |

Task Four:

Punishment of crime has a number of aims:

- | | |
|---|---------------------------------------|
| • punish the offender | • deter others from committing crimes |
| • reform the offender so they won't do it again | • 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
 Steal 28 lbs of Iron = 3/

Sentence — 1 Cal Mo 11 R

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 — Stealing of Groceries (groceries)

Sentence — 1 Cal. Wks. H. + 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 - Stealing coal f. 0.2. 10 Days H. or 10/- Richmond

15 Feb 73 Stealing coal
Stealing coal
2 Cal. Mos. H. & 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 & twice whipped in Prison High.	Good
4020	James Campbell.	14	Keft.	Arrested.	9 Sept 1839.	7 "	"	R.	"	Other Convicted. Bad character.	Indiff.
4124	Henry Johnston.	15	Larceny & petty Conv.	Cont. det. Ct.	1 Feb. 1841.	10 "	"	M.	"	Before Convicted.	D.
4127	Judrick Schneider.	15	Larceny.	Cont. det. Ct.	1 Feb. 1841.	7 "	"	B.	"	2 Months det. Ct. H. Ct.	Good
4128	Richard Taylor.	15	Larceny for a hat.	Cont. det. Ct.	1 Feb. 1841.	7 "	"	B.	"	Not known.	D.
4166	John Garrett.	14	Larceny by a hat.	Cont. det. Ct.	1 Mar. 1841.	7 "	"	B.	"	D.	D.
4167	George Ambley.	16	Larceny.	C. Ct. Ct.	1 Mar. 1841.	7 "	"	B.	"	D.	Indiff.
4185	John Killisley.	15	Stealing a coat.	Arrested in Prison 29 Nov. 1841.	"	7 "	"	M.	"	Law prison before.	Good
4191	John Parkinson.	13	Larceny.	Arrested in Prison 2 April 1841.	"	7 "	"	M.	"	Bad character committed from last house.	D.
4217	William Shaw.	16	Larceny.	Cont. det. Ct.	10 May 1841.	7 "	"	B.	"	3 Months H. Ct.	Indiff.
4218	Richard Pinnock.	15	Steal a hat & Larceny.	C. Ct. Ct.	10 "	10 "	"	M.	"	Not known.	Good.
4220	Henry Hooper.	14	Larceny.	C. Ct. Ct.	10 May 1841.	7 "	"	B.	"	D.	Indiff.
4224	John Wood.	16	Larceny & petty Conv.	C. Ct. Ct.	10 "	7 "	"	B.	"	Before Convicted.	D.
4222	James Ferrone.	13	Larceny.	C. Ct. Ct.	10 "	7 "	"	B.	"	Not known.	Indiff.
4223	Joseph Williamson.	14	Larceny for a purse.	C. Ct. Ct.	10 "	10 "	"	B.	"	1 Mr. H. Ct.	Indiff.
4224	Thomas Scarper.	13	Larceny & petty Conv.	C. Ct. Ct.	10 "	7 "	"	B.	"	Before Convicted H. Ct. & others.	Bad.
4225	William Jones.	14	Larceny.	C. Ct. Ct.	10 "	7 "	"	B.	"	Arrested 21 days.	Bad.
4226	Nathan Stant.	15	Steal a hat & petty Conv.	Arrested in Prison 5 April 1841.	"	7 "	"	M.	"	Character very bad. 11 times in det. Ct. & others. Bad character very distinct.	Good.
4220	John Linsley.	16	Steal a pair of boots.	Arrested in Prison 12 April 1841.	"	7 "	"	B.	"	"	Good.
4231	George Debbor.	14	Steal a bag & 2 bottles & 3 figs and 3.	Arrested in Prison 1 March 1841.	"	7 1/2 yrs	"	R.	"	2nd Conv. very bad character.	D.
4235	Leslie Robertson.	14	Keft.	Arrested.	21 April 1841.	7 "	"	B.	"	Conv. before. Very bad character. Indiff.	Indiff.
4236	William Spown.	14	Keft.	Arrested.	23 "	7 "	"	B.	"	Bad character. good dispo.	Indiff.
4237	John Mc Donald.	13	Keft.	Arrested.	23 "	7 "	"	B.	"	di de 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?