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Education Service

Victorian Children in Trouble with the Law

Did the punishment fit the crime?
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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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/)
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.
Victorian Children in trouble with the law

Did the punishment fit the crime?

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)

Name. No. Joseph Lewis 5248

Age (on discharge) 11
Height 4 ft 6¾
Hair Lt. Brown
Eyes Blue
Complexion Fair
Married or Single Single
Trade or occupation None
Distinguishing marks /tall

Address at time of apprehension 32 Prince St, Richmond

Place and date of conviction /Southwark 10 April 73
Offence for which convicted /Stole 12d
Sentence 1 Cal 11d
Date to be liberated 9 May 1873
Intended residence after liberation Same

Remarks, antecedents &c.

By Jury
Transcript

26 April 73

Name No – Joseph Lewis 5248

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 stealing 28lb of Iron = 3/-

Sentence – 1 Calendar Month [Hard] Labour

Date to be liberated – 9 May 1873

Intended residence after liberation – Same

Previous Convictions:

Summary

By Jury

Remarks, antecedents &c
Victorian Children in trouble with the law

Did the punishment fit the crime?

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


Date to be liberated – 17 Jult 73

Indended 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

By Jury

Remarks, antecedents &c

Rab. sent 5-April 73
### List of convicts embarked on the Elphinstone for Van Diemen’s Land 1842 (PC 1/2717)

<table>
<thead>
<tr>
<th>No.</th>
<th>NAME</th>
<th>Crime</th>
<th>Age</th>
<th>Station or Residence</th>
<th>Sentenced at</th>
<th>Date of Sentencing</th>
<th>Date of Embarkment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4027</td>
<td>Henry Nolan</td>
<td>Murder</td>
<td>35</td>
<td>Court Room</td>
<td>25 March 1841</td>
<td>30 March 1841</td>
<td>10 May 1841</td>
</tr>
<tr>
<td>4028</td>
<td>John L. Stephen</td>
<td>Horse stealing</td>
<td>35</td>
<td>Court Room</td>
<td>25 March 1841</td>
<td>30 March 1841</td>
<td>10 May 1841</td>
</tr>
<tr>
<td>4029</td>
<td>George E. Hornby</td>
<td>Burglary</td>
<td>35</td>
<td>Court Room</td>
<td>25 March 1841</td>
<td>30 March 1841</td>
<td>10 May 1841</td>
</tr>
<tr>
<td>4030</td>
<td>John R. Jones</td>
<td>Robbery</td>
<td>35</td>
<td>Court Room</td>
<td>25 March 1841</td>
<td>30 March 1841</td>
<td>10 May 1841</td>
</tr>
</tbody>
</table>

**Source:** Three - List of convicts embarked on the Elphinstone for Van Diemen’s Land 1842 (PC 1/2717)
### Victorian Children in trouble with the law

**Did the punishment fit the crime?**

#### Source Three - Transcript

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Age</th>
<th>Crime</th>
<th>Convicted Where</th>
<th>Convicted When</th>
<th>Sentence</th>
<th>Married or Single</th>
<th>Read or Write</th>
<th>Trade</th>
<th>Gaoler's Report</th>
<th>Character on board the hulk</th>
</tr>
</thead>
<tbody>
<tr>
<td>3997</td>
<td>Henry Bolam</td>
<td>15</td>
<td>Steal[ing] a piece of Velveteen</td>
<td>Worcester</td>
<td>30 Dec 1839</td>
<td>7 yrs</td>
<td>&quot;</td>
<td>R</td>
<td>&quot;</td>
<td>Convicted &amp; twice Whipp[e]d a common thief</td>
<td>Good</td>
</tr>
<tr>
<td>4020</td>
<td>James Campbell</td>
<td>14</td>
<td>Theft</td>
<td>Glasgow</td>
<td>9 Sept 1840</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>R</td>
<td>&quot;</td>
<td>Often Convicted. Bad Character</td>
<td>In</td>
</tr>
<tr>
<td>4124</td>
<td>Jerty Johnston</td>
<td>15</td>
<td>Larceny &amp; prev conviction]</td>
<td>Central Criminal Court</td>
<td>1 Feb 1841</td>
<td>10 &quot;</td>
<td>&quot;</td>
<td>N</td>
<td>&quot;</td>
<td>Before Convicted</td>
<td>Ditto</td>
</tr>
<tr>
<td>4127</td>
<td>Frederick Schweder</td>
<td>15</td>
<td>Larceny</td>
<td>Central Criminal Court</td>
<td>1 Feb 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>2 Mo[nth]s &amp; 2 weeks H[ard] L[abour]</td>
<td>Good</td>
</tr>
<tr>
<td>4128</td>
<td>Richard Taylor</td>
<td>15</td>
<td>Larceny by a Serv[an]t</td>
<td>Central Criminal Court</td>
<td>1 Feb 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Not known</td>
<td>Ditto</td>
</tr>
<tr>
<td>4166</td>
<td>Thomas Garrell</td>
<td>14</td>
<td>Larceny by a Serv[an]t</td>
<td>Central Criminal Court</td>
<td>1 Mar 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Ditto</td>
<td>Ditto</td>
</tr>
<tr>
<td>4167</td>
<td>George Hambley</td>
<td>16</td>
<td>Larceny</td>
<td>Central Criminal Court</td>
<td>1 Mar 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Ditto</td>
<td>Indiff [eren]t</td>
</tr>
</tbody>
</table>
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<table>
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<th>Sentence</th>
<th>Married or Single</th>
<th>Read or Write</th>
<th>Trade</th>
<th>Gaoler's Report</th>
<th>Character on board the hulk</th>
</tr>
</thead>
<tbody>
<tr>
<td>4185</td>
<td>John Hillesley</td>
<td>15</td>
<td>Stealing a Coat</td>
<td>Kingston on Thames</td>
<td>29 Mar 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>N</td>
<td>&quot;</td>
<td>In prison before</td>
<td>Good</td>
</tr>
<tr>
<td>4191</td>
<td>Job Parkinson</td>
<td>13</td>
<td>Larceny</td>
<td>Grantham</td>
<td>2 April 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>N</td>
<td>&quot;</td>
<td>Bad Character [e]r poor but honest</td>
<td>Ditto</td>
</tr>
<tr>
<td>4217</td>
<td>William Shaw</td>
<td>16</td>
<td>Larceny</td>
<td>Central Criminal Court</td>
<td>10 May 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>3 Months Hard Labour</td>
<td>In</td>
</tr>
<tr>
<td>4218</td>
<td>Richard Pinnuck</td>
<td>15</td>
<td>House breaking &amp; Larceny</td>
<td>Central Criminal Court</td>
<td>10 <del>&quot;</del> <del>&quot;</del></td>
<td>10 &quot;</td>
<td>&quot;</td>
<td>N</td>
<td>&quot;</td>
<td>Not known</td>
<td>Good</td>
</tr>
<tr>
<td>4220</td>
<td>Henry Hooper</td>
<td>14</td>
<td>Larceny</td>
<td>Central Criminal Court</td>
<td>10 May 1841</td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Ditto</td>
<td>In</td>
</tr>
<tr>
<td>4221</td>
<td>Joshua Mood</td>
<td>15</td>
<td>Larceny from conviction</td>
<td>Central Criminal Court</td>
<td>10 <del>&quot;</del> <del>&quot;</del></td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Before Convicted</td>
<td>In</td>
</tr>
<tr>
<td>4222</td>
<td>James Jerrome</td>
<td>13</td>
<td>Larceny</td>
<td>Central Criminal Court</td>
<td>10 <del>&quot;</del> <del>&quot;</del></td>
<td>7 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Not known</td>
<td>In</td>
</tr>
<tr>
<td>4223</td>
<td>Joseph Williamson</td>
<td>14</td>
<td>Larceny from person</td>
<td>Central Criminal Court</td>
<td>10 <del>&quot;</del> <del>&quot;</del></td>
<td>10 &quot;</td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>1 Month Hard Labour</td>
<td>In</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Age</td>
<td>Crime</td>
<td>Convicted Where</td>
<td>Convicted When</td>
<td>Sentence</td>
<td>Married or Single</td>
<td>Read or Write</td>
<td>Trade</td>
<td>Gaoler’s Report</td>
<td>Character on board the hulk</td>
</tr>
<tr>
<td>------</td>
<td>---------------</td>
<td>-----</td>
<td>--------------------------------------------</td>
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<td>-------</td>
<td>---------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>4224</td>
<td>Thomas Harper</td>
<td>13</td>
<td>Larceny &amp; prior conviction</td>
<td>Central Criminal Court</td>
<td>10 <del>&quot;</del> &quot;~ 7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Before Convicted H[ard] L[abour] often</td>
<td>Bad</td>
</tr>
<tr>
<td>4225</td>
<td>William Jones</td>
<td>14</td>
<td>Larceny</td>
<td>Central Criminal Court</td>
<td>10 <del>&quot;</del> &quot;~ 7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Bridewell 21 days</td>
<td>Bad</td>
</tr>
<tr>
<td>4226</td>
<td>Nathan Hant</td>
<td>15</td>
<td>Stealing a watch &amp; former conviction</td>
<td>Pontefract</td>
<td>5 April <del>&quot;</del> 7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Character very bad 11 times in prison</td>
<td>Indif</td>
</tr>
<tr>
<td>4229</td>
<td>John Linsley</td>
<td>16</td>
<td>Stealing a pair of boots</td>
<td>Kingston on Hull</td>
<td>12 April 1841 7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>2nd Conv[iction] n. bad character very disorderly</td>
<td>Good</td>
</tr>
<tr>
<td>4231</td>
<td>George Dubber</td>
<td>14</td>
<td>2 indictments 7 years each</td>
<td>New Sarum</td>
<td>1 March 1841    7 7=14 &quot;</td>
<td></td>
<td>R</td>
<td>&quot;</td>
<td>&quot;</td>
<td>2nd Conv[iction] n very bad character</td>
<td>Ditto</td>
</tr>
<tr>
<td>4235</td>
<td>Leslie Robertson</td>
<td>14</td>
<td>Theft</td>
<td>Aberdeen</td>
<td>21 April 1841   7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Conv[icted] before. Very bad character</td>
<td>Ind</td>
</tr>
<tr>
<td>4236</td>
<td>William Brown</td>
<td>14</td>
<td>Theft</td>
<td>Aberdeen</td>
<td>23 <del>&quot;</del> &quot;~ 7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>Bad Character quite dishonest</td>
<td>In</td>
</tr>
<tr>
<td>4237</td>
<td>Charles McDonald</td>
<td>14</td>
<td>Ditto</td>
<td>Ditto</td>
<td>23 <del>&quot;</del> &quot;~ 7 &quot;</td>
<td></td>
<td>&quot;</td>
<td>B</td>
<td>&quot;</td>
<td>ditto ditto disorderly</td>
<td>Good</td>
</tr>
</tbody>
</table>

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.

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- What are the crimes that most of them have been convicted of? (Hint: Larceny means theft)
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- reform the offender so they won’t do it again
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