

# CHILDREN & CRIME

ELIZABETH I TO ELIZABETH II  
*By* MAURICE W BACK

The first Queen Elizabeth, who was very sparing with legislation, in the first year of her reign (1558) introduced her Act for the Punishment of Rogues, Vagabonds and Sturdy Beggars which, amongst many other things, set the age of criminal intent (when it was assumed you knew right from wrong) at seven.

Imagine that you were amongst the greater majority of the population and living on the land. Your home would have one or possibly two rooms, no chimney (so when you could afford a fire the smoke eventually went out of a hole in the roof, which also let rain and snow in), your lavatory would be the open fields and your bed would be a heap of rags or just the beaten earth floor. Staple diet would be bread and vegetables, and not a lot of them. Clothes were handed down from generation to generation and very rarely washed. You'd be very lucky not to have fleas and you'd stink.

For another hundred years or so no cash would change hands. Your "house" and the land it stood on was the Lord's property and you would pay for it by service. That is you would till your lord and master's fields, milk his cows, whitewash his barn - whatever he wanted - for four or five days a week, every week. Then, time was your own to cultivate the land your Lord had lent you, providing the only food you got. Consider a life without television; no radios or telephones; no comics or newspapers and very few books (not that that would matter, you couldn't read in any case!), working from a very early age and always hungry! If it was starve or thief what would you have done?

So, what were some children doing that was wrong? With the bulk of the population living in rural surroundings, theft by simple taking was the major problem. Almost anything that was lying around could and would go. Food, obviously, was a main target as it was greatly needed and easily disposed of. In towns, where anonymity was more easily achieved, the range of things stolen was much wider, but here children also came into their own as pick-pockets. With their smaller size, not only were they useful to burglars in getting through small spaces, but also they were a much better size for picking pockets. The vast majority were more or less level in height with the average pocket or purse, so making it easier for them to pick it or, more likely, to slit it open. Another major factor was their immunity from the law up to the age of seven. The thief master thus had some four or more years in which to reap the benefit of his training. Another use of





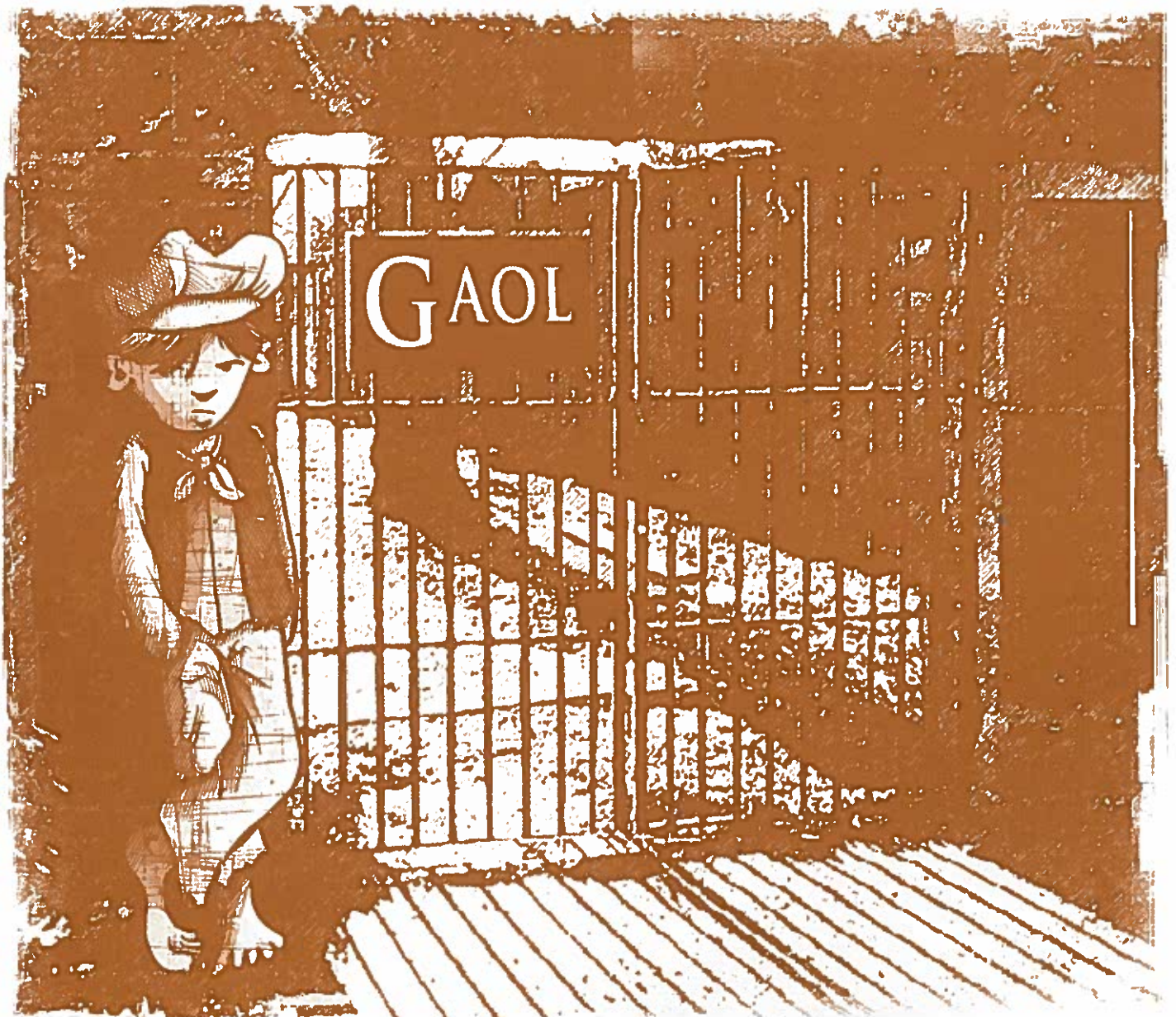
children was in bakers baskets. Sitting in one, covered with a cloth and carried on the head of a suitably dressed person, they were able to reach out, steal a wig or hat, and duck back under the concealing cloth and - even if the loss was noticed immediately - the pair would almost invariably get away scot-free.

Statistically, theft accounted for between seventy and eighty per cent annually of all crime from Roman days to the early twentieth century, but professional beggars also used children much as our present-day ones use dogs. Readily available both from parents and nursemaids, a baby or infant could be borrowed for four (old) pence a day and proved a good investment, tugging at the heart-strings of passers-by and so increasing income considerably. Child prostitution was rife for many years. With destitute families having far more children than they could ever hope to feed, many were cast upon the streets to survive as best they could. Lots of them

were seduced at a very early age and so had no alternative but to pursue this way of life. Fortunes were not to be made by the run-of-the-mill girl or boy and drunkenness was commonplace - especially from the drinking of gin (by 1733, London alone drank some eleven million gallons per annum).

Obviously, the children drank their fair share and, although not considered a crime then, drunkenness was another of their problems. This, like most addictions, was a direct cause of crime. For example, a young (14 or 15), unmarried mother took her baby from the work-house, where it didn't have much chance of survival in any case, strangled it, tossed the naked body in a ditch and spent the resultant 1/4d she got for its clothes on yet more gin!

Only one in two children lived beyond the age of fifteen. One who did, Roderick Audrey, had a rather good scam and, perhaps, deserved better. Carrying a sparrow in a cage, he would wander around a rich area and upon finding an open window to a





worth-while room, would let the sparrow out of its cage and into the room. Following it, he would fill his bag with whatever he thought worth while and, if disturbed, would claim he had followed his pet sparrow in to rescue it. Although hard labour sentences were becoming more commonplace, he was eventually executed at Tyburn (1714) at the age of sixteen.

This was by no means rare. A fifteen year old boy named Harris committed highway robbery and, although he only acquired under two pounds, he paid the ultimate penalty in 1777. Another example, possibly one of a political crime, was that of a lad of fifteen who had been a look-out whilst some Luddite rioters carried out their destructions. Pathetically he called for his mother to rescue him from the scaffold - to no avail, of course (1812).

Peel, in the course of his massive revision of the law (1828, in the reign of George IV) reduced the number of capital offences considerably. Fines, transportation and imprisonment helped to fill the gap left by this method of disposing of miscreants and the building of prisons really took off. So, also, did the reforming zeal of a goodly number of people. The starting point of this may well have been the publishing of John Howard's book "State of the Prisons in England and Wales" in 1777. This showed that prisons were effectively schools of crime for young people, apart from being hot beds of disease. Gaolers were paid a pittance, getting what they could from the prisoners themselves (the more you could pay, the easier conditions were for you) and by making savings from the prisoners' allowances. Originally built by and at the expense of the local population, 1815 saw funds being made available for prisons from central sources. Prison inspectors were appointed in 1855 and by 1860 over 90% of serious offenders were in prison, with the first one for young offenders being opened in Parkhurst (Isle of Wight) in 1858.

Queen Victoria's accession to the throne in 1837 saw many changes, not only in punishments but also in types of crime. Large numbers of the population migrated to the towns seeking employment in the

new factories that were springing up, but found that their living standards were not much better. They exchanged the hovels of the country-side for the back-to-back terraces of the slums. They may well have had a lavatory and running water but, with one privy and one tap to perhaps forty dwellings, they were not much better off - quite apart from the stench of the factories surrounding them!

As a typical example of these developments:

*"There were 730 houses in all, spread over twenty Streets, a large number having no back yard. 652 were "domestically" occupied. Of the other 78, 43 were empty and two were registered lodging houses (153 beds). Also included were 21 shops and factories and twelve public-houses or beer shops.*

*Total population was 5,566 (excluding lodgers). Viz 3,370 adults and 2,196 children occupying 2,545 rooms. Average 2/ per room - some 107 rooms having five or more each. Rent 3/6 a week per room.*

*Living in one street alone, 64 persons had served a term of penal servitude. One child in four died before reaching its first birthday."*<sup>1</sup>

As well as employment in the factories, some outwork was available. The following rates of pay help to explain the continuing commission of crime:

### *Outwork Rates circa 1890<sup>2</sup>*

#### **Shirt Making.**

By working a sixteen hour day, nine to 12 old pence could be earned. Needles and cotton were NOT supplied.

#### **Sack Making.**


Nineteen (old) pence per hundred - average one hundred per four days.

#### **Matchbox making.**

Component parts and finished boxes had to be collected and delivered, paste and string (to bundle the finished boxes) had to be bought.

<sup>1</sup> Details taken from an L.C.C. slum clearance scheme of 1890.

<sup>2</sup> Amounts paid for work done at home.



One hundred and forty-four (a gross) outers and trays earned two pence farthing - or two and a half pence for a special size. The outer had a sandpaper strip along one side and an all-round label. If available, seven gross a day was average (all the family joined in, even the two-year-olds could help) but, due to the influx of Swedish match imports, the work was hard to get.

Food from the street vendors started at a half-penny an item. So, the first 3-4 days of, say, shirt making paid the rent and the rest of the week would buy, say, 3 dozen jacket potatoes and 3 dozen (thick) slices of bread. Obviously, no encouragement to stop stealing, etc.

Two unrelated events occurred in 1870 which were to have a marked effect on future crime. Education was made compulsory for the under tens and professional sports started to develop in a substantial manner.

The education of the masses began a more sophisticated approach to crime whilst professional sports and the partisanship they encouraged gave rise to public disorder on a regular basis as nothing before ever had. Needless to say, children were involved in both!

This didn't deter the reformers from attempting to improve the lot of the unfortunates who had been caught - especially the children. With hard labour being the norm, useful work such as making mail bags, shoes or prison clothing ran parallel with the uselessness of the treadwheel or the crank. The first used the feet whilst the second was wound by hand - twenty times a minute, ten thousand times a day with the warder able to tighten it by a screw device (hence the nickname "screw") but all with no end product.

Compare some typical nineteenth century children's crimes and their punishments with recent counterparts:

*9th September 1847*

**Crime:** Two boys, fourteen, stole a peck (a two gallon basket) of apples valued at nine pence.

**Sentence:** One day in the House of Correction and whipped.

*6th May 1952*

**Crime:** Two boys, riding bicycles without lights.

**Sentence:** First boy didn't attend court, was fined 10/- each for front and rear. Second boy, present in court, fined 5/- for each.

*5th October 1880*

**Crime:** Two boys, both ten. Larceny of two shillings.

**Sentence:** Each six birch strokes.

*3rd June 1952*

**Crime:** Two boys, fifteen and twelve.

Larceny of elm logs.

**Sentence:** Probation - one year for the fifteen-year old and two years for the twelve-year-old.

*24th August 1880*

**Crime:** Five thirteen-year-old boys, stealing fruit.

**Sentence:** Each fined five shillings with a week to pay. Failing which a week's imprisonment in lieu.

*16th June 1936*

**Crime:** Five children aged eleven to sixteen.

Shop breaking.

**Sentence:** All bound over in their own sureties of £5. Eleven-year-old put on probation for two years.

*27 March 1829*

**Crime:** James Cook (16) Arson at his master's farm.

**Sentence:** Hanged at Chelmsford.

*February 2005*

**Crime:** Boy, 13, subject of two ASBOs, found guilty of driving dangerously whilst under the influence, without insurance and whilst disqualified.

**Sentence:** Four months youth custody.



The considerable reduction in executions focused attention on the effect of imprisonment on criminal activity. Repeat offenders, above all else, showed that prison was not working.

Consider Master James Adams, for example. Born in 1847 and eligible for prison from the age of seven, he had served thirteen terms (ranging from three days to three months) by his eleventh birthday, receiving three whippings on the way. Almost invariably he was met at the prison gate by his comrades in crime, taken back to his thief master and so unable to escape from his former life. Thief-masters did exist. Dickens' Fagin is believed to have been based on a notorious fence, Isaac Solomon.

Another factor was the better conditions in prison than on the street. A free, full set of clothes, an occasional warm bath, regular food and shelter from the elements compared very favourably with their normal existence. Besides, one young rogue observed that in the Workhouse he was allotted four pounds of oakum to pick per day whilst, in prison, it was only two pounds!

Economics was also a consideration. Typical of the analyses of the day was this of the 1846 Middlesex Sessions. The 530 juveniles convicted stole a total of £158 between them. Cost of prosecution was £445, imprisonment £964 and, adding in the cost of transporting some 36 of them, the total cost came to very nearly £4,000. Common sense suggested that something had to be done and so the idea of post prison training arose. The first reformatory took in their first three boys in 1852 and, like the majority at the beginning; it was a voluntary institute in Hardwicke, Gloucester.

This idea rapidly spread and in 1854 the Youthful Offenders Act made it possible for prisoners of sixteen or under to be sent to a reformatory for between two and five years with the parents having to make a contribution to the costs. Following the principle established by the houses of correction (local prisons for minor offenders where some education [correction] was included as well as incarceration) a highly disciplined regime prevailed with very little time for idleness and, above all, lots of moral education as well as skills being taught.

Collecting children at the prison gate and taking them to a reformatory well away from their home territory ensured a fresh start away from earlier influences.

Improvements in the treatment of young offenders overtook the reform of prisons by leaps and bounds. The Children's Act of 1908 was the first of a string of measures and introduced the Juvenile Court to this country. For example, persons of sixteen and under had to be tried away from the older criminals and somewhat more informally.

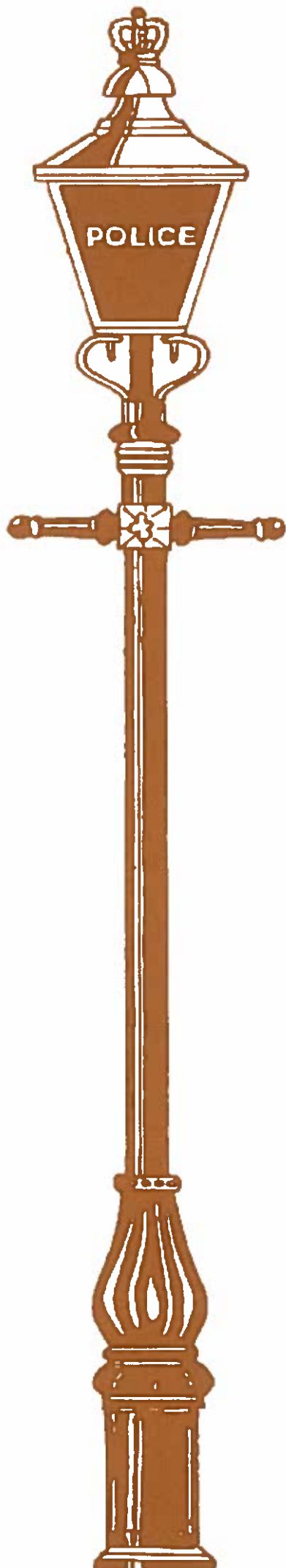
1952 not only saw Queen Elizabeth begin her reign, but also the first juvenile detention centre being opened. There followed a plethora of children's legislation, some contradictory, but all based on the welfare of the offender principle. One consequence



was to raise the age of criminal intent to twelve.

So, what of the twenty-first century? As well as a continuation of all the old crimes, there is a consciousness of fear arising from the "ganging-up" of young people. Graffiti, although by no means new, is now frowned on more than ever and a very recent concern at the fashionable use of hooded jackets has given rise to considerable worry. There is a great need for more cross-generation rapport. We seem to be at the Victorian stage where children were left to the care of servants with the parents seeing them more or less by appointment only. Unfortunately, there are no servants and so children are wandering abroad with no real guidance or support.

Clearly, these notes show that crime was committed



# ESSEX POLICE Museum

## What we offer

Essex Police Museum is an informal and friendly place to find out about the police and what they do.

### FAMILY ACTIVITIES

We have activities and interactives including quiz sheets, radios and a collection of police uniform and equipment to try out.

### GROUP VISITS

Adult and children's groups are welcome to book daytime or evening visits. Please contact the curator for details. Group visits are free but donations are gratefully accepted.

### RESEARCH

Academic and family history researchers are welcome to visit the museum in person. Alternatively, we will provide information on request for a small charge (please contact the curator or see our website for details).

### SCHOOLS SERVICE

School visits are free. We provide an education service linked to the requirements of the National Curriculum and QCA Schemes of Work. We offer sessions for groups of 30 children; other activities can be arranged to accommodate larger groups. Please contact the curator or see our website for further information.

## Where to Find Us

### DIRECTIONS

Bus no. 47, 54 or 56 from the bus station in the town centre (opposite the train station).

### PARKING

There is no parking at Headquarters. We recommend you park at the public car parks in Wharf Road or at Riverside Ice and Leisure (Victoria Road).

### CONTACT US

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### OPENING HOURS

**Wednesday 1pm to 4.30pm.**

For visits by appointment, including group visits and research, please contact us. For disabled access and parking please contact us in advance of your visit. Guided tour available in audio and large print format.

