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# Victorian Children in trouble with the law

**Did the punishment fit the crime?**

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## Introduction

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.

## Tasks

Look at Source 1

1. Read through the document to make sure you understand what it is telling you:
  - a) How old was Joseph?
  - b) What offence had he committed?
  - c) What was his sentence?

Look at Source 2

2. Read through the document and compare it with the one shown in Source 1.
  - a) How old was John?
  - b) What offence had he committed?
  - c) What was his sentence?
  - d) 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?

Look at Source 3

3. Another form of Victorian punishment was transportation to a penal colony in a different country.
  - a) What is the average age of these convicts who are being transported?
  - b) What are the crimes that most of them have been convicted of? (Hint : Larceny means theft)
  - c) How long is the average sentence?

- d) Do you think they were allowed to come home at the end of their sentence?
- e) Which of the following words do you think describes conditions at the penal colony? Explain why.
  - hard
  - easy
  - frightening
  - simple
  - tough
  - boring
  - interesting

4. Punishment of crime has a number of aims:

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

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

- 5. What would happen to Joseph Lewis and John Greening if they committed the same crimes today?
- 6. What sentences would you pass on Joseph Lewis and John Greening? What are the reasons for your decision?

## 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.

## Teachers 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 & Source 1 and 2 - PCOM 2/291

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

## Schemes of Work

**What was it like for children living in Victorian Britain?**

Key Stage 1 & 2 Unit 11.



# Source 1 : Joseph Lewis, prisoner no 5348 (PCOM 2/291)

26 April 73

77/4 Name. N<sup>o</sup> Joseph Lewis 5248  
and Aliases. \_\_\_\_\_

|             |                           |             |
|-------------|---------------------------|-------------|
| Description | Age (on discharge) _____  | 11          |
|             | Height _____              | 4 ft 6 3/4  |
|             | Hair _____                | Light Brown |
|             | Eyes _____                | Grey        |
|             | Complexion _____          | Flesh       |
|             | Where born _____          | England     |
|             | Married or Single _____   | Single      |
|             | Trade or occupation _____ | None        |

Distinguishing marks Postulated 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.o.d.  
St 28 lbs of Iron = 3/-

Sentence — 1 Cal Mo 14d

Date to be liberated — 9 May 1873

Intended residence after liberation — Same

Previous Convictions { Summary

By Jury

Remarks, antecedents &c. \_\_\_\_\_

## Source 1 : Transcript of Joseph Lewis, prisoner no 5348 (PCOM 2/291)

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 rght 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

## Source 2 : Prison record for John Greening 5997 (PCOM 2/291)


320  
4

Name. N<sup>o</sup> John Greening 5997 5 July 73

and Aliases.

Description

|                      |                  |
|----------------------|------------------|
| Age (on discharge)   | 11               |
| Height               | 4 ft 4 in        |
| Hair                 | Br. Brown        |
| Eyes                 | B. Gray          |
| Complexion           | Fair             |
| 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 18 June 73.

Offence for which convicted — Steal a Qt of Gooseberries (growing)

Sentence — 1 Cal. Mos. St. 5 years Refuse

Date to be liberated — 17 July 73

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

Summary

11 March 71 - Steal some coal f. 10. 10 Days St. or 10 - Richmond

15 Feb 73 Steal coal  
Steal coal  
2 Cal Mos. St. & whipped. Richmond

By Jury

Remarks, antecedents &c.  
Ret. sent 5 April 73

## Source 2 : Transcript of John Greening 5997 (PCOM 2/291)

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

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

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

By Jury

Remarks, antecedents &c

Rab. sent 5-April 73



## Source 3 : 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 Bolam.        | 15   | Steal a pair of stockings           | Manchester         | 30 Decr 1839. | 7 yrs     | -                   | R.             | -      | Convicted & given Whiff a                 | Good                         |
| 4029 | James Campbell.     | 14   | Theft                               | Glasgow            | 9 Sept 1840.  | 7 "       | -                   | R.             | -      | Offen convicted. Bad character            | In.                          |
| 4124 | Henry Johnston.     | 15   | Larceny & pass Conv.                | Cent. Lond. Ct.    | 1 Feb. 1841.  | 10 "      | -                   | R.             | -      | Before convicted.                         | D.                           |
| 4127 | Frederick Schunder. | 15   | Larceny.                            | Cent. Lond. Ct.    | 1 Feb. 1841.  | 7 "       | -                   | R.             | -      | 2 No. 22 books H. Ct.                     | Good                         |
| 4128 | Richard Taylor.     | 15   | Larceny by a boat                   | Cent. Lond. Ct.    | 1 Feb. 1841.  | 7 "       | -                   | R.             | -      | Not known.                                | D.                           |
| 4166 | Thos Yarrist        | 14   | Larceny by a boat                   | Cent. Lond. Ct.    | 1 Mar. 1841.  | 7 "       | -                   | R.             | -      | D.  | D.                           |
| 4167 | George Hambley      | 16   | Larceny                             | C. C. Ct.          | 1 Mar 1841    | 7 "       | -                   | R.             | -      | D.  | Indiff.                      |
| 4185 | John Killesley.     | 15   | Stealing a Coat                     | Kingston on Thames | 29 Mar. 1841. | 7 "       | -                   | R.             | -      | In prison before.                         | Good                         |
| 4191 | Job Parkinson       | 13   | Larceny.                            | Spaitham           | 2 April 1841. | 7 "       | -                   | R.             | -      | Bad charct. convicd & pass last time.     | D.                           |
| 4217 | William Shaw.       | 16   | Larceny.                            | Cent. Lond. Ct.    | 20 May 1841.  | 7 "       | -                   | R.             | -      | 3 Months H. Ct.                           | In.                          |
| 4218 | Richard Pinnuck     | 15   | St. Luch & Larceny                  | C. C. Ct.          | 10 "          | 10 "      | -                   | R.             | -      | Not known                                 | Good                         |
| 4220 | Henry Hooper        | 14   | Larceny                             | C. C. Ct.          | 10 May 1841.  | 7 "       | -                   | R.             | -      | D.  | In.                          |
| 4224 | Jos Wood.           | 16   | Larceny & pass Conv.                | C. C. Ct.          | 10 "          | 7 "       | -                   | R.             | -      | Before convicted                          | In.                          |
| 4222 | James Ferrone.      | 13   | Larceny.                            | C. C. Ct.          | 10 "          | 7 "       | -                   | R.             | -      | Not known                                 | In.                          |
| 4223 | Joseph Williamson   | 14   | Larceny for prison                  | C. C. Ct.          | 10 "          | 10 "      | -                   | R.             | -      | A. M. H. Ct.                              | In.                          |
| 4224 | Thomas Scarper      | 15   | Larceny & pass Conv.                | C. C. Ct.          | 10 "          | 7 "       | -                   | R.             | -      | Before Conv. H. Ct. after                 | Bad.                         |
| 4225 | William Jones.      | 14   | Larceny                             | C. C. Ct.          | 10 "          | 7 "       | -                   | R.             | -      | Bridgewell 21 days                        | Bad.                         |
| 4226 | Nathan Hunt         | 15   | Steal a watch & pass Conv.          | Pondichery         | 5 April "     | 7 "       | -                   | R.             | -      | Character very bad 11 times in prison.    | Indif.                       |
| 4220 | John Linsley.       | 16   | Steal a pair of boots               | Kingston on Thames | 12 April 1841 | 7 "       | -                   | R.             | -      | 3 months bad charct. very dishonest       | Good                         |
| 4251 | George Clabber      | 14   | Steal a bag 2 Indict. & 3 pass acts | New. Larceny       | 11 Nov 1841   | 7 1/2 yrs | -                   | R.             | -      | 2 <sup>nd</sup> conv. very bad character. | D.                           |
| 4255 | Leslie Robertson.   | 14   | Theft                               | Aberdeen           | 21 April 1841 | 7 "       | -                   | R.             | -      | Conv. before. May has character           | In.                          |
| 4256 | William Brown.      | 14   | Theft                               | Aberdeen           | 23 "          | 7 "       | -                   | R.             | -      | Bad character. quiet temper               | In.                          |
| 4257 | Robert Mc Donald    | 15   | d.                                  | d.                 | 23 "          | 7 "       | -                   | R.             | -      | d. d. disorderly                          | Good                         |

## Source 3 : Transcript of List of Convicts embarked on the Elphinstone for Van Diemen's Land 1842 (PC 1/2717)

| 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 conv[iction]     | 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             | 16  | Larceny                         | Cen[tra]l Cr[imina]l C[our]t | 1 Mar 1841     | 7 "      | "                 | B             | "     | Ditto                                      | Indiff[eren]t               |

|      |                   |    |                               |                                |              |      |   |   |   |                                       |       |
|------|-------------------|----|-------------------------------|--------------------------------|--------------|------|---|---|---|---------------------------------------|-------|
|      | Hambley C[our]t   |    |                               |                                |              |      |   |   |   |                                       |       |
| 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[!]] 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[!]] C[our]t | 10 ~"~ ~"~   | 10 " | " | N | " | Not Known                             | Good  |
| 4220 | Henry Hooper      | 14 | Larceny                       | Cen[tra]l Cr[imina[!]] 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[!]] C[our]t | 10 ~"~ ~"~   | 7 "  | " | B | " | Before Convicted                      | In    |
| 4222 | James Jerrome     | 13 | Larceny                       | Cen[tra]l Cr[imina[!]] C[our]t | 10 ~"~ ~"~   | 7 "  | " | B | " | Not Known                             | In    |
| 4223 | Joseph Williamson | 14 | Larceny from person           | Cen[tra]l Cr[imina[!]] C[our]t | 10 ~"~ ~"~   | 10 " | " | B | " | 1 M[onth] H[ard] L[abour]             | In    |

|      |                    |    |  |                               |               |          |   |   |   |   |       |
|------|--------------------|----|--|-------------------------------|---------------|----------|---|---|---|---|-------|
| 4224 | Thomas Harper      | 13 | Larceny & prior conv[ictio]n                 | 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 conv[ictio]n     | Pontefract                    | 5 April ~"~   | 7 "      | " | N | " | 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 | Steal[in]g Hay. 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[rle]s McDonald | 13 | 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