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Small Voices

Hidden diversity in interwar convict incarceration

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A Pathe newsreel reporting on the Dartmoor Prison Riot of January 1932 referred dramatically to the prison as the 'toughest' in the country and as the 'home of many desperate criminals and men who are serving life sentences'.¹ While the Pathe newsreel on the riot asserted that there were many inmates serving life sentences held in Dartmoor, in fact there was only one. This was the popularly held view of Dartmoor which was one of two prisons, the other being Parkhurst Prison, incarcerating convicts (a classification abolished in 1948) serving penal servitude sentences of a minimum of two years. Convicts were then designated by the courts as those who should be incarcerated for extended periods as a consequence of their criminal depredations. Were these men guilty of serious, violent offences and therefore worthy of being represented in such sensationalist terms? Actually, their criminal histories varied considerably and although many were convicted of serious violent offences, minor and property related offences appeared much more often on their records. Nevertheless, confinement in Dartmoor Prison operated to associate inmates with bleak and punitive surroundings and offences for which forgiveness was difficult to obtain.

Dartmoor Convict Prison was one of the oldest in operation originally built between 1805 and 1809 to house prisoners from the Napoleonic Wars. Since the 1880s, it had been classified for male serial offenders and criminals convicted of offences seen by the courts as more serious. As has been observed elsewhere, and as reflected in the Pathe newsreel about the riot, Dartmoor prison was already a well-known and even infamous prison, the riot in 1932 cemented 'its image as brutal, sinister and unforgiving; a place where desperate and dangerous criminals were incarcerated.'²

In some respects the riot hindered historical research on Dartmoor's inmates because, as tends to happen in such riots, the convicts targeted prisoner records and destroyed them, in the process setting fire to, and destroying, one of the main buildings. However, the public and political attention given to the riot produced a wealth of other kinds of records, and in particular extensive evidence brought together for the criminal prosecution of 31 convicts in its aftermath. Consequently, the Dartmoor Prison riot archive held at the National Archives includes the criminal records of 427 of the 442 inmates incarcerated there on the day of the riot (24 January 1932). Although giving only the basic facts about their crimes and convictions (sentence, court at which convicted, offence, name under which convicted) these records provide a glimpse, a snapshot, of those who inhabited what was considered to be the most serious end of the criminal spectrum. The criminal records of these 427 inmates constitutes between 25 per cent and 30 per cent of the male convict population as a whole at this time or about 40 per cent of the 'ordinary' serious and serial offenders, who were held in either Dartmoor or Parkhurst.³

As Godfrey, Cox and Farrall have observed, historically the level of persistence in crime has been low and hardened, persistent offenders have been a small proportion of those committing crime.⁴ Certainly, the population of convict prisons had been dropping since the late nineteenth century, and various diversionary and sentencing policies were an important element in bringing this about. In part, the decline was a function of shortening sentence lengths in the convict system which, according to Edwin Sutherland, were reduced from an average of 6.5 years in 1880, to 5.3 years in 1893 and 3.8 years in 1930.⁵ In 1931 only fifteen percent of receptions into prisons in England and Wales were for periods exceeding three months. In that year those sentenced to penal servitude

1. www.Britishpathe.com.

2. A.Brown (2011), 'Crime, Criminal Mobility and Serial Offenders in Early Twentieth-Century Britain', *Contemporary British History* 24 (4), p.552.

3. Ibid.

4. B.S.Godfrey, D.J.Cox and S.D.Farrall, *Criminal Lives, Family Life, Employment, and Offending*. Oxford: Oxford University Press, 2007, p.165.

5. E.H.Sutherland, 'The Decreasing Prison population of England', *Journal of Law and Criminology* 24 (1934), p.882.

constituted only about one percent or 511 of 53,043 receptions of convicted male offenders.⁶ According to the Prison Commissioners' Report for 1931, in that calendar year there was a daily average of 1363 men (48 women) in convict prisons. The daily average male inmate population for Dartmoor for 1931 was 487.⁷ This makes the 427 convicts in Dartmoor on 24 January 1932, whose criminal records are considered here, significant in numerical terms.⁸ The public were interested in those who were imprisoned in Dartmoor as is evidenced by the coverage of the riot which was one of the biggest press stories of the year. However, those who entered Dartmoor immediately became associated with blanket judgements and condemnations about the nature and extent of their crimes. They were serious offenders in response to which there had been considerable targeted legislation during the previous decades in order to identify, classify and control them.⁹

One problem faced by historians is that the weight and formulaic character of official records on the prison continues to restrict the questions which can be asked, or indeed answered. Increasingly, historians have sought other forms of evidence in order to extend and open out what can be achieved. The digital revolution has enabled greater use of newspaper coverage. Although press coverage of crime was often sporadic, erratic and limited, especially with regard to low level, and what could be seen as more run-of-the-mill, forms of crime, when this evidence is brought together it can offer additional insights. It highlights the attention given to more sensational forms of crime which served to distort the reality of offending overall and, as Gatrell has asserted, often 'ignored the triviality and banality of most crime'¹⁰ Some recent historical work is beginning to address this disparity which has also been reflected in

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published work.¹¹ This paper aims to contribute to that ongoing research and, in this case, highlight the ordinariness and low-level of the bulk of criminality. This extends to those who have been seen as the most threatening of offenders sentenced to relatively long terms of incarceration in perhaps the most notorious prison in England.

The key sources used in this article are newspaper reports in combination with a collection of official criminal records located in the National Archives in Kew. The glimpse these sources offer is frustratingly fragmentary and focused on criminal convictions. Of course, the men considered here were not only criminals; they had lives and histories outside of that experience. But the endeavour here is to assess what can be established about the kinds of men often perceived to be the worst of offenders and waging war with law-abiding society. In order to undertake such an examination, this article will analyse a subset of the 427 convicts for whom criminal records have survived in the archive. That subset comprises those inmates who had accrued the highest number of previous convictions. These men each had over 20 previous convictions to their name (or names as many used aliases), not including summary convictions for very minor offences. There were 24 such individuals in Dartmoor prison

on the day of the riot, 24 January 1932.

The small number of men under scrutiny here limits what can be achieved through statistical analysis so such evidence is used to reconstruct a general profile rather than offer precision. Also, it has to be born in mind that the criminal records of these men detail convictions and not offences, historically as now, the dark figure of crime can only be surmised. However, in general terms we can observe that these 24 men were less likely than average (the 'average'

6. BPP 1932–33 [Cmd.4295] *Report of the Commissioners of Prisons and Directors of Convict Prisons for 1931 (Annual Report)*, pp.418–425.

7. Within this the greatest number of inmates in Dartmoor during that year was 516 and the least 457. *Ibid.*

8. It should be noted that because these criminal records were accumulated as part of the prosecution of the Dartmoor rioters, they end with the last conviction which placed the offenders in Dartmoor at the time of the outbreak so that for many of these offenders it is not a complete record of their offending.

9. See B.S. Godfrey, D.J. Cox and S.D Farrell, *Serious Offenders: A Historical Study of Habitual Criminals* (Oxford: Oxford University Press, 2010), ch. 3.

10. V.A.C.Gatrell, 'Crime, authority and the policeman-state'. In *The Cambridge Social History of Britain 1750–1950, Vol.3 Social Agencies and Institutions* edited by F.M.L.Thompson. Cambridge University Press, 1990, pp.294–5 and pp.306–10.

11. For example, Godfrey, Cox and Farrell, *Criminal Lives: H.Johnston, Crime in England: Experiencing the criminal justice system* (Abingdon: Routledge, 2015).

being the records of all 427 offenders for whom records have survived in the archive) to have been convicted at the Old Bailey (Central Criminal Court), London, and therefore more likely to have not been London-based. They were significantly more likely than average to have multiple, over five, convictions for theft and similarly more likely than average to have over five convictions for breaking and entering. They were less likely than average to have multiple convictions for a crime connected to motor vehicles but more likely to have been mobile, to have travelled, in their offending. Predictably these men also tend to be older. Of the 18 for whom we have their age, 14 were in their 40s or 50s in 1932. The youngest, John Kirkham,¹² was 29 years old in 1932. By April 1931 he had 24 convictions, generally for theft and 'false pretences'. In many respects he conformed to the profile of the other serial offenders under scrutiny here, but he appears to have attracted greater condemnation by the courts because he was perceived to be both young and irredeemable. On one occasion the prosecuting lawyer asserted, 'he had a deplorable record, having been unsatisfactory from the start. His parents had declined to have anything further to do with him.'¹³ He received his first conviction at the age of 16 or 17. One judge had stated that his record was 'as deplorable as any I have ever seen in the case of a man so young as you are.'¹⁴ Another offender, Henry Darlington, was particularly mobile in his offending. He also had the highest number of convictions (34). His conviction record prior to the Dartmoor riot began in Bolton Petty Sessions in 1904, when he was 26 years old, with a two month sentence of imprisonment for stealing a 'watch, clothing etc' and ended with his 34th conviction at Worcester Assizes in 1931 for storebreaking for which he received three years penal servitude and five years preventive detention as an habitual criminal.

The two factors of sentence length and seriousness of offence were not necessarily related since serial offending, the committing of fairly low level offences but on a frequent basis, also resulted in lengthy sentences in the courts during the inter-war period.

Darlington was very well travelled in his offending, with convictions in Bolton, Rochdale, Lichfield, Stafford, Salford, Lancaster, Saddleworth, Manchester, Blackpool, Liverpool, Preston, Haslingdon, Macclesfield, Kirkham, Fleetwood, Derby, Market Harboro, North London, Wednesbury, Newport Pagnall, Great Yarmouth, Spalding, Todmorden and Worcester. His criminal behaviour was unusually eclectic and included theft, loitering, arson and malicious damage, wounding, housebreaking, false pretences, office and storebreaking. Darlington certainly had an extensive criminal record, including serious offences. However, most of his depredations consisted of repeated minor thefts and loitering for which he received numerous but relatively short prison sentences. Indeed, 23 of Darlington's total of 34 offences received sentences of three months or less. In that respect he did not conform to the public image of Dartmoor convicts as desperate, violent and ruthless criminals who would stop at nothing. In Darlington's case, to be categorised as an habitual criminal in May 1931 and therefore subject to a sentence of preventive detention in addition to that of penal servitude, the jury had to decide on the following;

That since attaining the age of sixteen years he has at least three times previously to the conviction of the crime charged in the indictment been convicted of a crime, and that he is leading

*persistently a dishonest or criminal life.*¹⁵

This did not necessarily require offences to be of the most serious kind, except in the respect that they had to be indictable rather than summary. The two factors of sentence length and seriousness of offence were not necessarily related since serial offending, the committing of fairly low level offences but on a frequent basis, also resulted in lengthy sentences in the courts during the inter-war period. Unsurprisingly, the four men in this sample who were designated as habitual criminals also

12. Names used are the ones under which they received their last conviction before 1932.

13. *Western Daily Press* 7 June 1927.

14. *Exeter and Plymouth Gazette* 5 February 1929.

15. S.F.Harris, *Principles and Practice of The Criminal Law* 16th ed. London: Sweet & Maxwell Limited, 1936, p.498. Also see C.C.H.Moriarty, *Police Law: An Arrangement of Law and Regulations for the Use of Police Officers*. London: Butterworth & Co, 1939, p.292.

had long criminal histories (beginning during the 1880s) and shared a similar profile to Henry Darlington. Their criminal histories were composed largely of more minor offences for which lesser penalties were repeatedly meted out. However, these often built up to one, or a small number of points, where deterrent sentences were given as a response as much to recidivism than the seriousness of the particular offence, or offences, for which they were appearing in court.

Although the evidence is fragmentary, there were similarities in the experiences of many of the subset of 24 recidivists examined here and press coverage has helped to reveal this. Reporting was, however, erratic and sometimes quirky. If something touched media interest multiple but repetitive small articles could appear like a virus across the provincial press. Such was the case when Henry Williams was identified by police due to a distinctive lion imprint the heel of his boots left in the snow at the scene of his crime (housebreaking).¹⁶ Only sixteen of these 24 men attracted press attention that can be located, although in many cases the coverage is not extensive: few of them committed offences sufficiently serious or exceptional to be deemed worthy of extensive coverage. Nevertheless, it does seem clear that economic and social contexts were important factors influencing their offending behaviour.

If we return to Henry Darlington who, as has already been noted, appeared in court at the end of May 1931 and was sentenced to three years penal servitude and five years preventative detention as an habitual criminal. He was convicted of breaking and entering the store of Pyx Granite Company in Malvern. Afterwards, Darlington handed himself into the police admitting his guilt, apparently stating that he 'was famished and wanted something to eat.' At an earlier point he had told the police, 'Hunger would drive you to do anything.'¹⁷ This was not the first time he had done this, in 1929 he had been charged with stealing after he had taken a tin box and cinematograph film

and then handed himself into the police because he was 'starving'. It was reported that he had said in court that he was 'down and out, and it was the only thing he could do. He did not want to do any damage.'¹⁸ Poverty was a factor in his offending. Looking through the newspaper reports, other individual circumstances regarding life chances are revealed, albeit all too briefly, which in many cases have a similar ring to them. The occupations recorded could be suggestive, 13 of the 24 men in our sample were described as labourers, painters or porters, in other words unskilled occupations, although the picture is not unrelenting: there was also a shoemaker, a clerk and a ship's engineer (we have information about occupations in only 16 of the 24 cases). A further, general but related, characteristic evident is instability; no doubt ensured

or exacerbated by their frequent terms of incarceration. If life in prison was often perceived as being wasted¹⁹ then real life was that which was experienced outside of the prison and these men led short lives indeed. Henry Williams was stated to have spent 23 years in prison by April 1931, when he was aged 53 years old.²⁰ That instability was not infrequently reflected in their lack of stable accommodation. Seven of these 16 men for whom press coverage was located were described in various ways as having no fixed abode or as staying in a workhouse or

lodging house when they committed their crimes. Very occasionally, other indicators of instability or deprivation were revealed. Joseph Brannon's mother had died when he was nine years old and his father had deserted his children.²¹ Frank McCulloch had multiple convictions for begging and John Rush, had spent time tramping the countryside during the 1920s.²² Two others were said to have found life difficult or 'impossible', one of these was reportedly of 'poor intellect'.²³ Alcohol problems were referred to explicitly in three cases.

There are indications of the historically longstanding pattern of crime being a young man's

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16. For example, *Western Daily Press*, *The Scotsman*, and the *Sunderland Daily Echo and Shipping Gazette* 11 April 1931.

17. *Berrow's Worcester Journal* 6 June 1931.

18. *Northampton Mercury* 28 June 1929.

19. T.J. Flanagan, 'The pains of long-term imprisonment: A comparison of British and American perspectives', *British Journal of Criminology* 1980 20 (2): 148–156.

20. *Sunderland Daily Echo and Shipping Gazette* 11 April 1931.

21. *Dundee Courier* 3 April 1913.

22. *Dover Express* 9 January 1931; *Derby Daily Telegraph* 18 April 1929.

23. National Archives, DPP2/72 *Beadles v Rex*.

pursuit, nevertheless many of the men for whom their age when they received their first conviction can be ascertained (17 of these 24 men) were very young suggesting greater vulnerability. Of these 17 men, 12 were convicted of their first offence by the time they were 18 years old, five were convicted of their first offence by the time they were 15. The earliest convicted offender was Cole, who was convicted twice at the age of eight for stealing (milk and on the second offence yarn) and received six and then twelve strokes of the birch for those crimes.

As might be expected at this historical period, many of these men had served in the military. At least eight of these 24 men had undergone military service, usually during the First World War. In most cases their behaviour had been poor and in four cases resulted in appearing before a Court Martial. However Mark Coleman was awarded the Military medal for Gallant conduct and Frank McCollock was recorded as having a 'very good' character in the Royal Field Artillery, and perhaps notably in court was recorded as stating 'For God's sake send me to a mental prison, for I am really bad.'²⁴ Another, Edward O'Donnell claimed to have been the first man in Strangeways Prison to volunteer for service during the war.²⁵

Despite the fact that evidence is often fragmentary and brief, historical sources about the lives of serial offenders during the interwar years can be pieced together to produce an outline not only of their criminal careers but also of factors which may have influenced their behaviour. The fact many of those considered to be the worst offenders had criminal records which included largely minor offences, suggests that some form of positive intervention could have headed off serious offending. This examination of a small cohort of serial offenders suggests such offenders often had little or no skills and experienced multiple deprivations, including repeated periods in prison, which may have served as punishment but also to exacerbate their instability and vulnerability and hence their likelihood of committing further offences. State intervention tended to be channelled through legislation which targeted serious and extensive serial offending. As Godfrey, Cox and Farrell have insightfully observed, the function of that legislation, as they put it, the 'modus operandi' was to 'wear down repeat offenders, to watch over them constantly, to incapacitate them with long periods of imprisonment, weakening them physically and mentally.'²⁶



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24. *Dover Express* 9 January 1931.

25. *Dundee Evening Telegraph* 11 March 1931.

26. Godfrey, Cox and Farrell, *Serious Offenders*, p.196.