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PERSISTENT OFFENDERS IN THE NORTH WEST OF ENGLAND, 1880-1940: SOME CRITICAL RESEARCH QUESTIONS

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Abstract

This article examines the concept of the persistent offender as a group within society, and the presumed impact of that discrete group upon society via a case study of offending in Crewe between 1880 and 1940. The findings of persistent offending in Crewe challenge the assumptions and prejudices of the period, about the links between unemployment and crime and the extent to which crime was an enduring 'career'. There were no 'hardened' persistent offenders in the sample of the type envisaged by contemporary comment, though the role of drink in offending was sustained; and there was no clear 'type' of offender either. Examination of the life histories of a selection of offenders is shown to raise a number of interdisciplinary questions, challenging the assumptions of criminologists and legal scholars in relation to the role of legislation in the management of criminality, including the concept (of interest also to historians) that reformation of the criminal was more achievable in the past than it is in the over-regulated present.

Key words: Persistent Offending; Habitual Criminals; Criminal Class; Employment and Crime; Desistance

Introduction

Criminologists and social policy advisors have recently questioned the government's insistence that there is a small hard core of offenders who blight British society. In doing so, they have noted that the idea of a 'criminal class' is not a new one, and that; rather, the habitual or persistent offender who commits a disproportionate amount of crime has attracted a considerable amount of public imagination throughout history. This was, of course, particularly the case in the mid to late nineteenth century when fears of social and political revolution had subsided, and the 'war on crime' was well underway. Despite the rise in living standards across all classes, there still appeared too many contemporary observers to be a small, predominantly urban group of persistent offenders, who bucked the trend; who seemed unaffected by increased surveillance,

harsher penal policies, and the general rise in standards of living.¹ However, although there was considerable debate between contemporaries on the nature of the 'criminal classes', there was by no means universal agreement on either its causes or its cure. The main thrust of the argument for a residuum of habitual and persistent offenders had by the last quarter of the nineteenth century become largely anthropometric in nature; Maudsley, Lombroso and Galton all promoting ideas based on the theory that there was a genetic and hereditary disposition to criminality and that certain types of physiognomy were related to this genetic factor and could therefore be used to identify those predisposed to a criminal nature.² Such beliefs, have long since been discredited, however they re-emerge from time to time, as described in works by Horn, Pick and Rafter.³

Crewe: the Archetypal Railway Town

With this intellectual context in mind, for the last three years we have been exploring in detail the persistent offending careers of men and women living in Northwest England between the 1840s and 1940s. Funding from the Leverhulme Trust (F/00130/H) allowed us to document the offending and victimisation careers of persistent petty offenders living in one rapidly growing industrial town in Cheshire: Crewe.⁴ The 'Railway Town' *par excellence*, Crewe was launched into existence and a century of spectacular industrial growth by the decision of the directors of the Grand Junction Railway (GJR) to base its

¹ Henry Maudsley, *Body and Mind*, (Macmillan, 1873); G. Stedman Jones, *Outcast London: a Study in the relationship between the classes in Victorian Society*, (Penguin, 1984).

² Maudsley, *Ibid*, Cesare Lombroso, *Criminal Man*, (Duke University Press, 2006); Francis Galton, *Hereditary Genius, An Inquiry into Its Laws and Consequences*, (Macmillan, 1869).

³ David Horn, *The Criminal Body*, (Routledge, New York, 2003); Daniel Pick, *Faces of degeneration; a European disorder, c. 1848-c. 1918*, (Cambridge University Press, 1989); H. Nicole and N. Rafter, *Creating Born Criminals*, (Illinois Press, Chicago, 1997). See also R Cook, 'A Radical Agenda for a New Millennium', *Renewal*, 5 (1) 1997, p10; Richard Herrnstein and Charles Murray, *The Bell Curve: Intelligence and Class Structure in American Life*, (Free Press, New York, 1994), pp.23-54

⁴ This project resulted in a number of data sets, most notably a machine readable data base of all petty session actions between 1880 and 1940. A further grant, again from the Leverhulme Trust (F/00130/L) is using the same data set is being explored in order to throw further light on the role of gender in sentencing during the late Victorian and early Edwardian period.

engine sheds and repair workshops to South Cheshire. Before then, Monks Coppenhall (which would later become known as 'Crewe') was little more than a small hamlet comprising of a few dispersed labourers' cottages and farms. The 1831 census recorded Monks Coppenhall as having 27 dwellings, housing the same number of families and a total population of 148 individuals (81 males and 67 females).

Ten years later, in 1841, the situation had changed little. However, by the end of 1842 the population of Monks Coppenhall had reached approximately 1,000, boosted by the 800 men and their families who were moved from LNWR works at Edgehill (near Liverpool) at that time, and also the men and their families transferred from railway works at Wolverton in Buckinghamshire. These migrants joined labour drawn in from local areas to give Crewe the character of a rapidly growing but single industry town with few civic amenities. Thereafter railway employment and population growth increased steadily as a result of both step-migration (where unskilled and low-skilled workers moved from village to nearby town to regional industrial centre) and chain migration (where skilled men moved a long distance and were later joined by their family, or if unmarried, formed relationships in the new area).

While a national economic depression during the late 1840s affected the railway works, and therefore the development of the town, by the early 1850s an upturn in the economy had encouraged further growth and expansion. Thus, by 1851 (eight years after the development of the works), its population had grown by 2,000% to roughly 4,500. As a result of expansion at the works, the period 1851-61 saw the population increase by 76%, the figure reaching 8,801 in 1861. The importance of the works to the fortunes of the town can be further seen by the fact that in 1861 the LNWR Company employed over half (59%) of all heads of

households at Crewe.⁵ The works expanded yet further during the next decade. Five years later, in 1876, the year in which the town celebrated the construction of its 2,000th engine, the Crewe Guardian put the figure at 5,951 men with a further 6,762 men employed at the out-stations, making a total of 12,713. The recruitment of more men and their families from outside of South Cheshire led to an even sharper increase in the population of the town during this decade. Between 1861 and 1871 the company opened a steel works (1864), and also decided to centre all LNWR locomotive construction and repair at its Crewe site. In consequence the number of men employed at Crewe works increased to 3,665, and the general population increased.⁶ In 1871 the population of Crewe reached 19,904 (an increase of 126% from 1861), with Crewe works having developed into a huge production facility located at three sites in the town, and employing men in a variety of different industrial processes. Population growth rates continued to remain high throughout the century expanding to 24,385 in 1881, and to 32,926 by 1891.⁷

In this period the railway company provided the little institutional structure there was. By 1887 the railway works took up 116 acres of space, with over thirty-seven acres of roofed workshops, and the company built and owned a large number of houses for their workers. These redbrick plain workers' houses built by the LNWR for the first generations of workers were generally of good quality, designed to attract and keep skilled and semi-skilled labour. By the 1890s the needed labour was unskilled and plentiful, and the houses built for them were 'thrown up'. This was the 'golden age' of the Crewe 'jerry-builders', but Crewe inhabitants still enjoyed relatively good housing stock, especially foremen and managers

⁵ Diane Drummond, *Crewe; railway town, company and people, 1840-1914*, (Scolar Press, 1995) pp.11-12

⁶ Drummond, *Crewe*, p.226

⁷ Drummond, *Crewe*, p. 13.

whose grander houses receded back from the grimy noisy centre of town.⁸ Mains gas became widely available after the railway took over provision of gas cooking and heating apparatus in 1900 (it had only been available to one in five houses in 1888). Electric street lighting was introduced in 1900, many years after it had been pioneered in London.

As well as residential buildings to house the workforce, the company also endowed the town with civic and public establishments including a Mechanics' Institute; all of the Anglican churches built in the town between 1845 and 1920 (some with furniture painted in the company colours); as well as schools, gas and a water pumping station. Queen's Park (named in honour of Victoria's Golden Jubilee, was also given to the town by the railway company in 1888). Hospitals were built in 1894 (the Victoria Cottage Hospital) and 1897 (the Isolation Hospital); and numerous additional buildings were added up to the First World War (a mortuary in 1898; staff accommodation 1900; a children's ward 1901; enlarged general premises in 1909). Health care was also improved by the sporadic attempts to improve sanitation. In 1895 dustbins were collected fortnightly, and weekly from 1900.

In 1877 a town council was formed as a result of the incorporation of Crewe. From then on, the influence of the railway company was tempered and combined with the growing importance and activity of the local borough councillors. In order to impose some measure of control over the large number of people flowing into Crewe, the main police station was built in 1877, but there was little sign of other kinds of official or county bureaucracy. Crewe remained under the control of a Superintendent of Police who resided in Nantwich and who reported to the Chief Constable of Cheshire, and indeed Crewe never appointed a Chief Constable for their Borough Force. The growth in population was also given as a reason to

⁸ W. H. Chaloner, *The social and economic development of Crewe, 1780-1923* (Manchester University Press, 1950). 'Jerry' was a Victorian term for circus clowns and acrobats; the terms 'jerry-built' or 'jerry-builders' however, are of more disputed origin, but relating to flimsy or unsubstantial constructions.

build another police station in 1909, and Crewe division was made responsible for policing their old established market town neighbour of Nantwich in 1922. Partly to facilitate efficient bureaucracy and partly in recognition of Crewe's increasing claim to be a civic centre, a full Commission of the Peace had been granted to Crewe in 1881, and regular petty sessions were held from 1885 (previously they had been held three miles away in Nantwich, and occasionally Willaston, a village halfway between Nantwich and Crewe). In contrast to other single industry towns (as Crewe mainly was), the predominating company was not over-represented amongst the judiciary.

By 1901 Crewe housed more than 42,000 residents, 7,471 of whom were employed in the works. Whilst the rate of population growth slowed down into the twentieth century some growth was, nevertheless, noticeable. Between 1901-11 the population of Crewe rose to just under 45,000. According to Drummond, this decline in the growth rate of the town was a result of the failing health of Crewe works, and was a reflection of the town's reliance upon its railway industry. She states, for instance, that from the late 1880s onwards the works was overstaffed and large numbers of dismissals were made at various times. In 1911, for example, 500 men were dismissed from the works.⁹ Nevertheless, as Reed noted, 'the great Crewe works and town, grew and grew until through many years of the 20th century the works employed 7,000 to 8,000 men and boys and the town housed over 45,000 persons, who until around 1940 were nearly all dependent on the railway for their subsistence'.¹⁰ Certainly, well into the twentieth century the works employed a significant proportion of the town's population. Chaloner, for instance, notes that by 1920 the works employed slightly more than 10,000 men and boys.¹¹ Both the war and imperial growth meant that Crewe avoided the worst of the 1920s and 1930s downturns. Nevertheless, significant job losses

⁹ Drummond, *Crewe*, p. 13.

¹⁰ Brian Reed, *Crewe Locomotive Works and Its Men*, (David and Charles, 1982): pp. 8-9

¹¹ Chaloner, *Crewe*, p. 73

were made – a hundred employees were made redundant due to the shortage of materials in 1938 for example. The growth of Rolls Royce, which established a plant in Crewe in 1936, and its subsequent war-work, sustained Crewe into and beyond the Second World War. The broadening of the economic base, and the development of the town into a regional retail centre continued to grow Crewe at a steady and unremarkable rate well into the final quarter of the twentieth century.

Crime in Crewe

Crime grew alongside population rise, although crime rates were never spectacular in Crewe, and tended to follow national trends. Between 1880 and 1940 there were 37 cases of wounding or Grievous Bodily Harm (GBH); eight cases of manslaughter; six rapes or attempted rapes; and 13 murders or attempted murders.¹² However, the common trade of the courts were the minor offenders who traipsed through the courts for a variety of petty offences. A more detailed breakdown of the approximately 49,000 prosecutions between 1880 and 1940 is revealed below (Fig 1). As can be seen, public order offending (at 39%) formed a large part of the courts' work, although regulatory offences were also very prominent at 32%. The other types of case together formed about a quarter of the business in magistrates' courts in Crewe between 1880 and 1940 (court orders, 15%; property offences, 10%; violence, 3%). Crewe was fairly typical in this regard.

¹² Ranging from Walter Powell, a boiler riveter at Crewe Works who shot his wife and seven children with a revolver in 1892 before attempting suicide, to a case of infanticide in 1936 (one of the very few infanticide cases prosecuted in the twentieth century). Godfrey et al, Leverhulme database.

Fig 1: Crime in Crewe, by types of offences, 1880-1940

Offence category	% of total
Public Order – Vagrancy/indecency; gambling; public order violence; driving behaviour (speeding, drunk driving, etc).	39
Regulatory Offences Motoring regulations (faulty brakes/lights; licence offences, etc); Animals (moving animals without licences; over-working animals, etc); Health and cleanliness (public health and sanitation acts) Education Act offences; Retail (open after hours; employing children, etc; Wartime (blackout offences).	32
Court Orders including rates and local taxes	15
Property – Larceny (minor thefts; shoplifting); Major (burglary: breaking and entering: receiving)	10
Violence – Assaults and sexual violence	3
	99%

We wanted to explore the characteristics of persistent offenders. To that end we traced the life and offending histories of people who had appeared in Crewe courts at least five times (and in fact our sample of 101 offenders averaged nine appearances).¹³ Having gained significant details (of marital and employment status, births and deaths of spouses/children, record of offending and victimisation, changes of address) from census material (1841, 1851, 1861, 1871, 1881, 1891, 1901), petty sessions registers, newspaper reports, and employment records, we were able to compile a fairly comprehensive picture of our offenders. The following paragraphs briefly describe the aggregate characteristics of our sample of persistent offenders.

¹³ A vast number of people could find themselves in court for a one-off offence, or a couple of offences committed during, say, a drunken spree. Five appearances in court appeared to us to suggest a confirmed pattern of behaviour

Our sample of offenders was resident in Crewe for much of their lives. People who were born or migrated to Crewe tended to stay there for a considerable period: 64% of our persistent offenders are recorded as dying in Crewe, and the figure may be higher, as we were unable to trace the place and year of death of all 101 persistent offenders. This has allowed us to identify when offending behaviour started (or at least caught the eye of the police and courts). Over half (57%) had committed their first crime between the ages of eight and 20; 44% started offending between the ages of 22 and 40; and 17% after the age of 40 (11% were not classifiable). Persistent offenders tended to start offending at an earlier age than one-off or casual offenders and therefore there is some statistical justification for the contemporary concern that if someone committing offences as a juvenile, they were far more likely to continue an offending trajectory, although our research demonstrated that juvenile offending did not often continue into adult life. Seventy (70%) of the persistent offenders married and had children at some point in their lives. The family size of five children, although high by today's standards, was fairly modest. We found no link between large family size and criminality, though it would be easy to find many Victorians who would disagree with us, if newspaper comment is a guide.

Again, confounding contemporary stereotypes, the vast majority of our persistent offenders were employed (mainly as manual labourers of one kind or another), with 42% of male offenders being employed at one stage of their lives within the Railway Works. This level of employment within the Works seems generally consistent with the overall pattern of male employment in Crewe. Some 15% were shopkeepers or market stall holders (the size of these concerns varied greatly, from a small market stall to a chain of grocery shops throughout the town); whilst three were farmers owning or tenanting land around Crewe. A couple of offenders were white-collar employees: an accountant and a railway clerk. Of the 18 female persistent offenders, only one-third are not recorded as being in paid

employment, with the employed women working primarily as either domestic servants or seamstresses. In agreement with modern studies, employment, we found, did inhibit offending for persistent offending. More importantly, for the persistent offenders it was promotion at work that reduced their offending quite dramatically (by more than half). It was therefore the quality as well as the fact of employment that must be considered by researchers e.g. the speed and nature of career advancement; the enjoyment or attachment of workers for their jobs and employers.

A last tilt at contemporary misconceptions was that nearly half of our sample of offenders ceased offending some time before their deaths. They were not 'career' criminals in that sense. Three-quarters of our sample desisted *well* before they died. The reasons for this were diverse. For example, because the offending of a majority of our persistent offenders was either work-related or associated with not sending children to school, the majority of our sample stopped offending when they retired from employment, or when the children were no longer of school age (together some 42% were in this bracket). For another 22% of offenders, their offending declined alongside their physical health. They became too infirm to carry out their crimes i.e. fighting or burglary, for example, which required some physical prowess. Walter Green,¹⁴ for example, committed a number of assaults on neighbours in his youth and middle age. Described in 1886 as 'an elderly man' by the *Crewe Chronicle*, he was plagued by youths in the neighbourhood breaking his windows, calling him names, and assaulting him.

¹⁴ The authors have changed names in this article in order to preserve the anonymity of the people involved. With the popularity of genealogy, and the availability of searchable electronic versions of academic articles, historians may need to consider anew the ethical problems of anonymising research subjects. The full details of the following cases are contained in the Leverhulme database, Godfrey et al, 2005, and thus further details to court cases, work records etc, apart from some reference to newspaper reports.

Those offenders that preferred a type of offending which required little physical effort, i.e. getting drunk, typically tended to continue their offending into old age (and to death). Others, however, stopped offending when family responsibility persuaded them that they should 'mature' into another role in society. For example, Bernard Clarey, born in Crewe in 1860 was a young (drunk) man about town in his twenties. Together with his brother, he assaulted a 46 year old woman whilst drunk in 1880. In the next few years he was convicted of assaulting a constable, breach of the peace, drunk and disorderly, drunkenness, and assaulting neighbours. Until his father died in 1891 he was a considerable nuisance around the streets of Crewe. After this personal tragedy took place, he gained work, first with a timber merchant, then the railway works. Living with and providing for his widowed mother, Bernard remained with the Works until he died aged 59. His work records recorded him being of good character with good timekeeping. The death of his father and the new responsibilities that engendered coincided with his desistance from crime.

To summarise our findings, we found that contemporary descriptions and fears over the criminal class were fairly baseless. Whilst there was undoubtedly an entrenched perception of the existence of a 'criminal class' at the end of the nineteenth century – a perception which stretched into the twentieth century, and which continues to have a presence and impact today, the likely reality is that there were few hardened, persistent offenders around. Instead, it is more likely that the 'criminal' class, which in the middle and upper class imagination consisted almost exclusively of idle, violent, immoral and drunken males, was in fact a continually varying cohort of individuals with individual failings or desires, rather than an easily categorisable group of like-minded people capable of undermining the cohesion of society (supporting therefore the suggestion that heterogeneity not homogeneity

predominates.¹⁵ Indeed, our research has shown that even amongst the relatively small percentage of persistent offenders in Crewe there were often more differences than similarities. With the exception of habitual drunkards, it has not proved easy to identify a particular 'type' of persistent offender. It might be useful here, if we portray some of our sample of offenders' lives.

Thomas Edward Boldey was born in 1881. His father was dismissed from Crewe Works for slackness in 1885 after working there for twelve years (a year later his father was re-engaged in another department). Aged nine, Thomas was prosecuted for street gambling in 1890, but otherwise kept out of the usual trouble that many youths got involved in. His wages as a riveter at Crewe Works rose regularly, and he seemed to be a good worker – at least until 1903 when he was dismissed from work, and twice convicted for being drunk and disorderly. He was convicted another eleven times for similar offences. Thereafter working as a farm labourer (1903-1913) he was described in the newspaper as 'a good worker'.

Peter Court, an Irish migrant to Crewe was an established fishmonger by 1881. He was prosecuted for a number of work related offences – not cleaning his stall (twice); not paying his market fees and council rates (six times); fighting with rival stallholders (three times) selling bad fish (twice); and assaulting the Market Inspector. Other offences included not sending his children to school (six occasions) and drunkenness (three times). According to the *Crewe Chronicle* in 1903, he was 'one of the most conspicuous members of society in the town' and a character of the court. Peter was also a victim of crime. He suffered larcenies from his stall, from being assaulted by dissatisfied customers and rivals, and in

¹⁵ See John H. Laub and Robert J. Sampson, *Shared Beginnings, Divergent Lives* (Harvard University Press, 2003); Anthony Bottoms *et al*, Towards Desistance; Theoretical Underpinnings for an Empirical Study, *The Howard Journal of Criminal Justice*, 43 (4), 368-89; R. McGowen, 'Getting to know the criminal class in nineteenth-century England,' *Nineteenth Century Contexts*, 14, 1, 1990, pp.33-54

1897 his eleven-year-old daughter was raped by Joshua Tolley. Joshua (aka James, Chalkey and Chorgy) was born in Crewe in 1863 and had begun his offending career by the age of eight, when he was sent to Bradwall Reformatory School for an unspecified offence. His father was charged in 1871 with being in arrears for his maintenance there, and Joseph remained at the school until 1873/4. In 1874, aged 13, he was sent to reform school for a further four years for stealing a jacket in Crewe High Street. In 1879, Joshua left reform school and began at the Works as a apprentice on 4s. per week. The following year he was sacked for losing time and also charged with a felony against Thomas Walker. The offence was probably of a sexual nature and resulted in Tolley spending the next few years in Pentonville Prison. By 1887 he had been released and returned to Crewe, where he was convicted of larceny, stealing calf-skins from Crewe Market. The following year he was convicted of a misdemeanour, and in 1889 he was convicted of housebreaking. In the 1891 census he is recorded as being an inmate of Knutsford Prison following convictions for burglary and larceny at Crewe Market. In 1896 he assaulted John Leigh (probably a young lad) and in the following year committed his most serious offence; the rape of Norah Ada Court. He was sentenced to a further term in prison and spent the next seven years in Dartmoor Prison. In 1903 he returned to Crewe as a vagrant (his parents having both died in 1899) and was convicted of vagrancy, two charges of obscene language and failure to report to the police as a convict on licence.

The *Crewe Chronicle* carried a detailed report on Tolley with regard to his obscene language in front of a funeral procession, where 'there were about 100 boys collected around the prisoner. There have been numerous complaints about [Tolley, who]... had a terrible record'.¹⁶ Similarly, with regard to his failure to report, the newspaper reported that 'In 1897 he had been sentenced to seven years penal servitude for an assault on a child'.

¹⁶ *Crewe Chronicle* 15 August 1903.

According to the report, at the beginning of that present year he had been 'liberated from Dartmoor and had reported regularly to the police until recently, when he disappeared'. He had been traced to Sandbach where 'he was living with a girl under the age of 16, an imbecile. The prisoner said he meant to marry her, and that the banns were being arranged for. The girl's mother had given information to the police'.¹⁷ Tolley's abuse of children continued for the rest of his life; in 1904 he was convicted of an indecent assault on an eight-year-old boy; in 1907 of a similar assault on a seven-year-old girl; in 1910 he was convicted of the unlawful carnal knowledge of a 13-year-old girl and a twelve-year-old boy. Finally, in 1918 he received two months' in gaol for assault and gross indecency against a young boy. He died in 1920, leaving no family, and (one imagines) few friends behind him.

Another man who made enemies in Crewe was Walter Brack. He started at Crewe Works at 14, as an apprentice fitter in 1880. Five years later he was dismissed from the Works for being insolent to a foreman who upbraided him for his tardy timekeeping. He was also late when taking his bride-to-be down the aisle. His fiancée, the daughter of the landlord of the Duke of Bridgewater Inn, was left at the aisle whilst Walter burgled the houses of the invited wedding guests (after all, he did know that they would be out!). Not content with this, he threatened his former fiancée with a knife, trying to get the wedding presents handed over to him. Later he burgled The Duke of Bridgewater inn and threatened his now never-to-be father-in-law with a loaded revolver.

Those last two offenders (Tolley and Brack) were anomalous in our sample. Our research had focused on minor offending in the main, since resident persistent offenders committed mainly low level crimes. We were interested in the reasons why frequent offenders stopped offending (or at least why they slowed down). Those that did appear to reform tended to be

¹⁷ *Ibid.*

those who formed key relationships (familial, sexual and employment) and who 'settled down' in Crewe. We were conscious that there was another significant group in the court records who were peripatetic and who may not have experienced the same settling factors, and who therefore may have continued or even escalated their offending. It is this group to which we now turn our attention.

Serious Offenders

As stated, our previous work on persistent petty offenders identified a number of influential factors which assisted in those processes associated with onset, persistence and desistance from crime. The part played by continuity of residence in one locale, the gaining of 'decent' employment and the securing of stable familial relationships were all found to be strongly related to desistance amongst petty persistent offenders. There were, however, in our data set, a group of serious and persistent offenders who as well as offending in Crewe, had lengthy offending careers spanning several decades and in various other locations (e.g. Manchester, London, Stafford, Birmingham, Leeds, Liverpool). In 1895, for example, Jack Johnson, a 60-year-old sometime-labourer found himself in Crewe magistrates' court on a charge of obtaining money by false pretences. Since that was an indictable offence, his case was dealt with at Cheshire Quarter Sessions, where he was subsequently convicted and sentenced to imprisonment. This must have been a familiar scenario to Jack, since this was his thirteenth custodial sentence in a 14 year period for serious offences of dishonesty. His record of offending shows a man who moved around the northern industrial towns committing serious offences for which he was regularly imprisoned.¹⁸ However, because our earlier research was focused on petty persistent offenders who were resident in Crewe, we were unable to devote resources towards exploring like cases, namely, those offenders

¹⁸ This case has been written up in Barry Godfrey, Dave Cox and Steve Farrall, *Crime, Place and the Life Course*, (Clarendon Series in Criminology, Oxford University Press, forthcoming 2007);

whose offences were serious and whose offending careers were lengthy and not confined to one locale. It is clear that John Jackson was not unique. He formed part of the group of highly mobile persistent serious offenders who appear not to have been so closely bound in to the processes and structures which aided desistence from offending for the vast majority of the petty offenders. However, that remains an assertion unsupported as yet by further research (though attention will be turned in this direction, funded by further funding from the Leverhulme). In the closing paragraphs of this article we sketch out some of the questions that any future research would need to address.

First, why did some people remain as *minor* offenders, whilst others developed into more *serious* offenders? What were the triggers which propelled previously minor offenders towards *persistent* serious criminality? Research has determined that few minor offenders go on to commit very serious crimes. The overwhelming majority of the offenders in Crewe between 1880 and 1940 had either a short burst of offending which later subsided, or were habitual drunks who carried that habit to their death beds. Serial murderers seemed to avoid Crewe. However, there was still a significant number of serious offenders who passed through Crewe, and who were around long enough to commit a crime and be arrested for it. Did those people start off as minor offenders or simply just 'erupt' into serious criminality. What persuaded John Barnes (alias Banks, Hall, Howell, Hall, Howell, Hill, Hampton, Quelch), born in Taporley, Cheshire, in 1838, to give up his job as a barman in Birkenhead to become a 'baby farmer'? When he and his wife, Catherine, were sentenced to a lifetime of penal servitude in 1879, what happened to their eight-year-old son? How did that affect *his* life chances, and his vulnerability to entering a criminal lifestyle himself? What were the structural factors operating at individual level which influenced their progress into serious criminals, and how did they interact with individual life circumstances? What processes were at play when, for example, Joseph Seargent went from being a respectable family man in

full-time work, to assaulting his wife in 1872, deserting his family in Nottingham three years later, to picking pockets in Chester in 1879. Was it a gambling addiction (his occupation being described in the police records as that of a 'betting man'), an unhappy marriage, loss of employment, the death of children or parents, or some other crisis?

Once they had embarked into criminality, late nineteenth century journalists and social commentators were convinced that persistent offenders were incorrigible (despite the increasingly harsh prison regimes and longer sentences which these commentators called for). These views run counter to emerging streams of criminological research, and also counter to the findings of our previous research.¹⁹ But was it the case that the settling factors that helped minor offenders desist from offending were absent in serious offenders, or did those factors impact in different ways? Did the cyclical nature of the Victorian economy have a greater impact than marriage or family responsibility did? Indeed, what *were* the factors that encouraged some persistently serious criminals to slow or stop their offending? William Farndon (born in Salford, 1828) was convicted of Robbery with Violence, receiving five years' penal servitude in Parkhurst. Described in various records either as a clerk or a general labourer, he had sufficiently recovered his character by 1891 to become a publican in Chorlton (Manchester) in that year. How did he manage to do that?

Lastly, what part did changes in criminal legislation play in these processes? Just as today, in the Victorian and Edwardian period, official crime rates in England and Wales were going down (particularly rates of violence which fell to their lowest ever level). Despite this, and partly due to some very well known policy failures in the realm of imprisonment, anxiety

¹⁹ See Godfrey *et al*, *Crime, Place and the Life Course*; John H. Laub, and Robert J. Sampson, 'Understanding Desistance From Crime' in Michael H. Tonry and Norval Norris (eds.) *Crime and Justice: An Annual Review of Research*, Vol. 28, pp.1-69, (University of Chicago Press, 2001); John H. Laub and Robert J. Sampson, *Shared Beginnings, Divergent Lives* (Harvard University Press, 2003); S. Farrall and A. Calverley, *Understanding Desistance From Crime* (Open University Press, 2006); S. Maruna, *Making Good; how ex-convicts reform and rebuild their lives* (American Psychological Association, 2001)

about crime remained high. The incoming Liberal government passed two acts (Prevention of Crimes Acts 1869 and 1871) which brought in registration for serious offenders, heavy prison sentences for repeat offenders, and supervision by the police for seven years after release from custody. In addition to this, there were various acts aimed at registering, surveilling, policing and punishing persistent and 'habitual' offenders in the last third of the nineteenth century (again, in parallel with today's developments). Unlike today, where the outcomes of such legislation can only be speculated about, the impacts of the changes in legislation in the period we are concerned with, can be assessed through the analysis of the life-courses of those individuals such Acts were aimed at. What was the impact of these on the lives of 'habitual' offenders in the last third of the nineteenth century? How long did the impact of these factors persist in people's lives, and with what eventual outcome(s)? In what ways did the sanctioning of parents affect their children? What were the consequences for family members of the imprisonment of their spouses/parents and children? Did the frequent (and sometimes lengthy) periods of imprisonment of some offenders hinder the life chances and experiences of near family members over time, and even across generations? What lessons can be learnt for today's debates about law and order?

Conclusion

That last question is an interesting one. Many of the features of Victorian and Edwardian society are similar to today's (although of course in many ways they are also vastly different). The punitive turn in modern social policy (longer prison sentences, the clamour for more prisons, the increasingly lurid and vicious press coverage) are equally as regressive as Victorian views. The terminology used in Victorian debates (the 'criminal classes', the 'habitual' offender) has been largely discarded, but it had been replaced by equally perjorative terms (the 'underclass', gangs of 'hoodies'). We alluded earlier to the reality that the underlying assumptions and misconceptions about crime and criminals remain, and

colour both political and public discourses. Indeed, arguably the inability of offenders today to leave behind their past (because of the ubiquity of electronic record keeping, the reluctance of employers to employ former prisoners, the lack of the welfare support 'safety nets' that were set up from the late nineteenth century), means that the shift of identify from 'criminal' to 'reformed criminal' is actually much harder to achieve in modern society it was in former times.²⁰ It is clear to see that many petty and serious offenders managed to turn their lives around in the 1880 to 1940 period, and we have identified some of the factors in that process, including a stable home life whilst young, an early start into secure employment, career advancement at work, and a cohort of workmates who can regulate excessive behaviour, along with relationship formation, having children, and stability of residence (at least in the same geographical area if not the same premises or the same streets). Further research can test whether these structural and individual level factors that were so influential for minor offenders were also persuasive for more serious offenders. It is appropriate that, in a new Journal such as this, which intends to appeal to social researchers working across a wide range of subjects, we open up the call for criminologists and historians to form research collaborations and work together to answer some of the critical research questions we have briefly described in this article.²¹

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²⁰ One could also argue because a lot of offending today is drug related and that is harder to walk away from, see Fleisher 1995, or for a more optimistic read, see D. Courtwright, H. Joseph, and D. Des Jarlais, *Addicts Who Survived. An oral history of narcotic use in America, 1923-1965*, (University of Tennessee Press, Knoxville, 1989).

²¹ Our intention is to combine both qualitative (life history) and quantitative approaches, but there are other methodologies that could prove interesting – in-depth case studies for instance.

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