

## **Police and Crime in Gloucestershire, 1834 – 1856**

**by Bryan Jerrard**

A previous article in *Gloucestershire History*, 2004, showed how there had been a significant increase from 1805 to 1833 in the number of committals for serious crime throughout the county. The principal aims of this essay are to analyse the next series of criminal statistics, from 1834 to 1856, to try to assess if the coming of professional police in the two boroughs but especially in the county at this time had any measurable affect on the trends in the statistics. How professional were these new constabulary forces?

Thus we begin with brief descriptions of the small, urban forces set up in Gloucester City and Tewkesbury Borough in 1836 and the establishment of the county force in 1839. The urban forces are discussed more fully in Vol. C, (1982) of the *Transactions of the Bristol & Gloucestershire Archaeological Society*. The setting up of the county constabulary in 1839 within a national context has excited the interest of others. They have linked Gloucestershire with the speedy establishment of county forces in Wiltshire and Hampshire in 1839 – 1840 under the Permissive Act, 1839, the three counties that suffered most from rural rioting in 1830 - 1831.<sup>1</sup> After these descriptions the various criminal statistical resources are noted and, finally, an attempt is made to assess the influence of the new police.

### **POLICING IN GLOUCESTER & TEWKESBURY BY 1836**

Police arrangements in the City of Gloucester at this time were limited to a small force of men set up in 1821 under an Improvement Act, several civic officials and some night-watchmen who operated in the winter months at a cost of £150 p.a. Two street keepers appointed in 1833 to deal with wheeled traffic, nuisances and unkempt pavements were considered useful by the civic authorities who were often hard pressed to control the flow of vagrants through the city.

In Tewkesbury efforts were made to improve the street lighting but rioting precipitated a public meeting that called for a paid constabulary when, in 1830, the 14<sup>th</sup> Light Dragoons were drafted in from Gloucester and 150 special constables were sworn in. As a result nine paid constables were appointed with four assistants, paid 3s. (15p) a night, to patrol six divisions within the borough from 10pm to 6am. The annual cost was some £108.<sup>2</sup>

### **THE NEW URBAN POLICE**

The need for police reform in the boroughs was clear to the government from all sides. First, the new Metropolitan Police set up in 1829 coped with serious political unrest in London without recourse to the military. Secondly, many in local and central government knew that criminals fled from the police's jurisdiction to nearby areas and created problems elsewhere; this was the experience in Gloucester. Besides, the continuing rise in indictable committals in the early 1830s pointed to the need for reform. Over and above these concerns was the fear engendered by the serious riots that followed the rejection of the Reform Bill by the Lords in October 1831. Some rioting affected Gloucestershire.

Disorder in Bristol could not be contained either by Captain Codrington from Doddington and his forty-man troop of yeomanry or the civic authorities in the city. The rioters freed the prisoners from the Gloucestershire House of Correction at Lawford's Gate, fired the building and three rioters were later indicted at the next Gloucestershire Assize.<sup>3</sup>

Parliament was determined to improve the nation's municipal police and a royal commission, set up in 1833, reported in 1835 and showed that, throughout the country as well as in Gloucester and Tewkesbury, the police forces were totally inadequate.

The commission's work resulted in the Municipal Corporations Act of 1835 that required elected borough councils to select a Watch Committee and appoint and swear - in paid police with similar powers to those of the Met, under the control of the Committee or the local justices. Gloucester and Tewkesbury were among 93 boroughs out of 117 that had set up forces by 1837.<sup>4</sup>

## THE GLOUCESTER CITY FORCE

In Gloucester the mayor, William Cother and the town clerk, Henry Wilton, joined with seven councillors to form a Watch Committee and after seven meetings in January, 1836, had decided the size, senior personnel, pay, uniform and general regulations of the new police force. By 26 February the force was on duty in the city, under John Marsh, the superintendent, who had been in charge of the previous police for at least nine years. His serjeant, George Williams, was also an old office holder in the city but he remained resident at the station house, the re-vamped old lock-up, in Southgate Street and did not count as a force member. Both Marsh and Williams were paid £1 7s. 0d. (£1.35) a week while two non-resident serjeants, at £1, and 12 constables, at 15s. (75p) were appointed and sworn in. Local ex-military men were favoured and appointments within an age range of 26 and 41 years included a gardener, a tailor, a hairdresser and plasterers.<sup>5</sup>

By comparison with the 154 borough returns to the Home Office the Gloucester City Force was both large (well over 1 policeman: 1,000 population whereas Stockport's figure was 1:3,620 inhabitants) and expensive; about £50 per head p.a. compared with the national average of £40, and £32 11s. (£32.55) in Bristol with a city force of 288. The costs of the Gloucester police added about 20% to the city's annual budget.<sup>6</sup>

The overall aim of the police was to prevent crime. Regular day and night beats were set up, uniforms bought locally and based on London patterns and press notices advised the public that their jurisdiction extended to beyond seven miles of the city's boundary.

The few rewards for good service were liberally financed by fines for reprimands, often followed by dismissals, among all ranks. New appointments made from the old, pre-1836 personnel meant that, again within national experience, the police were hardly 'new' by the 1840s.

Quarterly reports to the Home Secretary under section 86 of the Municipal Corporations Act generally noted in the first six reports 'general satisfaction'.<sup>7</sup>

## THE TEWKESBURY BOROUGH POLICE FORCE

A small Watch Committee was set up with the mayor and three councillors who appointed two men and sent, like 33 other boroughs throughout the country, to the Metropolitan Police for advice on how to proceed. As a result Serjeant Eaton was loaned by that force for 5s. (25p) a day plus expenses and advised that a force of four men, paid 14s. (70p) and a serjeant paid 25s. (£1.25) be appointed; he also suggested the age range of the men - 22 years to 35 - and their uniforms. These comprised a coat, two pairs of trousers, a hat, two pairs of ankle shoes or boots each year and a great coat, cape and hat every other year. This was very similar for the County force when they were set up in 1839. Each Tewkesbury policeman had to deposit a £3 indemnity for the proper keeping of his clothes and the sums were deposited in the local savings bank for 'the benefit of the officers'.

The influence of the Metropolis continued when P.C. 158 Henry Rackham was appointed and served as a serjeant for two years from 1836. There were serious but not untypical disciplinary problems with the Tewkesbury force as in Gloucester - drunkenness, insubordination and a refusal to arrest an acquaintance. However, the 1836 Act was a landmark, a break with the past but at a time when the *rate* for committals for indictable offences was 223 in Gloucestershire, 141 in England and Wales, and in adjacent Oxfordshire and Somerset, 154 and 189.<sup>8</sup>

## THE COUNTY CONSTABULARY

Commissioners were appointed to gather evidence investigating how best to establish rural constabularies in the counties. Central government moved cautiously not to push the local ruling classes too far and too fast. Evidence of initiatives in England and Wales was gathered and the opinions of both magistrates in petty sessions and parish poor law guardians sought. In their replies to the commissioners some 70% of the Gloucestershire magistrates and 26% of the guardians favoured an improved police. Bathurst, the chairman of quarter sessions from Lydney Park, described the parochial police as 'the wreck only of an ancient

system', the precise words adopted for the title of their second chapter by David Philips and Robert Storch in their synoptic text *Policing Provincial England 1829 – 1856. The Politics of Reform* in 1999.<sup>9</sup>

While the commissioners were collecting evidence nationwide a significant number of Chartist sympathisers were congregating in Wotton-under-Edge, in Tewkesbury, Cirencester, South Cerney and Stroud during 1838 and by early 1839. Further meetings were held in Cheltenham, Winchcombe and Wotton under Edge – where 'seditious words' were reported – at the very time of the publication of the *First Report of the Commissioners* in April, 1839. Intelligence about guns, a sample bomb, of hand grenades and pikes in the county spurred the magistrates to employ a Metropolitan policeman in the south of the county, swear in special constables and arrange the movement of troops around the county in efforts to keep a fragile peace.<sup>10</sup>

With this sort of evidence one may readily understand that the eighty-nine magistrates meeting in their Michaelmas Quarter Sessions at the Shire Hall in 1839 were convinced of the need to set up a county force. After some debate it was agreed to appoint a chief constable, with the maximum numbers allowed (of 1:1,000 population) a force of 270 men, soon reduced to 250, of varying ranks under superintendents distributed in some 20 divisions, reduced to eleven, all within the rules obtained from Whitehall. After Lancashire, this force was the largest in the country in the early 1840s.



Anthony Thomas Lefroy  
Chief Constable, Gloucestershire Police 1839-1865

By mid November, 1839 Anthony Lefroy of the Irish Police was appointed chief constable ahead of two other candidates and, after a brief visit to Bathurst's home at Lydney Park, he returned to Ireland to complete his duties there. His appointment was confirmed by the Home Office in December, 1839.<sup>11</sup>

### EARLY YEARS IN THE COUNTY FORCE

For the period to 1856 and beyond the essence of the Irish system informed the organisation of the county constabulary: the disposition of constables and sergeants resident in some 69 'barracks' or station houses within a few miles of each other. Each division was under a superintendent who arranged patrolling duties day and night. Divisions were centred at Tewkesbury, Dursley, Sodbury, Bristol, Cinderford, Gloucester, Stroud, Cirencester, Chipping Campden, Stow-on-the-Wold and Cheltenham, where a reserve of

constables was accommodated in rented premises. Regular inspections by and correspondence from Lefroy made for close supervision of his entire force. He soon modified the militaristic style of the Irish

constables he brought with him - and quickly sacked them all. His arrangements in Gloucestershire were unique in England and Wales among all police forces throughout this period.<sup>12</sup> The headquarters were, and still are, in Cheltenham.

Patrolling was the essence of the system and police, appointed in the 1940s, still used a system of check tickets devised by Lefroy in the 1840s as patrols linked up with each other. But both constables and superintendents were often dismissed for dereliction of duty. Very few survived to enjoy a pension, paid for by a 2½% deduction from pay. Many constables found the service very hard; no smoking, twelve hour patrols in all weathers, single and married living together, with few, irregular days off for 18s. (90p) a week reduced to 16s. (80p) for some, with 1s. (5p) a week accommodation costs in crowded, rented premises run by sergeants and their wife – cooks. This was the policeman's lot; extra duties were added in this period.<sup>13</sup>

The police station diary at Bibury records duties starting at 10am by one constable while at 2pm 'Consts. Rudge and Papmore patrolled to Kilkenny Farm and the Downs, returned at 5 pm. 9 o'clock left quarters, proceeded to Mt Pleasant, met the Fairford patrol at 10 returned to Quenington and Coln St. Aldwyn in Barrack at 2am everything quiet' on the day and night of Tuesday, March 9<sup>th</sup>, 1841.

In the case of Bennett, the superintendent at Cirencester from 1845 to 1853, his letter book records his regular visits to his stations at Ashbrook, Sapperton, South Cerney, Fairford, Lechlade and Bibury and his correspondence to Lefroy over disciplinary problems and sheep stealing cases. A constable's request to marry a pregnant woman was refused and one constable was removed to Cheltenham to save him from the interests of local women. Lefroy made 20 personal visits to Cirencester between 1843 and 1847. Fines for drunkenness and absences from duty were levied by Bennett and Lefroy but Bennett himself liked his liquor. He was seen drinking in local inns, playing cricket, following the hounds and entering horse races (for stakes) using his police horse! This led to his own dismissal by Lefroy in 1853 for 'gross neglect of duty'. Altogether 36 superintendents were appointed and deaths, resignations and dismissals from 1839 to 1856 accounted for 26 men.<sup>14</sup>

There were other problems for Lefroy in creating an efficient police force dedicated to prevent crime and to initiate judicial procedures at the lowest possible cost to the county's ratepayers. The average annual cost from 1841 to 1856 was some £15,000, which doubled the county rate though the police rate element levied in the county was below the national average. Economy was of paramount importance – over rents for barracks and expenditure on coals, candles and window tax liability.

But the police were very unpopular and petitions from 162 parishes, signed by over 10,000 from all sections of society, were organised in an effort to abolish the force in the early 1840s; agricultural labourers earning a few shillings a week (when there was work to do) strongly resented the uniformed constable 'strolling round' the countryside. Other moves at Quarter Sessions to reduce the size of the force were defeated in 1849 and 1850. All pay and allowances above £50 pa were cut by the magistrates and Lefroy himself later submitted a scheme to reduce the force. He was further humiliated when the chairman of the Quarter Sessions suggested other police should be called in to try to find his Deputy Chief Constable, Charles Keily, who absconded with £485. 9s. 4½d (£485.47) of pay and expenses in 1853. He disappeared without trace. However, Lefroy, never popular himself among the county set, managed to create a force that by 1856 had become an accepted form of social control and part of the rural scene despite these setbacks that must have threatened the morale, and perhaps, the efficiency of his force.<sup>15</sup>

## THE POLICE AND CRIME

### THE URBAN EXPERIENCE

The work of the police in Gloucester and Tewkesbury and in the county may be seen in the table, based on Home Office figures.

**COMMITTALS OF INDICTABLE OFFENDERS IN THE COUNTY, IN GLOUCESTER CITY AND IN TEWKESBURY BOROUGH, 1834-1856<sup>16</sup>**

	Committals Glos. County	Committals Gloucester City	Committals Tewkesbury		Committals Glos. County	Committals Gloucester City	Committals Tewkesbury
1834	493	35	9	1846	562	60	10
1835	629	50	13	1847	663	86	12
1836	578	77	5	1848	688	95	15
1837	545	74	16	1849	678	87	25
1838	572	77	13	1850	578	70	9
1839	557	55	16	1851	621	63	10
1840	664	43	14	1852	619	91	8
1841	693	108	20	1853	569	105	9
1842	780	89	13	1854	600	97	6
1843	792	74	7	1855	480	91	16
1844	720	56	7	1856	379	58	11
1845	568	47	17				

In column 2 it is possible to see that in Gloucester there was an increase in committals in 1836 over and above the figures for the old police 1834 – 1835 that persisted until 1839 and again in the early 1840s; 1848 also saw a temporary increase at a time of economic difficulties. The early 1850s also saw a relatively high peak in numbers. In the first ten years of the city police the average number of annual indictable committals was 70 while from 1846 to 1856 the average increased to 82. This increase of 17% could suggest that the police were having a measurable effect on crime or that criminals in the city and those passing through were especially deprived and driven to crime to survive, and were caught.

City Goal Returns run from Michaelmas each year and thus do not fit the figures above; they show both male and female offenders. Peaks in 1848 and 1852-1853 generally mirror the county totals for those dates.

**GLOUCESTER CITY GAOL RETURNS; INDICTABLE OFFENDERS, BY SEX, 1845-1856<sup>17</sup>**

Year ending 29 Sept.	Indictable offenders			Year ending 29 Sept.	Indictable offenders		
	Male	Female	Total		Male	Female	Total
1845	46	18	64	1851	54	17	71
1846	58	13	71	1852	82	20	102
1847	70	17	87	1853	72	28	100
1848	93	13	106	1854	52	19	71
1849	78	14	92	1855	68	30	98
1850	49	27	76	1856	39	19	58

The proportion of men to women offenders above is virtually the same for *petty* offenders in the city in Returns from the City Gaol, 1845 to 1855. From these Gaol Returns it is possible to record that overall some 33% could neither read nor write and only 30% could only read.

## GLOUCESTER CITY GAOL; COMMITTALS OF SUMMARY OFFENDERS, BY SEX, 1845-1855<sup>18</sup>

Year ending 29 Sept.	Committals, summary offenders			Year ending 29 Sept.	Committals, summary offenders		
	Male	Female	Total		Male	Female	Total
1845	67	-	67	1851	95	32	127
1846	66	1	67	1852	82	32	114
1847	69	18	87	1853	76	13	89
1848	60	29	89	1854	84	45	129
1849	64	14	78	1855	94	26	120
1850	76	27	103				

It is instructive to note that the numbers of *petty* offenders also peaked in 1848 (and in 1850 and 1851) and that the trend in high numbers generally persisted until 1855. By then numbers were nearly double those in 1845; this suggests successes for the city's police force.

It is possible to view city crime in one further way. A Parliamentary Return made in 1852 of returns from the city for drunkenness provides a more realistic profile for this one feature of petty crime than very defective press reports. These reports in the *Gloucester Journal* recorded only 73 offenders in 1836, two in 1846 and five in 1856. The following table has been compiled for the years 1842 to 1851.

### CITY OF GLOUCESTER- NUMBERS OF PERSONS TAKEN INTO CUSTODY FOR DRUNKENNESS AND DISORDERLY CONDUCT, 1842-1851<sup>19</sup>

	Male	Female	Total		Male	Female	Total
1842	160	66	226	1847	114	48	162
1843	122	56	178	1848	101	66	167
1844	134	89	223	1849	65	35	100
1845	117	69	186	1850	80	43	123
1846	107	72	179	1851	109	50	159

The average number taken each year into custody for drunkenness and disorderly conduct in the first five years was 198 and for the next period the average had fallen to 142. If we express the figures for 1842 and 1851 as *rates per 100,000* this gives a rate of 1,596.9 in 1842 and 904.4 in 1851. This appears to point to some effectiveness by the new police in Gloucester, probably encouraged by the local magistracy, in controlling drunkenness and disorderly conduct by targeting this misbehaviour and thus reducing the rate. However, if the same approach is applied using the same Parliamentary Returns from the City of Bristol a *rate* of 125.6 in 1841, and a *rate* of 36.9 for 1851 emerges, 24 times *smaller* than the rate in Gloucester in 1851. If we assume that the returns were an accurate reflection of drunkenness then there are several tentative deductions that may be made. First, the Gloucester police worked effectively to reduce drunkenness when *rates* in 1841 and 1851 are compared. Secondly, that in Gloucester, efforts and results were pretty puny when compared with the *rates* in Bristol in both 1841 and 1851. Or perhaps the populace in Bristol was less disposed for a myriad unknown reasons to become drunk in days before the temperance movement could have had any effect. There is a real problem of interpretation here.

The numbers from Tewkesbury were so few that it is virtually meaningless to posit that the annual average numbers of serious offenders, 12.8 from 1836 to 1845 and 11.9 from 1845 to 1856 suggests in this reduction an effective police force.

### THE IMPACT OF THE COUNTY POLICE ON CRIME

For the county the raw numbers show more committals when the new constabulary arrived, from 1839 - 557- and these rose to 664, (an increase of nearly 20%), 693, 780 and 792 by 1843. As *rates per 100,000*

these rise from 174 in 1839 to rates of 236,266, 285 and 281 by 1843. Thus the rate rose some 61% with the coming of the new police when 1839 and 1843 are compared.

It is also worth noting that in every year from 1834 to 1856 the rates of crime in Gloucestershire were higher than in England and Wales and this clearly suggests that the county police were faced with significant crime throughout the rural county. Rather than publish here a detailed table it may be sufficient to realise that in the first seven years (1834-1840) the average percentage difference was 34% greater in the county and in the last seven years (1850-1856) the county rate was 27% greater than that in England and Wales.<sup>20</sup>

The Criminal Registers in the National Archives list 15,977 returns from the county for these years, 1834 - 1856. To arrange them into the categories designed by the Home Office statistician Samuel Redgrave, who published the returns regularly in Parliamentary Papers, would be a formidable task. More accessible are the Calendars of Prisoners in the GA that list 11,184 or 70% of the 15,977 committals for this period and these have been arranged as closely as possible into the three most frequent of Redgrave's categories of crime and these may be seen in the table below.

### COMMITTALS FOR TRIAL; INDICTABLE OFFENDERS IN GLOUCESTERSHIRE AND THE MAIN CATEGORIES OF OFFENCE, AND TOTAL OFFENCES LISTED, 1834-1856<sup>21</sup>

	Redgrave's Main Categories of Criminal Offences			Total listed
	1 Against persons	2 Against property with violence	3 Against property without violence	
1834	61	48	410	537
1835	46	34	260	377
1836	27	32	243	314
1837	21	42	349	440
1838	16	37	339	416
1839	17	59	330	420
1840	34	58	376	488
1841	22	44	445	530
1842	25	67	442	559
1843	41	75	488	626
1844	15	27	388	459
1845	16	29	383	443
1846	22	22	378	442
1847	19	41	486	566
1848	31	57	472	593
1849	44	37	525	636
1850	53	68	368	511
1851	44	77	370	517
1852	42	52	396	527
1853	40	32	365	460
1854	35	46	427	531
1855	29	36	406	490
1856	31	35	204	303

From this 70% sample the new county police may have made some impact on the category of crimes against the person in column 1 and these were generally higher in the 1850s than in the early 1840s. In fact the old parish constabulary 1834-1839 arrested more on average each year for crimes against the person - 31 - than the new police from 1840 to 1847 - 24; this may point to success for the new police in preventing crime- their main aim and part of their oath of office taken on enrolment.

The actual offences behind the figures in column 1 may be worth noting: the 61 listed in the table for 1834 included five murders, five cases of 'shooting at, stabbing, administering poison', seven charges of manslaughter, one attempt to procure a miscarriage, two attempts to conceal the birth of infants, two cases of sodomy, one assault to commit an unnatural misdemeanour, two cases of alleged rape of girls under ten years, two cases of attempts to ravish carnally, 19 cases of assault and 15 cases of assault on 'Peace Officers' on duty. By comparison with the national figures from 1834 to 1846 only in the first two years, 1834 and 1835, are the percentages of offenders in this category greater in Gloucestershire than in the country at large.

Violent crime in column 2 also ebbs and flows with highs from 1840 – 1843, 1848 – 1849 and in 1854 in similar fashion to the main group of offences, theft in column 3. This type of crime is higher in the county than the national average during the thirteen years, 1834 to 1846. Redgrave's national grouping of crimes has been arranged for the Gloucestershire committals as general theft, receiving and simple larceny. From this, one can gather something of the sort of crime that faced the police in Gloucestershire. And the age range of criminals 16 – 30 years was marginally greater in the county than in the country at large as a percentage of all criminals from 1835 to 1841 when the age ranges were changed and thereafter it fluctuates.<sup>22</sup>

Finally, a Parliamentary Return of 1854 shows the total number of committals for both indictable and non-indictable offences in the county from 1840 to 1853 and the writer suggests that this Return better than any others gives a raw but comprehensive account of the work of the county police in the first 14 years of their work.

#### COUNTY OF GLOUCESTERSHIRE- RURAL POLICE; THE TOTAL NUMBER OF ALL COMMITTALS, 1840-1853<sup>23</sup>

	Indictable committals	Non-indictable committals	All committals		Indictable committals	Non-indictable committals	All committals
1840	664	1,198	1,862	1847	663	1,230	1,893
1841	693	1,091	1,784	1848	688	1,681	2,369
1842	780	1,353	2,143	1849	678	1,734	2,412
1843	792	1,226	2,018	1850	578	1,396	1,974
1844	720	1,314	2,034	1851	621	1,366	1,987
1845	568	1,308	1,876	1852	619	1,184	1,803
1846	562	1,094	1,656	1853	569	1,024	1,593

It is clear from the table that all committals of indictable and petty offenders were highest in 1842-1844, in 1848 and 1849 with a slow decline in the early 1850s. Thus some 250 constables were making in the years of high crime some six arrests and committals a day, every day of the year.

#### A COMPARISON WITH THE OLD POLICE

How well did the new police fare when compared to the achievements of the old constabulary from 1835 to 1839 – 'the wreck only of an ancient system'? The table published in Vol. 100 of the *Transactions of the B.G.A.S.* shows the last six years of the work of the old parish constables and the first six years work of the new police in successfully bringing committals to convictions. One criticism of the new police was that they were efficient in arresting the *wrong* suspects! In fact the old and the new police achieved the same percentage of successful convictions – a rate of 75%.<sup>24</sup> This does not suggest a highly improved system of policing.

The Calendars of Prisoners in the GA may be used to show committals to the four Houses of Correction of petty offenders before and after 1839. This may help to show the difference between the old and the new police. In 1835-1839 the average total committed by the old police was 339 a year and by the new police



1840-1842 it was 400, in years of high crime. This evidence is not conclusive in showing the new police as successful.<sup>25</sup>

## HOW EFFECTIVE WERE THE NEW POLICE?

The figures quoted above show general trends in statistics and are not offered as the precise level of criminal activity. This said, it appears that the new police arrested an increasing number of indictable offenders from 628 in 1839 to 721 in 1840, to 821 in 1841, to 882 in 1842 and to 873 in 1843 and we have noted above that as *rates* there is an increase for these years. This might be interpreted as increased police activity or it might be that factors that encouraged the commission of crime - hunger for example and under-employment at a time of economic distress - were operating more strongly in the early and late 1840s than in the later 1830s. The arrival of the new police coincided with such changes.

One possible way of trying to decide which alternative seems the more plausible might be to compare neighbouring counties of similar social character with Gloucestershire. The table below sets out such a comparison based on the numbers of committals.

### THE NUMBER OF INDICTABLE COMMITTALS AND THEIR PERCENTAGE INCREASE, 1836-1841, AND THEIR PERCENTAGE DECREASE, 1841-1846 FOR GLOUCESTERSHIRE AND SELECTED COUNTIES<sup>26</sup>

	Number of Committals			Percentage increase between 1836 and 1841	Percentage decrease from 1841 to 1846
	1836	1841	1846		
Gloucestershire	660	821	632	24.39%	23.02%
Oxfordshire	244	323	228	32.38%	29.41%
Somerset	796	991	701	24.50%	29.26%

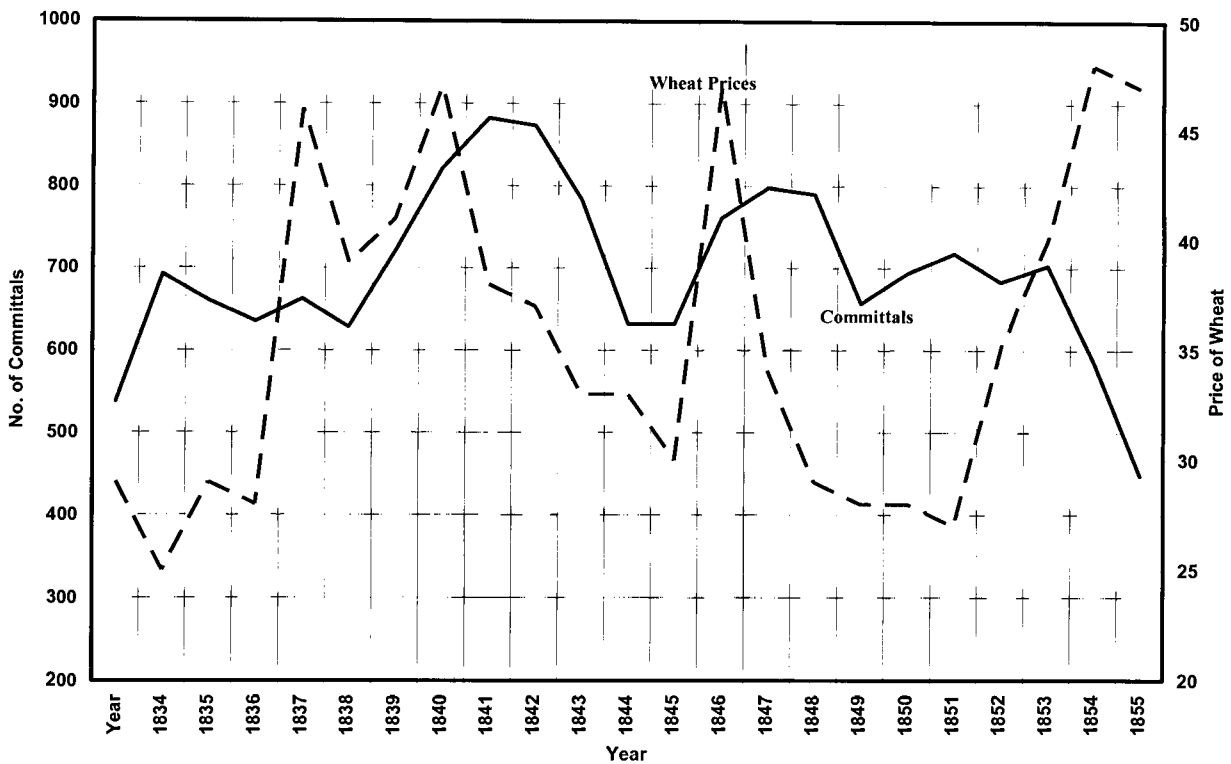
It is most striking that the increases in committals between 1836 to 1841 is very much the same in policed Gloucestershire as in Oxfordshire and Somerset where there were no rural police, and that the fall in committals from 1841 to 1846 is also similar. This would appear to support the view that the coming of the new police was much less important in explaining the rise and fall in committals for serious offences than the factors that encouraged or discouraged individuals from perpetrating offences. The only possible surmise that cannot be substantiated is that without the new police the increase in indictable crime in Gloucestershire might have been greater.

Contemporaries considered this problem from a variety of views. For example Redgrave, the Criminal Registrar, saw in his introduction to the Criminal Tables for 1846 and published as a Parliamentary Paper that the general causes for the ebbs and flows in committals 1840 – 1846 were not local but national, due to 'changes in the welfare and condition of the labouring classes'. Revd Whitworth Russell, a respected contributor to the Journal of the Statistical Society of London, echoed this view that increases were due to the general distress in commercial, manufacturing and agricultural activities. Many others were sure that among criminals a serious lack of literacy skills characterised the offender- and figures for Gloucestershire bear this out almost *ad nauseam!*<sup>27</sup>

We can test Redgrave's and Russell's views by applying the index of local wheat prices in Gloucester City market from 1834 to 1856 against the numbers of indictable offenders and the graph below shows a visual congruence from 1834 to about 1846 although there appears to be a less close fit in the early 1850s when the number of committals *precedes* an increase in the price of wheat and thus bread.

Dividing the period at 1848 there is a positive correlation of +0.42; variables in committals and the price of wheat tend to move together, suggesting that when wheat and thus bread prices and general distress rose then serious crime also rose. From 1849 to 1856, a very small sample of eight years, there appears to be a negative correlation of -0.75 suggesting that there was no relationship between the two variables. This is presented in the graph below.

**INDICTABLE COMMITTALS IN GLOUCESTERSHIRE AND THE PRICE OF WHEAT AT GLOUCESTER MARKET, 1834-1856<sup>28</sup>**



One other measure may be suggested with some confidence to account for the general decline in total indictable crime from 790 in 1849 to 448 in 1856. This reduction was of the order of 43%. The extension of summary justice whereby two justices could convict summarily offenders up to the age of 14 years charged with simple larceny to Houses of Correction for up to three months from July 1847 contributed significantly to this reduction. In the Criminal Returns for 1847 Redgrave noted that one female and 34 male juveniles were so convicted in Gloucestershire. When the age level was raised in 1850 from 14 to 16 years the brief table below shows a doubling of convictions and the numbers that would otherwise have been added to the total – 17% of committals by 1856 for example. This is important evidence in helping to gauge the ebb and flow of serious crime and clearly demonstrates the reason for the decline in the 1850s.

**INDICTABLE COMMITTALS AND SUMMARY CONVICTIONS UNDER THE JUVENILE OFFENDERS ACTS 1847 and 1850, GLOUCESTERSHIRE, 1847-1856<sup>29</sup>**

	Indictable committals	Convictions under the J.O. Acts	Total		Indictable committals	Convictions under the J.O. Acts	Total
1847	761	35	796	1852	718	54	772
1848	798	31	829	1853	683	76	759
1849	790	24	814	1854	703	58	761
1850	657	49	706	1855	587	88	675
1851	694	64	758	1856	448	79	527

Regarding this decline in the 1850s it is also important to recall the establishment by Thomas Barwick Lloyd Baker of a Reformatory for Juvenile Delinquents at Hardwicke in 1852. This had no effect on the numbers of indictable offenders in the county. Under the *Youthful Offenders Act* of 1854 juveniles were

sentenced to prison first, followed by a term at the Reformatory.<sup>30</sup> It is impossible to gauge any effect in this period to 1856 on the regime at the Reformatory on juvenile behaviour and thus juvenile crime. We have already noted in *Gloucestershire History*, 2004, p.9 that young, serious offenders, imprisoned in the county gaol in Gloucester for trivial offences, exercised the minds of some Gloucestershire magistrates over the costs involved ('often more in pounds than the value of the article [stolen] in pence'). The magistrates were also concerned over the effect this incarceration had on the young. Moreover, as this imprisonment before trial counted against the final sentence the general public thought this appeared too slight- the punishment did not fit the crime. This view was sent by some magistrates in a petition to Parliament in 1836 and formed the nucleus of a letter from Purnell B. Purnell, the chairman of the county magistrates to the commissioners reporting on County Rates, also in 1836. This evidence of magisterial discretion from the start of this period could have affected the numbers of *petty* offenders and of indictable offenders since magistrates, at the start of the judicial process, assessed the value of goods stolen. If the valuation were less than £1 the offence was petty.

There are several imponderables in trying to assess the considerable corpus of evidence that has been assembled in an effort to assess the work of the new police, especially those in the rural rather than in urban parts of the county. Time after time it appears that the ebb and flow of the figures for all types of crime rise and fall, occasioned by economic distress - marked by wheat prices in the 1840s - especially in the years 1848-1850 and in the early 1850s. But this feature of the two series of figures must not be pressed too far; the correlation was negative in the 1850s. Efforts have been made to present the *national* numbers and rates as well as figures for some particular crimes. These national perspectives always move in similar directions as those in the county.

Even more valuable is the comparison with nearby Oxfordshire and Somerset where the rises and falls in serious crime without any rural police are almost mirror images of the changes in policed Gloucestershire. Besides, the trends in the figures may have been affected by an unwillingness of some of the public to bring prosecutions in the early days of the police and by magistrates' discretion from the start of the period. Any unwillingness may have declined as the penal code throughout this period was made less punitive. Such tendencies are impossible to quantify. But the downward trend of the 1850s *can* be quantified with some confidence- not as an increased efficiency of the police but because of changes in the law affecting criminal juveniles. Some, like Best in *Mid-Victorian Britain* in 1971 was convinced that considerable civilising influences at work in society affected criminality by the 1850s, and Gatrell in the 1980s was convinced of the influence of the police in the general decline probably beginning at the end of this period.<sup>31</sup>

Rates of drunkenness in Gloucester City and Bristol pose real problems of interpretation that are well-nigh impossible to be convincing.

It is also worth repeating that the rate of successful convictions by the new professionals was no greater – 75%- than by the 'useless' old constabulary. Moreover, the morale of the force was probably affected by the tide of criticism against them in the 1840s. Lefroy had an enormous task in creating a professional force at a time when there were very few 'professionals' in society.

In short, what the new police achieved may have been little more than a stemming of the tide of crime in the 1840s and early 1850s.

## References

<sup>1</sup> See B. Jerrard, 1982 Early policing in Gloucestershire, *Trans. B.G.A.S. vol.100*, pp. 221-240, and *The Gloucestershire Police in the Nineteenth Century*, M.Litt, Bristol, copies in the Gloucestershire Archives, (GA), D. Philips & R. Storch, *Policing Provincial England 1829-1856, The Politics of Reform*, Leics. 1999, pp. 55-56,138-9,155-161,220-222. This is one of the best texts in a library of publications

<sup>2</sup> Jerrard, *Trans. B.G.A.S.* pp 232-237, Jerrard, Thesis, chap 2

<sup>3</sup> *The Municipal Corporations Act, 5 & 6 Will. IV c.76*, J.M. Hart, Reform of the Borough Police, 1835-1856, *English Hist. Review*, LXX, 1995, pp. 411-427, p.411, National Archives (NA) HO 52/12,40/28 Bristol Riots & Disturbances, 3 Nov.1831

<sup>4</sup> Jerrard, *Trans. B.G.A.S* pp. 234-236, *Gloucester Journal (GJ)* 13 Feb. 1836, GRO, GBR B4/3/1 (11 Feb., 28 Mar., 4 Oct. 1836, 10 May, 4 June, 13 Dec. 1838, 9,16, 31 July, 4 Oct., 3 Dec.1840), *Return of the several cities and boroughs...the number of Police* Parl. Papers (PP) 1854 (345) LIII, 24, Bristol, 11.

<sup>5</sup> GA, GBR B4 /3/1 19 April 1838

- <sup>6</sup> GA Tewkesbury Borough Records (TBR) A 12/1, 29 Jan., 1836, Hart, *op. cit.* p.420, Jerrard Thesis, p.225, Tewkesbury Borough Watch Committee Minutes (T.B.W.C.M.)21, 24 Mar., 5, 25, 26 April, 8, 23 June 1836, 27 June 1838
- <sup>7</sup> Philips & Storch, 1999, chap 2 *passim.* at p.55 they use Poor Law Guardians' opinions from Glos.
- <sup>8</sup> GA T.B.W.C.M., TBR 4/2/1. Some of the evidence collected by the Commissioners was inaccurate, e.g. *First Report* para 52. Other Glos. evidence is at paras. 19, 119, 181 & 199; GA D326, F9; NA Home Office (HO) 73/2/2, Uni. Coll. Library, Chadwick MSS, Exam. of witnesses, pp.1-2, 5 Jan., 1839
- <sup>9</sup> Parl. Debates, 3<sup>rd</sup> series, 1 604, Philips and Storch, *op. cit.*, ch.2, *GJ* 22 Sept., 29 Dec. 1838, 30 Mar., 13 April, 1839, NA HO 40/42, 12, 23 Mar., 5, 24 May, 20 July, 4, 12, 22 Oct., 1939, H.O. 61/19 (Corresp.), HO73/2, 73/3 Constab. Force, 1836-1838, First Report published as *First Report of the Commissioners Appointed to inquire the Best Means of establishing an efficient Constabulary Force in the counties of England & Wales* PP 1839 (109), VOL.XIX, *passim.* Copy of *First Report* in GCL, now in GA
- <sup>10</sup> NA HO 40/42, 3, 5 Jan., 24 May, 29 July, 4, 12, 22 Oct., 13 Nov., 1839, A Plummer, *Bronterre*, 1971, *passim.*, *GJ* 22 Sept., 29 Dec, 1838, 30 Mar., 13, 20 April 1839, *Cheltenham Free Press and Stroud Intelligencer*, 7, 14 Sept. 1839, GA P 124/CW 4/4 Dursley Churchwardens' Min., May, 1840; Parl. Debates (H.L.) 3<sup>rd</sup> Series, 729
- <sup>11</sup> GA Q. Sessions Min Bk., Q.S.M. 3/5 Michael. 1839, Epiphany 1840, Q AP/1 Police, Home Office to Bloxsome 13, 18 Sept., 3 Oct., 11 Nov., 1839, NA, M.E.P.O. 2/21, *GJ* 19 Oct., 1839, Jerrard, Thesis pp.58-63
- <sup>12</sup> NA M.E.P.O. 2/20 Letter Books of Met Police, and 2/21, *The Permissive Act*, 1839, GA Q/AP1 Bathurst to Bloxsome 25 Nov., 1839, Q/Y 1/1 Rural Const. Register, G.C.W.C.M. 19 Dec., 1839, Q/CE County expenditure, 1842, D1799 F220, F221 Memoirs of Col. G. W. Blathwayt, 1865, D1799 Blathwayt Papers, A Cadet, *Leffroy of Cambray, Note and Documents relating to the Family of Leffroy of Cambray prior to 1587, of Canterbury 1587-1779*, printed at the press of the Royal Artillery Institution for private circulation, 1868. A Cadet, *Leffroy of Cambray, A Supplement*, Privately printed, 1961, pp.20-1, J.J Tobias, *The Irish Constabulary in The Criminologist*, Nov.1970, pp.99-104, G. Brocker, *Rural Disorder and Police Reform in Ireland, 1812-1836*, 1970, pp.223-225, Stanley Palmer, *Police and Protest in England & Ireland, 1780-1850*, CUP, 1988, pp.443-5 where the violence of the Irish Police is illustrated with figures for affrays, injury and deaths on both sides.
- <sup>13</sup> *Papers Relating to the State of Ireland* PP 1835(459) XLV11, p19, *Select Committee. Appointed to consider the expediency of adopting a more uniform system of Police in England and Wales, and Scotland* PP 1852-1853 (603) Vol XXXVI, Census Cheltenham, 1841, GA Q.S.M.B., 1841, 1842, Q/AP11 Lefroy to Magistrates, 20 Sept., 1840, Instructions, Glos. Rural Police, Chief Constable's Office, 1842, 10 Nov., 1856, Q/4 5/2 Cirencester Superintendent's Diary, *passim.*, 1846-1850, J. J. Tobias Crime and Industrial Society, 1967, espec. p.101
- <sup>14</sup> GA Q/Y 5/2 Bibury, Q/Y 5/2 Cirencester Police Station Diaries, 26 Aug., 1843 to 2 Nov., 1848, Jerrard, Thesis, chap 111, pp.80-103
- <sup>15</sup> GA Q/CM 2 Returns of the total cost of the Glos. Rural Police 1840-1853; Q/CR 3/6 Money levied for County and Police Rates, 1842 to the House of Commons, Q/AP 5,6,8,9 Petitions against the Police, Chief Constable's Orders, 1842 – 1860, Cheltenham Police H.Q., Lansdown Rd., Cheltenham, *GJ* and *Glos Chronicle* 22 Oct., 1853, *GJ*, 25 June, 1853, *Chelt. Journal and Glos. Fashionable Weekly Gazette*, 2 July, 1853, David Taylor, *The New Police in Nineteenth Century England*, Manch.U.P., 1997, critically evaluates the police in 'The Impact of the new police' pp.89-131
- <sup>16</sup> NA based on HO 27
- <sup>17</sup> GA [GCL. Ref 1585A] Gloucester borough records, Gloucester City Gaol Returns
- <sup>18</sup> GA [GCL. 1585 Gaol Returns, 1585A Gloucester borough records, Gloucester City Gaol Returns, 1845-1855]
- <sup>19</sup> *Return of the Number of Persons taken into custody for drunkenness and disorderly conduct, 1841-1851* PP 1852-1853 (531), Vol. LXXI. No return was received from Gloucester City for 1841. Published offences for 1841 and 1851 were used with census figures to compute the rates.
- <sup>20</sup> Jerrard, Thesis, p.224
- <sup>21</sup> GA Q/SG Calendars of Prisoners. To save space the full table is in Jerrard, Thesis, p.227
- <sup>22</sup> Jerrard, Thesis, p.232. A comparison is made between county groups and the percentage in comparable age groups in the national figures.
- <sup>23</sup> NA HO 27 Registers of Criminal Offenders, *Rural Police, Abstract of Returns* PP 1854 (211) Vol. LIII, Glos
- <sup>24</sup> *Trans B.G.A.S., vol.100*, p.240
- <sup>25</sup> Jerrard, Thesis, p.239
- <sup>26</sup> NA HO 27 Reg. of Criminal Offenders for Oxfordshire and Somerset, GA, Reg. of Criminal Offenders; 21 counties adopted the Act in whole or in part; 24 declined, 1839-1842, vide Philips & Storch, p.157
- <sup>27</sup> Criminal Offenders, PP 1847 (807) Vol. XLVII, Introduction *passim.*, Journal of the Statistical Society of London, vol. x, 1847, pp.38-9
- <sup>28</sup> *GJ* Wheat prices published in the last week of July, each year, were adjusted to a 9½ gallon bushel and the national price is used for 1840 when no local price was published, Jerrard, Thesis, Appendix III.
- <sup>29</sup> *Juvenile Offenders Act* 10 & 11 Vict. c.82, *Juvenile Offenders Act* 13 & 14 Vict. c.37, *Criminal Offenders 1847* PP 1847-48 (949) Vol. LII, p.10, GA Q/PC 3 Register of Convictions of Juvenile Offenders 1848-1879
- <sup>30</sup> *Trans .B.G.A.S. vol 113* (1995) J. Shorey Duckworth, The Hardwicke Reformatory School, pp.151-165
- <sup>31</sup> V.A.C. Gatrell & T.B. Hadden, Criminal Statistics and their interpretation in EA Wrigley, ed., *Nineteenth Century Society*, CUP 1972, V.A.C. Gatrell, B. Leaman and G. Porter, eds., *Crime and Law*, London Europa, 1980, pp.258-9.

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