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Crime and Punishment: Child Pickpockets in Nineteenth-Century Great Britain

*Erica Bade*¹

Introduction

On 22 August 1833, a twelve-year-old British boy named William stole a gown from a woman named Frances. As a result, the Old Bailey court found William guilty and sentenced him to seven years of transportation.² In one month, William went from being a laborer in London to facing trial at the Old Bailey. He then resided at the Newgate Prison before spending almost two years on a prison hulk. Then, William was placed on the *Aurora* ship and sent to the penal colony of Van Diemen's Land for the rest of his childhood.³ In the 1830s, children frequently went to prison for large and small crimes. The English public took notice of the increasing number of child convicts, and transportation was the solution that Parliament and the courts offered. However, by the end of the decade, transportation became more controversial, as both British citizens and government officials questioned its effectiveness in curbing crime and punishing criminals.⁴

In analyzing the experiences of child convicts as they moved from the streets of London to the British courts and finally on their journey of transportation to the penal colonies, there are several questions of interest. First, how can we trace the movement of a child working in London who ends up in a penal colony across the globe? Second, why did the courts employ transportation as the primary punishment for children who committed small acts of stealing in the 1830s? Finally, what made the experience of a child pickpocket so unique when compared to other groups of criminals and other acts of crime?

In previous studies of British convict transportation, historians have primarily focused on the humanitarian attention to adult convicts. In terms of child convicts, historians like Wood J. Carter claimed that the rise of crime stemmed from concerns of immoral behavior that required stricter forms of policing and punishment to preserve the morality of the British Empire.⁵ Jean Trépanier and Xavier Rousseaux found many court practices to be inefficient when dealing with juvenile offenders because they presented different circumstances than adults and thus required new policies to process children quickly through the courts to decrease their time spent in prison, where immoral behaviors would

¹ Erica Bade graduated from the University of California, Santa Barbara in 2021 with a degree in History.

² *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 23 February 2021), September 1833, trial of William Johnson (t183330905-48).

³ "William Johnson," Home Office: Newgate Prison Calendar 1782-1853, HO77, piece 40, September 5, 1833.

⁴ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* (New York: The Boydell Press, 1999), 122.

⁵ Wood J. Carter, *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement* (New York: Routledge, 2004).

further influence them.⁶ Furthermore, historians such as Heather Shore stated that transportation was used as a means of punishment due to the high number of convicts. As a result, new locations had to be created out of the need to place criminals in facilities for punishment and reform.⁷ So, as crime increased, the British created new facilities for juvenile offenders because many feared that the intersection between adults and children in prisons would further negatively impact child convicts.⁸

This article primarily utilizes archival evidence from government documents and newspapers to analyze the experiences of juvenile convicts. I include official court documents from the Old Bailey recording the criminal proceedings of trials that young children faced, which ultimately determined their fate of transportation. As official court documents, these records can be trusted to portray Britain's youth's criminal trials accurately. Additionally, Parliamentary papers discuss the changes that government officials made to convicting and sentencing juvenile offenders through reports of data and interviews of British officials. These records can be somewhat biased because they solely include the government's point of view, leaving out any say from the children. However, Parliamentary papers also have records of testimony, so the adults' opinion is especially relevant. Lastly, newspaper articles include documented accounts of crime and incorporate insight into the general public's views. These articles are sourced from newspapers in London and Van Diemen's Land, using both the metropole and colonies to provide a well-rounded view of convict transportation. Overall, each of these documents serves the purpose of describing the experience of the juvenile offender from the streets of London, into the courts, and through transportation by employing official records, debates within Parliament by British officials, and the views of the general public.

Ultimately, I argue that child pickpockets worked within close-knit gangs of children committing illegal acts while creating a sense of community, so even the law could not scare children away from crime. Pickpocketing was the starting point for the growth of criminal networks and gangs, which became large and influential. Pickpocketing was therefore extremely visible in London, prompting the need for action within the criminal justice system. Furthermore, I argue that the courts employed transportation as the primary form of punishment to break up these criminal networks of London thieves. However, British efforts to curb juvenile crime created more crime and more negative effects on British children. Pickpockets did not fear or dread transportation, so it proved to be an ineffective form of punishment, pushing the need for judicial changes that focused on reforming children into proper British citizens rather than punishing them for a crime. As policy surrounding transportation was altered and amended, children continued to be transported and faced a unique experience as they lived in a quickly changing new environment. Ultimately, reform failed, and crime persisted throughout London and the British metropole.

The Streets of London

Crime rates in London dramatically increased during the 1830s, especially for juvenile offenders, which prompted the need for government efforts toward the cause of police and criminal reform. Following

⁶ Jean Trépanier and Xavier Rousseaux, *Youth and Justice in Western States, 1815-1950: From Punishment to Welfare* (Cham: Palgrave Macmillan, 2017).

⁷ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London*.

⁸ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London*.

the end of the war with France, the British faced an economic depression from 1815 to 1822. This, coupled with the increased use of machinery resulting from the Industrial Revolution, diminished the number of available jobs and created dire conditions for the unemployed.⁹ As a result, many of London's residents turned to alternative means to make money. For example, Patrick Colquhoun, who labored in police and criminal reform, stressed the need for a greater concern for the property and security of London's inhabitants after estimating that 115,000 people out of London's population of 999,000 engaged in crime and illegal activity as a means to make a living during the early 1800s.¹⁰ This striking statistic and the conditions of the streets of London encouraged Sir Robert Peel, the Home Secretary, to pass The Metropolitan Police Act of 1829, which introduced a centralized and unified system of police in England to establish organized procedures to protect London and curb crime in the city.¹¹ Carter Wood further argued that "the decades after 1820 had a deep concern with 'unregulated human power' in the form of 'passions' and 'savagery,'" and in response, these new police forces brought "a more active enforcement of the law, increasing its presence in daily life."¹² The police were not only neutral observers of society, but actively played the role of "domestic missionaries' enforcing new standards of behavior."¹³ The British government increased its police force to resolve what it saw as a moral issue. A Select Committee of Parliament reported that police must primarily patrol parks to monitor pickpockets and disorderly persons, demonstrating the desire of the state to attempt to exercise control over the increasing crime within London.¹⁴ Petty crimes, like pickpocketing, occurred at alarming rates and increasingly involved juvenile offenders. Children committed criminal acts alone and in large gangs. In both cases, the public took notice of the conniving children and sought out ways to punish them.

Crime continuously rose throughout the 1830s. By the end of the decade, it was found that nearly 10,000 children under the age of sixteen were sent to prison in a single year.¹⁵ Parliament was the first to take notice of the increasing numbers of children in prisons, and the Select Committee on Police of the Metropolis and State of Crime convened in 1834 to create a report documenting and discussing the high rate of crime. Government officials believed crime "fearfully increased in the Metropolis," as the report stated:

the 'Criminal Calendar exhibited an increase in the annual average of Committals of 48 per cent; and in the annual average of Convictions of 55 per cent; but as the Population Returns show an increase of 19 per cent, within the same period of time, 19 per cent of the increase of Commitments and Convictions may be accounted for by a proportionate augmentation of Population.' There was hence an increase of 36 per cent, per annum in the Convictions to

⁹ J. L. Lyman, "The Metropolitan Police Act of 1829," 55 *J. Crim. L. Criminology & Police Sci.* (1964), 145.

¹⁰ J. L. Lyman, "The Metropolitan Police Act of 1829," 144-145.

¹¹ J. L. Lyman, "The Metropolitan Police Act of 1829," 141.

¹² Wood J. Carter, *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement*, 21.

¹³ Wood J. Carter, *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement*, 21.

¹⁴ *Select Committee on Observance of Sabbath: Report, Minutes of Evidence, Appendix*, (1831-32): HC697-VII, 76.

¹⁵ Jean Trépanier and Xavier Rousseaux, *Youth and Justice in Western States, 1815-1950: From Punishment to Welfare* 19-20.

register the progress of crime and demoralization in the Cities of London and Westminster and the County of Middlesex.¹⁶

Even though the population grew, government statistics supported Parliament's belief that crime was rising. The state likewise saw this change as being produced by and furthering immorality, particularly in cities.

Parliament officials used this Select Committee's findings to speculate on the causes of crime to attack the issue at its root cause. The increase in juvenile imprisonment arose, in part, from the desire to establish new reform practices for British children.¹⁷ Heather Shore pointed out that there was a perceived symbiotic relationship between societal mores and societal behavior that influenced children to turn to crime as their environment impacted how they behaved.¹⁸ The Parliamentary committee recognized this connection between the youth and society, criticizing British policies that created a rise in crime. The report from the Select Committee on the Police of the Metropolis stated Great Britain could not rely on any system of policing to diminish crime unless the government instituted an enlightened system of prison discipline and secondary punishments while also spreading moral and religious education through the metropole.¹⁹ Even if there was a better police system, moral depravity would still wreak havoc across the country unless children received further education. Parliament believed that a better education system was the only means of permanently advancing the moral and social condition of the British people.²⁰ Thus, Parliament connected the immorality of the youth and the rise in crime. However, while the government discussed London's spike in criminal activity and searched for solutions like education to deter crime and craft a nation of ideal citizens, the British youth were learning how to become career criminals.

When it came to the juvenile offender, pickpocketing and larceny crimes were popular choices because of the unique criminal training offered to children in this sector. Children turned to the streets for work, money, family, and friendships. As children faced trying times at home and the availability of apprenticeships declined, the line between the working-class youth and the youth of the criminal class blurred.²¹ When the Select Committee of the House of Lords on Execution of Criminal Law convened and discussed juvenile offenders and transportation, Edward Rushton, Esq. shared the story of a young pickpocket who was so highly trained by his mother that he had become one of the most dexterous pickpockets alive at only ten years of age.²² For this child, pickpocketing was a family trade, where his mother, a skilled criminal, taught him how to steal from passing adults.²³ By learning from his mother, this child, and others like him, quickly adopted the necessary skills to become valuable

¹⁶ *Report from the Select Committee on the Police of the Metropolis*, (1834): HC600-XVI.1, 5.

¹⁷ Jean Trépanier and Xavier Rousseaux, *Youth and Justice in Western States, 1815-1950: From Punishment to Welfare* 20.

¹⁸ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* 1.

¹⁹ *Report from the Select Committee on the Police of the Metropolis*, (1834): 22.

²⁰ *Report from the Select Committee on the Police of the Metropolis*, (1834): 22.

²¹ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* 18-19.

²² *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation)*, *Second Report, Minutes of Evidence, Appendix, General Index*, (1847): HC534-VII.5, 192.

²³ *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation)*, *Second Report, Minutes of Evidence, Appendix, General Index*, (1847): 192.

assets to assist the family enterprise. As a result, these children added to the increasing number of criminals working in the metropole. With a family invested in pickpocketing, it was difficult for a child to pursue any means other than criminal activities. Therefore, the societal behavior and morals children learned from their parents influenced their actions and, in this case, influenced a child to pursue a life filled with crime.

On the other hand, some young boys were put into formal criminal training to learn how to pickpocket. Children found very few work opportunities and sought out any means to make money. Heather Shore stated that there was a “youthful population in the Metropolis devoted to crime, trained to it from infancy, adhering to it from education and circumstances, whose connections prevent[ed] the possibility of reformation, and whom no punishment [could] deter.”²⁴ Many children spent some time at a national school or Sunday school, but these periods of schooling were often brief and punctured by truancy or employment.²⁵ For many young people of the lower classes, work was difficult to find, thus pushing them to miss school to pursue crime to attain money for their livelihood.²⁶ So, children found new training and so-called schooling on the street to support their criminal endeavors. As one newspaper article described, there were trainings in which a “professor” would order the “pupils” to practice taking various articles from the pocket and person of a young girl. Pupils were to repeat this skill for weeks until the professor deemed the pupil ready to go out into the streets and put their skills to use.²⁷ This was explicit training run by adult criminals to train the youth in the art of pickpocketing and crime. Because pickpocketing did not require excessive physical or material resources, it was fairly easy for a child to be taught how to steal from a person passing by and turn this into a profitable career. This training contributed to the unique experience of the child pickpocket because children could now turn to crime as a career, neglecting formal education and alternative work opportunities. Pickpocketing was a lucrative means for young children to make money when they lacked formal education or job training. While officials viewed pickpocketing as an act of moral depravity, it was the primary income for many kids in London.

Child pickpockets were typically quite young, so many found working in groups could increase their chances of success. Picking pockets was associated with group theft and organized crime. While the crime itself was not too serious, the action within groups became associated with moral depravity, and each child became a malevolent influence on others around them.²⁸ Thus, when children went out pickpocketing, they rarely worked single-handedly. Instead, two to four children would often work together, with the most experienced child doing the actual thieving while the others acted as a look-out or cover.²⁹ Children devised strategies to maximize their potential to earn a profit and limit their chances of being caught by the police. Some of these gangs involved a much greater number of children. For instance, William Wardell and Joseph Walker were two thirteen-year-olds who participated in a juvenile gang of nearly thirty to forty children, most under the age of nine, who would

²⁴ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* 1.

²⁵ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* 38.

²⁶ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* 38.

²⁷ “Pickpockets and How They Secure Their Plunder,” *Famous Crimes* II, no. 18 (n.d.): 113.

²⁸ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London*, 58.

²⁹ “Pickpockets and How They Secure Their Plunder,” *Famous Crimes* II, 113.

commit robberies at mid-day.³⁰ Groups of this size became increasingly visible to the public, especially as reports of juvenile gangs like this one made their way into the newspapers. A gang of this size was visible to the public and a nuisance to adults who wanted to go about their daily activities without the harassment of children attempting to steal from them. Thus, London's desire to catch these children and punish them for their actions increased. As a result, these young criminals faced a unique experience, as the goal of society was not only to catch and punish them but also to change their behavior and mold metropolitan children into model citizens of the British Empire.

The Courts

Transportation became a tool to create model citizens. The courts consistently sentenced boys and girls to transportation, hoping this punishment would put them outside of the influence of their criminal networks and positively affect their lives. In 1718, the Transportation Act made a significant change to this system. It allowed for the direct sentence of transportation to be given, rather than classifying transportation as an agreement with the Crown to escape execution.³¹ Although transportation emerged as a staple for British criminal punishment, it was not as effective as the courts had hoped. It did not lead to an increasingly positive impact of reform, making it controversial over the course of the nineteenth century. This distressed officials who searched for a new way to punish children while simultaneously initiating reform. Therefore, the question of what to do with juvenile criminals was very much on the minds of lawmakers and reformers, which helped lead to the emergence of a juvenile justice system within England to address these challenges.³² As the courts tried and convicted children for their crimes, moral concerns took precedent as lawmakers and British officials looked to create new court practices and policies tailored to juvenile offenders.

Many young pickpockets caught by the police faced trial and received sentences for transportation, with most ending up in Van Diemen's Land. One fifteen-year-old boy, Daniel Fitzgerald, worked with an accomplice to steal handkerchiefs and was indicted for stealing in 1833 before being sentenced to transportation to Van Diemen's Land for seven years.³³ For stealing several handkerchiefs, Fitzgerald would now spend the rest of his childhood in prison on the other side of the globe. Another young boy, William Johnson, pleaded guilty to simple larceny after stealing a gown worth seven shillings in September of 1833 when he was only twelve years old. He, too, was sentenced to seven years of transportation to Van Diemen's Land.³⁴ Johnson would now spend all of his teenage years as a convict for stealing this gown. For both Daniel Fitzgerald and William Johnson, the court

³⁰ "Police," *The Times*, August 30, 1830, 6.

³¹ Bruce Kercher, "The 'New' Australian League History: Perish or Prosper: The Law and Convict Transportation in the British Empire, 1700-1850," *Law and History Review* 21, (2003): 531.

³² Tamara Myers, "Review of *Youth and Justice in Western States, 1815-1950: From Punishment to Welfare* ed. By Jean Trepanier and Xavier Rousseaux," *The Journal of the History of Childhood and Youth* 13, no. 1 (2020): 161.

³³ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 23 February 2021), January 1833, trial of Daniel Fitzgerald William Johnson (t18330103-39).

³⁴ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 23 February 2021), September 1833, trial of William Johnson (t18330905-48).

did not justify their sentence. Instead, the court sentenced them to transportation simply because that was the typical punishment for an act of larceny in the 1830s.

Other juvenile offenders received similar sentences of seven years of transportation. Still, there is also evidence of court recorders attempting to limit their use of the extreme nature of transportation in some instances. In February of 1834, Joseph Barnes, a sixteen-year-old boy, was tried at Middlesex Sessions for picking the pocket of a woman and stealing her handkerchief. The court recorder sentenced him to transportation for seven years for this crime.³⁵ However, because Barnes was an orphan, the recorder granted him some leniency and ordered him to be transported to the penitentiary to learn a trade so that by the end of his sentence, he may become a “respectable member of society.”³⁶ The Middlesex Sessions Recorder realized and acknowledged that Joseph had no family to turn to for guidance, yet he still decided to send him across the world for punishment. While the court intended for Joseph to learn a trade, there was no way to guarantee he would be trained or that learning a trade would guarantee him to be a better British citizen. This decision illustrates a shift towards reformatory goals within transportation as recorders increasingly felt the need to justify their recommendations.

Another young boy named David Williams was not even twelve years old when John Tyrell, the Recorder of Tiverton, found him guilty of larceny in 1839 and recommended a sentence of seven years of transportation to the Pankhurst Prison in Van Diemen’s Land.³⁷ Once again, the court recorder felt the need to justify the reasons as to why the juvenile offender would be sentenced to transportation. Tyrell stated that because he belonged to a British gang of housebreakers and pickpockets, it would serve Williams best to be sent away from the gang’s reach.³⁸ In this case, transportation proved beneficial to Williams because it would remove him from the London gang. Essentially, the court decided the best course of action for this twelve-year-old would be to remove him from the people he was familiar with and ship him across the world to a new home.

As the number of children convicted of crimes and sentenced to transportation dramatically increased in the 1830s, Parliament questioned its effectiveness. It took time for the trials to be processed, and during this waiting period, children spent time with other criminals, including adults. There was an increasing concern during this brief period while impressionable juvenile offenders resided in prison with notorious adult criminals. Justices in the courts took it upon themselves to informally and then formally alter court practices in favor of these young children. The courts were unhappy with committing juveniles accused of larceny to unreformed prisons while they awaited trial, so judges increasingly resorted to summary trials for juveniles.³⁹ At first, this was not a formalized practice, but in 1833 Parliament passed a bill to authorize summary conviction for juvenile offenders

³⁵ “Letter From the Court Recorder on Joseph Barnes,” *The National Archives, Kew* (1834): HO 17/114/131.

³⁶ “Letter From the Court Recorder on Joseph Barnes.”

³⁷ “David Williams,” *Home Office: Registers of Prisoners from National Prisons lodged in County Prisons 1847-1866*, (October 25, 1839): HO23.

³⁸ “Letter From John Tyrell, Recorder of Tiverton,” *The National Archives, Kew* (October 28, 1839): HO 18/6/51.

³⁹ Jean Trépanier and Xavier Rousseaux, *Youth and Justice in Western States, 1815-1950: From Punishment to Welfare*, 76.

in cases of larceny and misdemeanors and to provide places for holding these petty sessions.⁴⁰ Parliament found that early imprisonment of juvenile offenders before attending one's trial made children less likely to respond to reform.

Moreover, the bill put into law that in any case where the offender exceeded the age of sixteen, and the justices heard the charge with sufficient evidence or a confession, they could sentence the accused to a House of Correction or penitentiary within their jurisdiction for a term of no more than six months.⁴¹ This new system attempted to limit the amount of time children had to intermingle with adults in prisons. There was growing concern that adult criminals exerted a poor influence on the juvenile offenders and thus hampered the child's attempts for future reform. In 1837, the bill was altered, and the amendment changed the age for summary proceedings to fifteen years old but maintained that if convicted, the offender should remain imprisoned in a House of Correction or penitentiary for no more than six months.⁴² So, while the criteria for who was considered to be a juvenile offender was not formally established, it was still necessary to restrict the interactions between adult and child convicts.

The British government's greatest fear in the juvenile judicial process was cross-contamination between adult and child criminals, where adults would influence juvenile offenders. Parliament pursued their attempts for the separation of children and adults to ensure juvenile offenders would have the greatest chance at successful reform. So, to meet the governor's demands that criminal boys be treated with the "double purpose of punishment and reformation," a prison was built in London solely for child convicts, and it included an "extensive system of trade-training and education" for those sentenced to a short imprisonment or those awaiting transportation.⁴³ This prison, known as Parkhurst, was created in May 1838 in the *Bill for Establishing Prison for Young Offenders*, after Parliament authorized transforming an old military hospital into a juvenile prison.⁴⁴ The prison was meant to be specific to children, where reformation practices would begin immediately. Secretaries of state could also direct the removal to Parkhurst prison of any young offender, including those sentenced to transportation, where they would remain until transported, granted liberty, or moved back to the prison from which they came.⁴⁵ In its efforts to start reform as soon as possible, those who did well could evade the rest of their sentence if they demonstrated significant improvements in behavior. Ultimately, most children at Parkhurst remained only until their time arrived for transportation. So, while the government attempted to inflict positive change by separating children from adults, most children still faced the fate of transportation.

⁴⁰ "Bill to Amend Law of Larceny relating to Young Offenders, and Persons tried for Second Offence," (1833): HC207-II.

⁴¹ "Bill to Amend Law of Larceny Relating to Young Offenders, and Persons Tried for Second Offence,"

⁴² "Bill to Alter and Amend Law of Larceny Relating to Offenders Under Certain Age," (1837): HC224-II.

⁴³ Sean McConville, *A History of English Prison Administration* (London: Boston: Routledge & Kegan Paul, 1981), 205.

⁴⁴ "Bill for Establishing Prison for Young Offenders," (1837-38): HC354-V.

⁴⁵ "Bill for Establishing Prison for Young Offenders," (1837-38).

The effectiveness and humaneness of transportation were highly debated during the 1830s, and the transportation of child convicts did not escape this discussion. Generally, transportation was viewed as advantageous to both society and the criminal. For the criminal, “transportation provided opportunity, difference, and removal from the buds of corruption by which he or she were tainted at home,” and “nowhere was this ideology more pervasive than in the treatment of the youngest group of convicts.”⁴⁶ The Select Committee of the House of Lords on Execution of Criminal Law met to discuss the ongoing punishments and sentences for crime in the metropole. On the one hand, transportation was found to be an effective punishment.⁴⁷ For example, when Lieutenant Augustus Frederick Tract was examined, he stated he found that the “London Thief” feared transportation. Nothing was “so effectual” as the punishment of transportation for these thieves.⁴⁸ He even went so far as to state that the transportation exerts its greatest influence on the London Thief and pickpocket.⁴⁹ The London Thief committed small acts of larceny and pickpocketed people in the city, and so it was reasonable to assume that someone committing such a small act of crime would fear being sentenced to such a dramatic punishment. It seems plausible that criminals feared being removed from their homes and shipped across the globe because the London Thief was a criminal of the metropole. However, this was only one of the accounts in which the House of Lords examined the execution of criminal law, and others did not share this same view.

Not everyone examined by Parliament agreed with Lieutenant Taft. Several of those interviewed directly contradicted his view claiming that many criminals did not fear transportation, especially pickpockets, and so its role as an effective punishment diminished. At a meeting of the Select Committee of the House of Lords on Execution of Criminal Law, Mr. Justice Torrens stated that he did not believe pickpockets exerted any dread toward a sentence of transportation, instead of seeing it as the “consummation of their fate” and the “natural result” of the pickpocket profession.⁵⁰ With increased crime and imprisonment in London and throughout Britain, many pickpockets did not fear being caught because they recognized it would most likely happen to them at some point. Moreover, when Mr. John Darcy was called in to be examined by Parliament, he explained that he had known a couple of instances when young pickpockets thought very light of transportation, and some even wished for it.⁵¹ As Mr. Darcy explained, many of the juvenile offenders were incredibly fearless of transportation, mainly because it was an opportunity to travel to a new land and look for new opportunities rather than continue a life of petty crime in London. Together, these two statements

⁴⁶ Heather Shore, “Transportation, Penal Ideology and the Experience of Juvenile Offenders in England and Australia in the Early Nineteenth Century,” *Crime, History, and Societies* 6, no. 2 (2002): 1.

⁴⁷ *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation), Second Report, Minutes of Evidence, Appendix, General Index*, (1847): HC534-VII.5, 192.

⁴⁸ *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation), Second Report, Minutes of Evidence, Appendix, General Index*, (1847): 201-203.

⁴⁹ *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation), Second Report, Minutes of Evidence, Appendix, General Index*, (1847): 201-203.

⁵⁰ *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation), Second Report, Minutes of Evidence, Appendix, General Index*, (1847): HC534-VII.5, 147.

⁵¹ *Select Committee of House of Lords on Execution of Criminal Law (Juvenile Offenders and Transportation), Second Report, Minutes of Evidence, Appendix, General Index*, (1847), 408.

illustrate that transportation was no longer viewed as an escape from execution as it was in the past. Some criminals did not even consider it a form of punishment but rather an opportunity to move somewhere new and start a new life. So, Parliament recognized transportation was becoming less effective and set out to find solutions to reprimand child convicts more efficiently, but regardless transportation still carried on.

The Penal Colonies

Even as British officials debated the effectiveness of transportation, the government continued to send children to Van Diemen's Land. However, Parliament recognized the need to create new resources and specific juvenile facilities to accommodate better and serve the child convict populations away from the metropole to ensure the most beneficial results from penal punishment and reform. This led to an immediate rise in the number of convicts transported to penal colonies as British and Irish criminals were forced to take voyages to the penal colonies of New South Wales, Van Diemen's Land, and Western Australia.⁵² The fundamental concept within penal ideology and the use of transportation was the belief that "children needed to be rescued from their communities in order to be reformed."⁵³ The point of transportation was sending children away from the criminal enterprises they were caught in, teaching them to become better citizens, and training them for the workforce. To attain this goal, policy surrounding transportation was altered and amended while children continued to be transported. So, children transported in this decade faced a unique experience as they lived in a rapidly changing environment that was new to them and British officials. Despite changes to the processes of child convict transportation, the reform failed to produce its desired effect and only left a minute positive impact on children. The government's efforts failed to curb juvenile offenders, and crime persisted throughout London and the British metropole.

As child convicts awaited transportation, they lived on hulks; essentially a floating prison meant to hold prisoners before transportation. Juvenile offenders were crowded together in these hulks, exerting their bad behavior on one another. Due to overcrowding and deplorable conditions, the hulk system had "appalling mortality figures." Still, their use continued even as the hulks "defeated the preventative and reformatory hopes of penal campaigners" and fostered an environment for more crime and violence.⁵⁴ A significant issue of the appalling conditions in the hulks was violence and bullying among children. One child convict previously discussed, William Johnson, was sentenced for larceny in 1833 but waited nearly two years to be transported, living on a hulk ship in the meantime.⁵⁵ Johnson described the abuse he received from his fellow prisoners, including persistent intimidation. His bullies even pricked his eyes with needles, sending him to the hospital and partially blinding him.⁵⁶

⁵² Bruce Kercher, "The 'New' Australian League History: Perish or Prosper: The Law and Convict Transportation in the British Empire, 1700-1850," *Law and History Review* 21, (2003): 528.

⁵³ Cameron Nunn, "Making them good and useful?: The Ideology of Juvenile Penal Reformation at Carter's Barracks and Point Puer," *History Australia* 14, no. 3 (2017): 332.

⁵⁴ Sean McConville, *A History of English Prison Administration* (London: Boston: Routledge & Kegan Paul, 1981), 107.

⁵⁵ "William Johnson." Aurora, 1835, Appropriation List. CON27-1-2, source 882.

⁵⁶ "Evidence of Harris in the Name of Johnson," PRO, HO 73/16, Rough Notebook IV.

The juvenile justice system fundamentally failed Johnson. He was arrested, convicted, and sentenced to transportation to remove him from crime and violence, but instead, he faced even greater violence within the British criminal justice system. This incident highlights the failure of the British Parliament to recognize inefficiencies in their judicial system, especially for child convicts. Even though children were separated from adults, the transportation processes remained flawed in their attempts to produce reformed behavior. Instead, the quartering of children together fostered the very behavior the government aimed to prevent. Despite these circumstances, Johnson set sail for Van Diemen's Land in 1835, where he remained until 5 September 1840, when he was granted a certificate of freedom.⁵⁷

When the time arrived to be transported, children boarded convict ships to set sail across the globe to receive their punishment and face their new destiny. During the 1830s, “juveniles formed around 20% of all convicts arriving in Van Diemen's Land.”⁵⁸ Daniel Fitzgerald, one of the young boys previously mentioned who was sentenced to transportation, was one of 400 convicts transported on the *Moffatt* ship on 4 January 1834.⁵⁹ He arrived in Van Diemen's Land four months later, at the beginning of May.⁶⁰ Meanwhile, the orphan, Joseph Barnes, arrived at Van Diemen's Land on the *William Metcalfe* in September of 1834.⁶¹

As these young boys made their way to penal colonies, like Van Diemen's Land, Parliament implemented new practices to create more effectual punishments for child convicts. Out of the 156,000 convicts transported to Australia, 25,000 were under sixteen years old, and during the 1830s, 20% of convicts arriving at Van Diemen's Land were these children.⁶² Due to this heavy influx, the Point Puer facility was built in 1834 to receive these children.⁶³ One of the primary purposes behind establishing Point Puer as a prison specific to children was the “belief that the state could transform a child from criminality to conformity through training, education, and religious indoctrination” to reform children into dutiful citizens that would “eventually assume their position within the colonial labor market.”⁶⁴ At this facility, boys sawed timber, dug and weeded gardens, made shoes and clothes, built houses, and learned to perform almost every necessary trade.⁶⁵ Point Puer provided child convicts with skilled training to prepare them for their future. In 1836, 200 boys resided at Point Puer, which “used formerly to be one of the most painful spectacles and their disposal one of the most difficult

⁵⁷ “William Johnson, Life Archive ID fasai37077,” *The Digital Panopticon*, Version 1.2.1, consulted February 23, 2021.

⁵⁸ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* (New York: The Boydell Press, 1999), 135.

⁵⁹ “Convict Transport Registers.” Australian Joint Copying Project. Microfilm Roll 90, Class and Piece Number HO11/9, 266.

⁶⁰ “Convict Transport Registers,” 266.

⁶¹ “Joseph Barnes, VDL Founders and Survivors Convicts, Record ID fasai03062,” *The Digital Panopticon*, February, 3 1834. Version 1.2.1, consulted February 23, 2021.

⁶² Cameron Nunn, “‘Making them good and useful’: The Ideology of Juvenile Penal Reformation at Carter's Barracks and Point Puer,” *History Australia* 14, no. 3 (2017): 329.

⁶³ Cameron Nunn, 329.

⁶⁴ Cameron Nunn, “‘Making them good and useful’: The Ideology of Juvenile Penal Reformation at Carter's Barracks and Point Puer,” *History Australia* 14, no. 3 (2017): 329; Nunn, 339.

⁶⁵ “The Courier,” *The Hobart Town Courier*, December 16, 1836, p. 2

problems of the political economy.” Still, this experiment proved to be “one of the most successful and gratifying to humanity of modern times” as the child convicts made great strides in advancing their education and work ethic.⁶⁶ Point Puer effectively transformed many previous criminals into apt British citizens. Finally, a policy enacted by the British government improved an aspect of the juvenile justice system, but this success did not come without some disadvantages.

Even though Point Puer exhibited some success with its training, the drawbacks of transportation still overwhelmingly overpowered the benefits for England’s youth. Transportation did not hold the same destiny for everyone. If children exhibited good behavior while in prison awaiting transportation, they received a “ticket of leave” upon arrival. If they had poor behavior, they would be sent to Point Puer.⁶⁷ A ticket of leave “allowed a convict to live free of compulsory labor, although still under a formal sentence of transportation.”⁶⁸ Essentially, children were shipped to a new colony to live there freely for the duration of their sentence or sent to prisons like Point Puer to learn new skills that would help find in finding a job. When the Select Committee on Transportation met to discuss the high number of convicts arriving in the penal colonies, one of their primary concerns was that this increase was attributable to the lack of dread that transportation invoked among criminals.⁶⁹ At Point Puer, children were trained in various trades and prepared for the workforce. So, the many juvenile offenders in London who lacked parental support and employment could view transportation as a welcoming opportunity for future success. Ultimately, the purpose behind transportation was to curb crime. Still, in the end, these shifting policies made transportation, and thus crime, appealing at some times throughout the 1830s for the new life that could be pursued in a penal colony. Most of these convicts, like Joseph Barnes, completed their sentences and received their certificates of freedom.⁷⁰ However, these certificates are the last court records and documents associated with the juvenile pickpockets. Thus, their documented journey ends here in the penal colonies.

Conclusion

The experiences of a child pickpocket significantly varied from that of other criminals and quickly changed over the 1830s. As the juvenile pickpocket moved from the streets of London, through the courts, and to the penal colonies, British policies of reform followed them in each sector. The reform of children was an important factor for the new policy enacted by the British government, but ultimately these changes aimed at dismantling the criminal networks in London and reforming children’s behavior to deter them from crime. The courts attacked the seemingly insignificant pickpockets, convicting children and sentencing them to transportation as a means to break up the criminal networks of London Thieves. Transportation was used as the primary form of punishment,

⁶⁶ “The Dilemma, Or, Contemporary Criticism,” *The Hobart Town Courier*, April 15, 1836, p.4

⁶⁷ Heather Shore, *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London* (New York: The Boydell Press, 1999), 113.

⁶⁸ Bruce Kercher, “The ‘New’ Australian League History: Perish or Prosper: The Law and Convict Transportation in the British Empire, 1700-1850,” *Law and History Review* 21, (2003): 548.

⁶⁹ *Select Committee on Transportation, Report, Minutes of Evidence, Index* (1837): HC518-XIV, 276.

⁷⁰ “Joseph Barnes, VDL Founders and Survivors Convicts, Record ID fasai03062,” *The Digital Panopticon*, February, 3 1834. Version 1.2.1, consulted February 23, 2021.

but it did little to deter crime as child pickpockets did not fear transportation and accepted their fate, with some even welcoming it. So, children's unique situation allowed them to persevere through these policy changes. They took advantage of the streets, the courts, and even transportation to accept their given fate, whether it be criminal, colonist, or the ideal British citizen.