

Combating London's Criminal Class: A State Divided, 1869-95, by Matthew Bach, London, New York, New Delhi and Sidney, Bloomsbury Academic, 2020, 191 pp., £76.60 (hardback), ISBN: 978-1-3501-5621-0

In November 1862, an article in *The Examiner* suggested, 'the grand aim of prison discipline was obesity'. If prisoners served their full sentence, the article continued, corpulence would render ex-convicts incapable of re-offending. Unfortunately, the author concluded, the 'Ticket of Leave' system ensured that most convicts did not serve their full sentence, and were released on license, fit and healthy, and ready to commit more crime. The article was a satirical attack upon the system of sentence remission, introduced under *The Penal Servitude Act (1853)* and administered by Joshua Jebb the director of convict prisons. Whilst Jebb's sudden death in 1863 ushered in a period of increasingly severe prison discipline, debates, criticisms, and fears regarding the release of ex-convicts into mainland British society continued until the end of the century.

As Matthew Bach makes clear in *Combating London's Criminal Class*, the end of transportation provided both the impetus and context for these discussions. They also gave rise to proposals from the highly influential and well-connected Social Science Association (SSA) for registration, increased surveillance, and punishment of ex-convicts and repeat offenders. These proposals shaped *The Habitual Criminals Act (1869)* and its corrective *The Prevention of Crime Act (1871)*. Recent historiography has tended to present *The Habitual Criminals Act (1869)* as a knee-jerk response to media led moral panics that identified ex-convicts and prisoners on license as the cause of rising crime. The same historiography argues that the Act's botched attempt to introduce a workable system of registration and surveillance resulted from the Liberal government's over-hasty response to public fears. Bach demonstrates conclusively neither were the case. *The Habitual Criminals Bill (1869)* was largely written by Walter Crofton, retired chair of the Board of Directors of Convict Prisons for Ireland and leading member of SSA. The Bill directly mirrored proposals for reform on which the SSA and its predecessor the Society for Promoting the Amendment of the Law had been campaigning for nearly two decades. Rather than ill-thought out and hastily conceived, the Bill and in part *The Habitual Criminals Act (1869)* represent the realisation of the SSA campaign. The

failings of the Act which necessitated the corrective *Prevention of Crime Act (1871)*, Bach argues, partly resulted from amendments to the Bill, and partly from lack of co-operation from London's magistrates and police.

For the rest of the century, Bach argues, lack of co-operation from London's magistrates, some of the judiciary and the Metropolitan police dogged attempts to effectively register and increase surveillance of repeat offenders and prisoners on license. London's magistrates were keen to protect the poor from the worst excesses of the new legislation. Hence, they refused to fully enforce *The Habitual Criminals Act (1869)* and *The Prevention of Crime Act (1871)*. They also refused to accept evidence of previous offending derived from the register of ex-offenders introduced by *The Habitual Criminals Act (1869)*. Additionally, London's police officers were given strict instructions from the Metropolitan Commissioner to ensure surveillance did not reveal a person's criminal past. Loss of work or friends, it was felt, would increase the likelihood of reoffending. They were also cautioned against overzealous surveillance, as it threatened to antagonise working class people and make policing in general more difficult. As a result, over half of those who qualified for post-sentence surveillance in the late 1880s and early 1890s were left unwatched.

Revisionist historians have presented *The Habitual Criminals Act (1869)* and *The Prevention of Crime Act (1871)* as part of unified and illiberal attempts to control the working class. In practise, Bach rightly concludes, they were nothing of the sort. State actors were neither unified in purpose nor able and willing to impose strict controls upon the working class. The Metropolitan Police, for one, simply did not have the resources to carry out the level of control imputed to them. In fact, the actions of police and magistrates in London ensured that the working class were shielded from the full potential of the law. *Combatting London's Criminal Class* presents a complex picture of adaption, resistance and failure to usefully register and improve surveillance of ex-convicts in the late nineteenth-century. Bach's meticulous reconsideration of the evidence is a caution against conflating policy and practice. For criminologists and sociologists, as well as crime and social

historians, Bach raises these fundamental considerations, whilst reaffirming the importance of clear, original and evidence led research. *Combatting London's Criminal Class* is, therefore, a valuable and most welcome addition to research in this area.

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