

# **SOCIAL ASPECTS OF CRIME IN ENGLAND BETWEEN THE WARS**

---

Hermann Mannheim

ROUTLEDGE LIBRARY EDITIONS:  
CRIMINOLOGY



ROUTLEDGE LIBRARY EDITIONS:  
CRIMINOLOGY

---

Volume 2

SOCIAL ASPECTS  
OF CRIME IN ENGLAND  
BETWEEN THE WARS

---



# Taylor & Francis

Taylor & Francis Group

<http://taylorandfrancis.com>

# **SOCIAL ASPECTS OF CRIME IN ENGLAND BETWEEN THE WARS**

**HERMANN MANNHEIM**

 **Routledge**  
Taylor & Francis Group  
LONDON AND NEW YORK

First published in 1940 by Allen & Unwin

This edition first published in 2019

by Routledge

2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

and by Routledge

52 Vanderbilt Avenue, New York, NY 10017

*Routledge is an imprint of the Taylor & Francis Group, an informa business*

© 1940 Hermann Mannheim

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

*Trademark notice:* Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

*British Library Cataloguing in Publication Data*

A catalogue record for this book is available from the British Library

ISBN: 978-0-367-11213-4 (Set)

ISBN: 978-0-429-02697-3 (Set) (ebk)

ISBN: 978-0-367-13529-4 (Volume 2) (hbk)

ISBN: 978-0-429-02701-7 (Volume 2) (ebk)

### **Publisher's Note**

The publisher has gone to great lengths to ensure the quality of this reprint but points out that some imperfections in the original copies may be apparent.

### **Disclaimer**

The publisher has made every effort to trace copyright holders and would welcome correspondence from those they have been unable to trace.

# SOCIAL ASPECTS OF CRIME IN ENGLAND BETWEEN THE WARS

by

Dr. HERMANN MANNHEIM

*Lecturer in Criminology at the London School of Economics and Political  
Science, sometime Leon Fellow of the University of London*

London

GEORGE ALLEN & UNWIN LTD

FIRST PUBLISHED IN 1940

ALL RIGHTS RESERVED  
PRINTED IN GREAT BRITAIN  
*in 12-Point Perpetua Type*  
BY UNWIN BROTHERS LIMITED  
WOKING

## AUTHOR'S PREFACE

THE writing and publication of this book have been made possible through the generosity of the Leon Bequest Committee of the University of London.<sup>1</sup> To all its members, and in particular to the former chairman, Col. S. J. Worsley, D.S.O., M.C., Academic Registrar and at that time acting Principal of the University of London; to the present chairman, Professor A. M. Carr-Saunders, Director of the London School of Economics and Political Science, to Sir William H. Beveridge, K.C.B., Master of University College, Oxford, and to Professor Harold J. Laski the most sincere thanks of the author are due. The publication has further been aided by a grant from the Publication Fund of the University of London for which the author is very grateful.

A considerable part of the material upon which this book is based could have been neither collected nor published without the facilities generously extended to the author by various departments of the Home Office, especially the Prison Commission for England and Wales and the Statistical Branch. The same applies to the former Chief Magistrate of the Metropolitan Police Courts and other Metropolitan Magistrates as well as to the Borstal Association and Aylesbury Association. To all these authorities, and in particular to Sir Alexander Maxwell, K.C.B., Permanent Under Secretary of State, Home Office, to Mr. Harold Scott, C.B., Chairman of the Prison Commission, to Mr. Alexander Paterson, M.C., Prison Commissioner, and to Mr. T. Paterson Owens, J.P., Chief Inspector, Children's Branch, Home Office, the author wishes to express his gratitude.

When engaged in the preparation of the book the author had to

<sup>1</sup> The author held the Leon Fellowship for the session 1936-37; for the subsequent session a special grant was made for the continuation and, if possible, conclusion of the work. Finally, a substantial amount was provided by the Committee towards the cost of publication.



## *Social Aspects of Crime*

make himself familiar not only with the crime situation and the penal system of this country, but also with its whole social structure and the administration of the social services. To achieve this aim—if only in a very modest way—it became necessary to make numerous contacts with workers of every description in these fields. Whilst it is impossible to mention all of them by name, the author would like to place on record his appreciation of their unfailing kindness. Magistrates and clerks of various Courts, Prison and Borstal Governors and officials, probation officers, headmasters of Approved Schools and elementary schools, Police officers and officials of the London County Council, club leaders and wardens of settlements, secretaries of various associations, managers and detectives of departmental stores, and many others have freely given of their time to make the author acquainted with the details of their daily work and have granted him liberal access to their material. This is equally true of the Directors of the Institute for the Scientific Treatment of Delinquency, especially of the Chairman of the Council, Dr. E. T. Jensen, and of the General Secretary, Miss I. M. James.

It is difficult for the author to express adequately his indebtedness for the assistance received from many of his colleagues and students at the London School of Economics and Political Science. It seems impossible, however, to pass in silence the persistent help and encouragement extended to him by the Director of the School and by Professors Laski, Chorley, and Ginsberg, as well as by Mr. C. M. Lloyd. Cordial acknowledgments are also due to the Howard League for Penal Reform, and in particular to Miss Margery Fry, J.P., LL.D., to the Hon. Secretary, Miss Cicely M. Craven, J.P., M.A., and to the Assistant Secretary, Miss I. H. Reekie; moreover, to Mr. A. Lieck, J.P., Professor A. Plant, Professor H. Lauterpacht, Sir John Cumming, K.C.I.E., and to the late Professor Sir Maurice Sheldon Amos.

The splendid opportunities for research offered by the Library of the British Museum, the Howard Library, and the British Library of Political and Economic Science have been of invaluable help; to their librarians and staffs the author owes a great debt of gratitude.

Mr. Arthur Carr has been kind enough to undertake the tire-

### *Author's Preface*

some task of reading the manuscript and to suggest numerous improvements in style. His patience and understanding have been of the greatest value to the author.

The Controller of H.M. Stationery Office has given permission to quote from numerous Command Papers, and the managers of *The Times*, the *Evening Standard* and the *New Statesman and Nation* have done the same with respect to extracts from Court Reports and other material. Mr. A. Royds, now Education Officer at Rochdale, has consented to the inclusion of some extracts from his unpublished Report on Juvenile Delinquency at Oldham. In addition, permission to quote has been obtained from the following publishers: The Cambridge University Press, The Oxford University Press, P. S. King & Son, Ltd., Longmans, Green & Co., Ltd., Methuen & Co., Ltd., Sir Isaac Pitman & Sons, Ltd., Faber & Faber, Ltd., J. M. Dent & Sons, Ltd., Victor Gollancz, Ltd., Putnam & Co., Ltd., Constable & Co., Ltd. To all these firms as well as to the authors concerned cordial acknowledgments must be given.

Messrs. George Allen & Unwin Ltd. deserve every credit for having undertaken the publication of a book of this type in spite of the difficulties of the present time.



# Taylor & Francis

Taylor & Francis Group

<http://taylorandfrancis.com>

# CONTENTS

AUTHOR'S PREFACE	PAGE 7
CHAPTER 1. INTRODUCTION	13
 <i>Part I. Structure and Interpretation of the Criminal Statistics for England and Wales</i>	
CHAPTER 2. THE STRUCTURE OF ENGLISH CRIMINAL STATISTICS	29
CHAPTER 3. THE INTERPRETATION OF ENGLISH CRIMINAL STATISTICS	48
APPENDIX. THE CONTENTS OF ENGLISH CRIMINAL STATISTICS	90
 <i>Part II. Social Aspects of Crime in England between the Wars</i>	
<i>A. General Outlines</i>	
CHAPTER 4. GENERAL OUTLINES	105
 <i>B. Various Crimino-Sociological Aspects</i>	
CHAPTER 5. UNEMPLOYMENT AND STRIKES	123
CHAPTER 6. ALCOHOLISM	160
CHAPTER 7. METHODS OF BUSINESS ADMINISTRATION	186
CHAPTER 8. GAMBLING	211
CHAPTER 9. JUVENILE DELINQUENCY. I	233
CHAPTER 10. JUVENILE DELINQUENCY. II (REPORT ON BORSTAL CASES)	250
CHAPTER 11. FEMALE DELINQUENCY AND PROSTITUTION	334
CHAPTER 12. RECIDIVISM	356
INDEX AND CONTENTS OF STATISTICAL TABLES	377



# Taylor & Francis

Taylor & Francis Group

<http://taylorandfrancis.com>

## CHAPTER ONE

# INTRODUCTION

THE mere fact of the publication of this book as well as its special structure would seem to demand some little explanation. Surely, it may appear somewhat presumptuous for a criminologist who is not a native of this country to deal with one of the most complex chapters in recent English social history and to undertake to tell a story of which he has witnessed only the latest events. The more his work proceeded, the more did the author himself become convinced that his venture was foredoomed to failure, and it was mainly due to the constant encouragement which he received from the many quarters mentioned in the Preface that he did not abandon his attempt. The book in its present form, it is true, bears only a slight resemblance to that which the author had originally in mind, thus presenting one more proof of the truth of the old dictum *Habent sua fata libelli*. Structure and contents cannot have remained untouched by the fact that the investigation had to be spread over nearly four years and that its final completion was, more than once, interrupted by unforeseen circumstances which were entirely beyond the author's control. The first research programme which was submitted to the Leon Bequest Committee in 1936 was based upon the belief that there existed a noticeable gap in criminological and penological research which might profitably be filled—a gap concerning the history of crime, its causes and treatment in England during the previous twenty-five years or so. That is not to say that in the author's view research into problems of this kind had been generally neglected in this country. On the contrary, they have formed the object of continuous effort by English scholars for more than a century and a half. It was only recently that our attention was once more drawn to this fact in a useful and learned article by two American criminologists.<sup>1</sup> From John

<sup>1</sup> Yale Levin and Alfred Lindesmith, "English Ecology and Criminology," *Journal of Criminal Law and Criminology*, vol. xxvii, no. 6, March-April 1937.

## *Social Aspects of Crime*

Howard and the brothers Fielding to Colquhoun, Bentham and Whately, from Mary Carpenter, M. Davenport Hill and Henry Mayhew to Luke Owen Pike, W. D. Morrison and Charles E. B. Russell—from the Reports on Criminal Commitments and Convictions of 1827–28 to the Gladstone Report of 1895 and the Report on Capital Punishment of 1930, hardly a single decade passed without witnessing an English contribution of outstanding importance to contemporary criminological and penological thought. Considering the lack of adequate scientific method possessed by those official investigators and private scholars, the average quality of their work must be regarded as of surprisingly high standard.<sup>1</sup> Moreover, it is an interesting fact that information concerning the social causes of crime in the England of the Industrial Revolution can be gathered not only from Opposition quarters<sup>2</sup> but at least as well from highly official enquiries. In the course of time, it is true, these sources have become more and more scanty until, finally, the War of 1914–18 almost entirely dried them up. In all probability, this lack of activity was not due to mere chance nor can it sufficiently be explained as a natural consequence of that state of mental exhaustion which follows an upheaval of such dimensions. Rather may it be ascribed to the fact that the time had not yet arrived for a systematic and scientific account of the post-War state of crime which would have been detached enough to be impartial. Such detachment was needed both for an evaluation of the criminological implications of the War and early post-War period as well as for an examination of the practical working of the new penal machinery built up by those great Reform Acts passed just prior to the War: The Probation of Offenders Act of 1907, the Prevention of Crime Act of 1908 and the Children Act of the same year, the Criminal Justice Administration Act of 1914—to mention only those with a direct bearing upon the Penal System—had more or less to remain scraps of paper during the actual fighting.

<sup>1</sup> As far as the special problem of Juvenile Delinquency is concerned, the author may be permitted to refer to his survey of previous investigations on the subject, written for the forthcoming Home Office Report.

<sup>2</sup> This is the view expressed by the well-known Dutch criminologist, W. A. Bonger, *Introduction to Criminology* (English translation, 1936), p. 42.

## Introduction

In 1936, after seventeen years of peace, however, it appeared possible to attempt at least a preliminary survey of certain sections of the whole field. American "Crime Surveys," beginning with the pioneer Cleveland Survey of 1922,<sup>1</sup> "individual case studies," initiated by Dr. William Healy, and "follow-up studies," the domain of the Gluecks, had shown the way. If they should not yet have succeeded in bringing about any substantial improvement in the American crime rate, surely this is not the fault of the workers engaged in those model investigations.

"The surveys," writes Mr. Bettman,<sup>2</sup> "have opened the eyes of the people in this country to the complex nature of the crime problem and to the possibilities of an intelligent and scientific approach to the study of that problem. They have forged some technique for that study . . . and they have formulated or furnished the basis for the formulation of many conclusions which can be accepted as parts of a comprehensive program of reforms."

The same applies to the individual case and follow-up studies.

However excellent these American surveys are as representing an ideal, it was clear that, for our present purposes, they could not simply be copied. Considerations of a technical as well as of a psychological nature would have prevented such an imitation, considerations which have proved decisive for the *scope* and *method* of the present investigation. Evidence of this will be found in the following summary of the *sources* and *material* at our disposal.

I. *Technical* difficulties necessarily arose, in the first place, from the fact that the author had to work single-handed where the American crime surveys employed whole armies of field-workers, statisticians, and other research assistants. This made it imperative to restrict the scope of the present investigation so as to adapt it to the proper dimensions of a one-man job with a more or less fixed time limit. Consequently, many items which should ordinarily

<sup>1</sup> Criminal Justice in Cleveland, conducted by the Cleveland Foundation and published by that Foundation, 1922. A detailed analysis of these Criminal Justice Surveys up to 1931 is given by Mr. Alfred Bettman in the *Report of the National Commission on Law Observance and Enforcement* (Wickersham Commission), Report No. 4: "On Prosecution," Washington, 1931, pp. 39-223.   <sup>2</sup> Op cit., p. 185.



## *Social Aspects of Crime*

have been included in a crime survey had to be dropped from the very beginning, as, in particular, the survey of criminal administration in the Courts, the work of the Police and the functioning of the various categories of penal institutions and of probation. To leave out these aspects for the time being seemed all the more appropriate as in the course of the last thirteen years many of them have been made the subject of important official and private publications, as in particular the Reports on

*The Treatment of Young Offenders*, 1927.

*Police Powers and Procedure*, 1929.

*Capital Punishment*, 1930.

*Persistent Offenders*, 1932.

*Sterilisation*, 1934.

*Imprisonment by Courts of Summary Jurisdiction in Default of Payment of Fines, etc.*, 1934.

*Employment of Prisoners*, Part I, 1933; Part II, 1935.

*Social Services in Courts on Summary Jurisdiction*, 1936.<sup>1</sup>

*Coroners*, 1936.

*Courts of Summary Jurisdiction in the Metropolitan Area*, 1937.

*Corporal Punishment*, 1938.

In addition, there are the five Reports of the Children's Branch, Home Office (1923, 1924, 1925, 1928, 1938) and the Annual Reports of the Commissioners of Prisons for England and Wales.

Though many of these Reports give an exhaustive and first-rate account of those special sections with which they are concerned, together they do not, and are not intended to, cover the whole penal system of the country. The most conspicuous gaps left refer to the actual working of the Courts and the Prison and Borstal Institutions. It is to some of these sections that recent efforts of private investigators have been directed: before 1936, only two books of this kind had appeared, *English Prisons To-day*, edited by Stephen Hobhouse and A. Fenner Brockway (1922), and S. Barman, *The English Borstal System* (1934), while Sir Evelyn Ruggles-Brise's

<sup>1</sup> This Report, which deals particularly with the Probation System, finds an excellent supplement in the *Handbook of Probation*, edited by Mrs. L. le Mesurier under the auspices of the National Association of Probation Officers, 1935.

## Introduction

*The English Prison System* (1921) and Mr. L. W. Fox's *The Modern English Prison* (1934), useful and illuminating as they are, belong to the category of semi-official publications. After 1936, however, admirable private accounts of the present English prison system have been given by Mr. Leo Page<sup>1</sup> and Mr. John A. F. Watson.<sup>2</sup> Recent memoirs by ex-prisoners endowed with special gifts of observation and expression have, more vividly than ever before, aroused the interest of the general public in prison problems. Moreover, the work of the Juvenile Courts has been reviewed in Miss Winifred A. Elkin's stimulating book on the subject.<sup>3</sup> All these researches represent the most valuable preparatory material for comprehensive surveys of the future. Much supplementary work will, of course, still be needed, particularly in view of the changes effected by the present War.

Entirely different is the position in the field of post-War *criminological* research into the *criminal types* and the *causes of crime*. Here, with very few exceptions, there has as yet been no concerted effort to study those causal factors the knowledge of which is an almost indispensable preliminary requirement for the building up of any efficient penal system. Since the publication of Dr. Charles Goring's painstaking Report on *The English Convict*, which appeared shortly before the Great War, only one criminological work of outstanding importance has been published, Professor Cyril Burt's *The Young Delinquent* (first edition 1925), in addition to which a few books of a more popular character, as Mrs. L. le Mesurier's *Boys in Trouble* and the writings of Sir William Clarke Hall and Roy Calvert, deserve mentioning. Of post-War official Reports only the following are essentially devoted to criminological problems: the Reports on

*Sexual Offences against Young Persons*,<sup>4</sup> 1925.

*Persistent Offenders*, 1932.

*Psychological Treatment of Crime*, 1939.

*Abortion*, 1939.

<sup>1</sup> *Crime and the Community* (1938).

<sup>2</sup> *Meet the Prisoner* (1939).

<sup>3</sup> *English Juvenile Courts* (1938).

<sup>4</sup> This Report is concerned with questions of Court procedure, too. These and problems of treatment occupy, in fact, much more space than those sections referring to the offender, his mental condition and social status, etc. Similar considerations apply to the Report on Street Offences, 1928.

## *Social Aspects of Crime*

There are, in addition, several short Reports by local authorities on Juvenile Delinquency, some of them unpublished.<sup>1</sup>

It was this apparent lack of systematic research into the causal factors of crime, and particularly into its social aspects,<sup>2</sup> that induced the author to concentrate upon them. Investigations of this kind can, as a rule, be based either on statistical or on individual case material. As far as the latter is concerned, it was the author's plan to delve into those huge accumulations of case records collected by Prison and Borstal authorities, Probation Officers, Approved Schools, and others, for the purpose of giving a comprehensive account of the principal causative factors of crime and delinquency for the period under investigation. At the time when the plan for this book was conceived no attempt had yet been made to unearth the treasures that might have been hidden in these mountains. There was, however, one obvious difficulty, arising from the fact that it became necessary to go back to a time when the understanding of the technique of recording case histories was not yet sufficiently developed. Consequently, after having worked his way through a few thousand records of probation cases it became clear to the author that this material was neither uniform nor detailed enough for scientific purposes.<sup>3</sup> Moreover, in the meantime the welcome news had become known that not only the Borstal authorities were engaged in carrying out very extensive investigations into cases of boys passing through the collecting centre at H.M. Prison Wormwood Scrubs, but also that the Home Office intended to conduct a full enquiry into the causes of juvenile delinquency mainly based upon Juvenile Court cases. The fact that the enquiry is being based upon current records specially collected for this purpose shows

<sup>1</sup> Outstanding among them are the Reports of the London County Council, Education Officer, of 1937, and of the City of Birmingham Education Committee of 1938, and the unpublished *Report on an Enquiry into the Relationship of Juvenile Delinquency and Environment in an Industrial Town*, by Mr. Albert Royds, M.Ed., B.Sc., describing conditions in Oldham.

<sup>2</sup> Research into the mental aspects of crime was carried out up to the present War at Wormwood Scrubs Prison (see the Report on *The Psychological Treatment of Crime*, by Dr. W. Norwood East and Dr. W. H. de B. Hubert, 1939) and at the Institute for the Scientific Treatment of Delinquency.

<sup>3</sup> See also Dr. M. Fortes, *Sociological Review*, vol. xxv (1933), p. 154.

## *Introduction*

that here, too, it has not been regarded as practicable to use the material already available.

With the greatest reluctance the author had therefore to reshape his programme in several directions: The chapter on Juvenile Delinquency had to be completely revised to avoid any overlapping with the pending official investigations as well as useless repetitions of general statements on the subject. In its present form this chapter contains mainly the results of an examination of approximately one thousand records of the Borstal and Aylesbury Associations, thus dealing with young men and women of 16 to 21 or 23 years—age groups not covered by the Home Office Enquiry which concerns itself only with boys of Juvenile Court age. Nor will there be much overlapping between this chapter and the investigations into Borstal cases carried out by the Prison Commission as the latter are limited to cases of boys examined at Wormwood Scrubs within the last five years or so, irrespective of whether they may have later been committed to Borstal Institutions or not, whilst no cases of girls are considered. The author's material, though in no way comparable with the much more scientific and detailed data specially collected for these official enquiries, proved nevertheless more suitable than the contemporary probation records.

Hitherto unpublished material has further been used for the chapter on Recidivism, which is based on After-Trial Calendars.

For other chapters the author had chiefly to rely upon the existing statistical material—a fact which made it indispensable to undertake a critical account of the structure and value of English Criminal Statistics. In view of the dominating position which the latter still hold in criminological research as well as in public discussions on problems of crime, it seems essential that the many pitfalls and limitations of such statistics should be as clearly and as widely understood as possible. Even at the risk of repeating things which are only too well known to the initiated, all these aspects had to be fully discussed. Readers who are more interested in ready-made conclusions than in a critical examination of the methods and implements used to produce them may perhaps be well advised to skip the chapters on Criminal Statistics altogether. The others, how-

## *Social Aspects of Crime*

ever, have a right to be told in advance how far they should place their trust in material of this kind.

As statistics alone are bare and apt to be misleading, they had to be supplemented, not only with the case records referred to above, but also with the whole wealth of literature dealing with recent English social history in general. Among the published sources of information almost the most valuable for the work in hand proved the Reports of Royal Commissions, Departmental Committees, etc., with their Minutes of Evidence. This does not mean that the author has been entirely unaware of the well-known weaknesses of such enquiries—weaknesses that have been so scholarly exposed in recent years.<sup>1</sup> Nevertheless, for those who know how to interpret the Reports and, in particular, the oral evidence on which they so greatly rely, they will always remain “valuable sources of socio-economic information.”<sup>2</sup> Surely, many statements in *Minutes of Evidence* cannot be accepted on their face value, but it is usually possible to arrive at a fairly accurate estimate of their true worth by studying the course of the proceedings as a whole, the attitude of the chairman and his method of putting questions.

II. *Psychological* difficulties arose from the peculiar position which old-world criminology occupies within the fraternity of the social sciences. The high walls which still surround the territory of crime and render any research into it so difficult are well known to every student. It is a field of science that has, rather paradoxically, been made at once the popular playground of public discussion and a sphere of taboo, of mystery and prohibitions to the serious worker. This apparent inconsistency is easy to understand. The stronger the stigma attached to certain human actions by State and society, the more do they arouse popular interest. Impartial research, however, is not likely to prosper in such a highly emotional atmosphere. To

<sup>1</sup> See in particular H. McDowell Clokie and J. W. Robinson, *Royal Commissions of Inquiry* (1937), p. 178 et seq.; S. and B. Webb, *Methods of Social Study* (1932), p. 142 et seq.; Professor M. Greenwood, “On the Value of Royal Commissions in Sociological Research,” *Journal of the Royal Statistical Society*, vol. 100, part iii (1937), p. 396 et seq.; Sir Arnold Wilson, *Spectator*, November 3, 1939.

<sup>2</sup> Clokie and Robinson, *op. cit.*, p. 10.

## Introduction

use an appropriate analogy: investigations into the psychology of unemployment have only become possible since the social stigma attached to the dole has lost something of its sting. In the well-known Austrian investigations at Marienthal, less than ten years ago, none of the research workers was allowed to introduce himself to the unemployed in his real capacity, because otherwise "an atmosphere of general distrust would have been established."<sup>1</sup> The fact that this distrust was not experienced in the course of the corresponding English field work undertaken under the auspices of the Pilgrim Trust,<sup>2</sup> proves that in this country the idea of unemployment has already been better neutralized than it was in Austria. In the field of criminology this neutralizing process is still in its beginnings, and it may even be doubtful whether public opinion will ever reach a stage where complete de-stigmatization of crime would appear tolerable.<sup>3</sup> The consequences which such an attitude must have for criminological field work, particularly if carried out "in the open," i.e. with the criminal at large outside the penal institution, are obvious. At present it prevents, or at least renders difficult, not only the fullest desirable use of case histories with all their intimate details, but also the following up of individual offenders over a considerable period of years, which is indispensable for a correct evaluation of the practical working of a penal system. It is one of the many advantages of the recent progress of the idea of Probation that it promises to open up many invaluable sources of information which have been hitherto inaccessible.

Nor are the described handicaps the only ones from which criminological research has to suffer. There is also the great restriction in the use of the experimental method. In the field of penology the latter is by no means excluded; on the contrary, experiments in treatment form an important part of the practical work. To the criminologist, however, this is but rarely permissible: to expose human beings artificially to crime-producing conditions in order to study their reactions would be rightly regarded just as

<sup>1</sup> Marie Jahoda, *Sociological Review*, January 1938, p. 64.

<sup>2</sup> *Men without Work* (1938), p. 3.

<sup>3</sup> See the discussion of this problem in the author's book, *The Dilemma of Penal Reform* (London, George Allen and Unwin Ltd., 1939), chapters iv, v.

## *Social Aspects of Crime*

objectionable as the methods of the *agent provocateur*.<sup>1</sup> The place of the experiment has therefore largely been filled by a theoretical makeshift known as the control group method, which—though certainly indispensable—has nevertheless become responsible for many misleading statements in recent criminological researches.<sup>2</sup> Owing to the special course which the present investigation has taken, it became unnecessary to use a control group or to discuss the whole control group problem. The use of this method is indispensable whenever we have to deal with a group of offenders not yet selected according to certain criminological characteristics and who can therefore easily be matched with an equally unselected section of the general population. Borstal boys and girls do not constitute such an unselected group, and it might have been very misleading to compare them, for instance, with members of average youth organizations.

As far as "control groups" are used in this book, they are mainly in the nature of foreign Criminal Statistics and similar comparative material. To follow up the development of crime in a country without gleaning any sidelights from foreign countries may occasionally result in erroneous interpretations. How can we decide, for instance, whether the amount of crime of a certain type in England is abnormal without knowing at least some of the corresponding data for foreign countries? There is no absolute point of saturation for crime which might be regarded as its "normal" capacity. Population Statistics can state, from a comparison between births and deaths, that the population is decreasing in a manner dangerous to the future of the nation. Export and Import Statistics can show up similar weak points in the nation's trade. Criminal Statistics—even if followed up over a period of years—are not too informative if treated on a purely national basis. The ups and downs of their figures are certainly interesting in connection with other contemporary tendencies. Such comparisons within the country itself, however, cannot supply us with a firm basis of judgement. That there are now three thousand convictions for a certain offence instead of

<sup>1</sup> There may exist, however, a limited scope for the experimental method even in criminological research. See *Sociological Review*, 1940, p. 116.

<sup>2</sup> The author hopes to give in another place his reasons for this view.

## Introduction

only one thousand some years ago may be a matter for anxiety. Such fluctuations in themselves do not show, however, whether the former level was abnormally low or whether the present one is too high. On the other hand, the pitfalls of International Criminal Statistics are too notorious to inspire much confidence in comparisons between countries whose systems of law and legal administration, whose social and political structures are not intimately known. It is for this reason that the author had to limit the use of foreign figures to countries with which he believes himself sufficiently conversant.

Some possible criticisms of a more general character may be anticipated. In the first place, many things in this book may have been seen too much "through the eyes of a foreigner," which may mean that they have been perceived in a wrong perspective. Moreover, the author has himself been deeply enough engaged in the practical administration of criminal justice to know that there are many aspects of it which the outsider cannot notice at all. On the other hand, he has become so thoroughly detached and cut off from daily routine work as to be able to recognize how much those engaged in it may miss or misjudge. Considerations of this kind may perhaps apply not only to the relation between theory and practice, but also to the observations of a foreign student. It is Mr. Hilaire Belloc who has expounded the problem very clearly:<sup>1</sup>

"There are two obstacles to the description of any people in any age. The first is the difficulty of presenting what is obvious from the outside but not perceived from the inside: what is obvious to the foreign onlooker but unappreciated by the native. The second is the difficulty of presenting what is obvious from the inside but not perceived from the outside: what the native takes for granted and what is yet to the alien so novel and unsuspected as to be nearly incredible. Nations have qualities which are glaring to the foreigner, but which they themselves never suspect; they are also so familiar with things of their own as to think these universal and obvious, and thus not worth describing; so that the foreigner never hears of them. . . ."

<sup>1</sup> Hilaire Belloc, *An Essay on the Nature of Contemporary England*, London, Constable & Co., 1937, p. vii.



## *Social Aspects of Crime*

To many readers the picture drawn in some chapters of this book may appear somewhat gloomy and one-sided. It may therefore be permitted to point out that whoever may be concerned with problems of crime and its causes will, from the very nature of his subject, be bound to place the destructive forces of the period in the foreground without being able to devote an equally generous space to the positive values. The description of these other factors he has regretfully to leave to the general historian and sociologist. When dealing with juvenile delinquency, for instance, he has to devote his attention more to the handicaps from which the youth of the country is suffering than to the efforts of the social services which come to its aid. In this connection a special word of caution should perhaps be addressed to those who may try tendenciously to apply to the purpose of international comparisons some of the material collected in this book. The very fact that it has become possible at all to denounce certain social phenomena as the principal causative factors of crime in England is due to the comparative frankness with which problems of this kind can be discussed in a free country. As Sir Arthur Salter has just said: "Democracies expose their sores, but autocracies whiten their sepulchres."<sup>1</sup> In spite of the psychological difficulties which—as indicated above—are generally connected with criminological research, the latter still stands a better chance in countries where it is not subordinated to the commands of political slogans. Professor MacMurray's dictum, "A society which can develop a scientific psychology is a society which has overcome its fear of examining its own motives"<sup>2</sup> is equally true of research into the character and causes of crime. The close connection which exists between the political atmosphere of a country and its criminological ideas is striking enough. It is not a matter of chance that the totalitarian States—with the possible exception of Russia, where the future trends are not yet clearly visible—are largely dominated by biological and hereditarian theories of crime, while the democracies are strong enough to face a more sociological interpretation. Apart from political reasons, the fact were inexplicable that just Germany, in spite of her first-hand post-War experiences

<sup>1</sup> *Security. Can We Retrieve It?* (1939), p. 377.

<sup>2</sup> *The Boundaries of Science* (1939), p. 62.

## Introduction

of the unique power of social factors, should have become the domain of the narrowest biological conception of the crime problem.

Nobody knows better than the author that many aspects of great importance are omitted or only slightly touched upon in this book. It was with special regret that he had to abstain from a discussion of the criminological implications of the housing problem to which he had already devoted some preparatory work. Feeling as he did that its complexity would have rendered the collecting and sifting of the material a particularly lengthy task, he decided to leave such an investigation to a more favourable date. Moreover, the results of a fairly comprehensive investigation into recidivism, based upon After-Trial Calendars of the Criminal Courts, could not be fully included owing to lack of space. Even with such limitations it has proved a rather formidable task to survey the criminological development in the whole of England over nearly a quarter of a century. Would it not, perhaps, have been better to restrict the investigation to the last few years or to a much smaller area? Is it not inevitable that *qui trop embrasse mal étreint*? This the author has been asking himself continually, only to become more and more convinced that his original scheme was right. As to the period under investigation, it would not have been advisable to deal exclusively with the state of affairs immediately preceding the present War, which can be understood only in the light of the first World War and its aftermath. It is a commonplace that the adult criminal of to-day is the juvenile delinquent of ten or twenty years ago, and that it is impossible to do him justice without understanding the social conditions of his youth. *Mutatis mutandis* the same is true of the regional scope. To select a special district or town would be useful only after certain general aspects have been clearly established for the whole country. It is to be hoped that in the future it may become possible to carry out some more detailed researches for smaller areas.

Other critics may find the numerous and lengthy quotations somewhat disturbing. They seemed indispensable, however, because the author desired to support his statements as firmly as possible with documentary evidence and to demand of the reader as little as possible to be taken on trust. On the other hand, purely

## *Social Aspects of Crime*

theoretical discussions, perfectly in place in a textbook, had to be strictly avoided or, at least, cut down to the utmost minimum. It is one of the chief objects of this book to demonstrate, by taking certain selected problems, how much, or how little, information can be derived from the statistical and other Bluebook material as well as from certain collections of available case histories.

From these premises, the plan of the book emerges as follows: the critical examination of the structure and interpretation of English Criminal Statistics is followed by a rapid survey of the principal criminological features of the period between the two Wars, while its most significant aspects are dealt with in a number of separate chapters. Four of these chapters are devoted to problems of work and leisure (Unemployment and Strikes, Business Administration, Alcoholism, and Gambling), four others to those of certain specific sections of the population (Juvenile Delinquency, Female Delinquency and Prostitution, Recidivism).

In a book of this character the author might be expected to give, at the end, a summary of his conclusions with some hints for the future, and it was originally intended to make at least an attempt to meet this obligation. For two reasons, however, the author has now thought it advisable to leave this final chapter at present unwritten. In the first place, the book has already become unduly lengthy. Moreover, almost any possibility of making forecasts for the future seems to have been destroyed by the outbreak of the War. A host of new and more or less unforeseen problems has already arisen, others will probably arise in the course of the next few years, and it may become necessary to revise old conceptions and to make a fresh start.

PART I

*Structure and Interpretation of the Criminal  
Statistics for England and Wales*

"It is very difficult to compile statistics, more difficult to arrange them, and still more difficult to interpret them."

J. Macdonell, *Journal of the Royal Statistical Society*.

Vol. lx (1897), p. 29.

As we shall have to base many of our conclusions in later chapters on material supplied by the English *Criminal Statistics*, it becomes imperative to give an outline of the structure of the latter and to consider the various factors which are essential for a right interpretation of their figures. Occasionally the reader may receive the impression that in this Part we have been at pains to cut away the branches on which we shall later have to hang essential parts of our investigation. It might be more accurate, however, to say that it is our present task to eliminate defective boughs and to test the strength and reliability of the remainder.

## THE STRUCTURE OF ENGLISH CRIMINAL STATISTICS

I. English Criminal Statistics are based mainly upon two fundamental aspects, being partly statistics of *persons* who have committed crimes and partly statistics of *crimes* committed. This contrast is not absolute, since in the first group some particulars are given about the crimes committed and in the second with regard to the persons proceeded against. Nevertheless, the essential point remains: the first category deals exclusively with a limited number of persons and the offences connected with them, whilst the second category registers all known offences without any regard to the question whether they can, even loosely, be traced back to a certain author.<sup>1</sup> Both methods have obviously their special advantages and shortcomings. Their ultimate aims are different, as well as the uses that can be made of them. The rubric "Crimes Known to the Police" is useless, for instance, for an investigation into the extent and development of juvenile delinquency, as there are no details given as to the ages of the authors of the crimes brought to the knowledge of the Police. On the other hand, since a person convicted in a certain area may have committed one or perhaps hundreds of crimes there, the figures of persons prosecuted or convicted are of little value for an investigation into the extent of crime within that area. Only a perfect combination of both systems would enable the investigator to state how many persons of a certain age, sex, etc., have committed so many crimes of a certain type, in a given time, within a given area.

What form would an ideal combination of both sets of figures have to assume?

<sup>1</sup> In the present *Criminal Statistics* both methods are used somewhat promiscuously, even in the same table: see, e.g., *Criminal Statistics, 1938*, Table XXVI ("Police Returns"), which gives partly figures of crime (*a* (1) and (2)), partly of persons prosecuted (*b* and *c*).

## *Social Aspects of Crime*

In the first place, such a table ought to show how many *persons* have been convicted for each type of crime and how many *crimes* they have committed *in toto*. These figures ought to be given for each Police district separately. Taken in conjunction with the number of "Crimes Known to the Police," this would make it possible to estimate the percentage of crimes not cleared up, provided that both sets of figures dealt with exactly the same material as to time and area.

Secondly, it should be shown how many of the persons convicted

(a) have committed one, two, three, four, etc., offences respectively. In this way could be collected interesting information on the problem of *professional delinquency* and *recidivism*.

(b) how many have committed their offences in association with one, two, three, four, etc., persons. This would furnish valuable material with regard to the *gang problem*.

How far, then, do the present English *Criminal Statistics* fulfil the requirements of such a systematic scheme of classification? There are several difficulties:

(1) The statistics of *persons*, being based upon the numbers for trial and of convictions, are necessarily dependent on the course of the judicial proceedings. They can, therefore, contain only cases dealt with by the Courts within the year.<sup>1</sup> The *Police Returns*, on the other hand, register the cases at a much earlier stage, i.e. "all crimes reported to the Police or otherwise coming to their knowledge within the year."<sup>2</sup> It is obvious that a considerable percentage of those crimes which come to the knowledge of the Police during the last months of the year cannot be definitely dealt with by the Courts before the following year. This must be particularly the case with crimes coming before the Assizes or Quarter Sessions. Although the effects of this difference do, to a certain extent, counterbalance each other, there can be no guarantee whatever that this fact may not sometimes render impossible the exact evaluation of important criminological occurrences. If, for instance, an event like a General Strike happens within the last month of the year, nobody

<sup>1</sup> See Note (e) to the Tables I-III.

<sup>2</sup> Note (b) to tables "Police Returns."

## *The Structure of English Criminal Statistics*

will be able to gather from the *Criminal Statistics* exact information as to how the Criminal Courts dealt with offences arising from disorders connected with the Strike. In the *Criminal Statistics*, 1937, however, there was for the first time introduced, in the table "Police Returns. Indictable Offences," an interesting new column showing the number of "Crimes cleared up during the Year" and distinguishing between crimes reported to the Police during the same year and those reported during previous years. The definition of "cleared up," as given in Note (c) to the tables "Police Returns," is very wide.<sup>1</sup>

(2) To unavoidable discrepancies of this kind must be added the difference in legal classification: In the tables of persons convicted, the offences are registered according to the judgement of the Court. In the *Police Returns*, this method can be followed only if "there is a committal or finding of guilt within the year. . . . Failing this, the charge which is named in the summons or warrant or on which the prisoner is arrested is taken as determining the crime. If there are no proceedings and no apprehension, the character of the crime is judged by the facts so far as known to the Police."<sup>2</sup> For the great majority of average crimes, as larcenies, etc., it can safely be presumed that the classification by the Police will be identical with that which the Court would have chosen had the case been finally settled in Court. It may, however, be otherwise with crimes so beset with legal and factual difficulties as murder, manslaughter, false pretences, fraud, embezzlement, forgery, perjury, libel and the like. Consequently, when comparing the number of persons convicted of murder and manslaughter with that of the crimes of those types known to the Police, we do not know how far both sets refer to the same cases. The cases tabulated by the Police in 1933 as murder cases, for instance, may have been dealt with by the Courts in 1934 as manslaughter cases.<sup>3</sup>

(3) The *Criminal Statistics* do not indicate how many of the persons convicted have acted in association with one another. Thereby the impression may be caused that each person has com-

<sup>1</sup> See below, p. 33.

<sup>2</sup> Note (c), now (b), to tables "Police Returns."

<sup>3</sup> In footnote (a) to the table "Police Returns. Indictable Offences" changes of this kind are registered for murder cases. For other offences they are not shown.



## *Social Aspects of Crime*

mitted a separate crime, whilst as a matter of fact several convictions may refer to the same crime. The numbers of crimes of which the perpetrators were detected may therefore appear higher than they really are. There is consequently no material as to the frequency of gang activities.<sup>1</sup> Only in those rare cases in which the total number of persons convicted is higher than that of crimes of that type known to the Police, as riot, unlawful assembly, etc., some very tentative conclusions are possible as to the number of persons who have acted jointly.

It may be worth while to include in future a column showing the number of persons convicted jointly for the same offence. If, for instance, 1,504 cases of malicious wounding are known to the police and 945 persons have been found guilty with regard to this type of offence, it is of great importance to the criminologist to know whether each of these 945 persons has committed one or perhaps two offences single-handed, or whether they have acted in gangs of ten, so that only about one hundred offences are cleared up, whilst the remainder have escaped. Though it will be impracticable to give detailed information for any possible variation, at least certain types may be shown separately, as, for instance:

- Offences committed by one person only,
- Offences committed by two to five persons jointly,
- Offences committed by more than five persons jointly.

Even this could be limited to those offences which are most likely to be committed in gangs.

(4) More complicated are the considerations concerning the contrary source or error, i.e. the possibility that one person may have committed several crimes so that one thousand convicted persons may perhaps have been found guilty of two thousand crimes known to the police and dealt with satisfactorily. This possibility is partly taken into account by the English *Criminal Statistics*.

The Tables I to III ("Number of Persons for Trial at Assizes and

<sup>1</sup> It may be noted in parenthesis that not every case of participation of several persons in a crime can be interpreted as an indication of gang activities. Statistics of this kind, here as everywhere, can only be regarded as the first step towards an understanding of complex criminological facts.

## *The Structure of English Criminal Statistics*

Quarter Sessions") contain three columns (20 to 22): "Additional Offences charged against the same Persons." These columns, however, refer exclusively to "other offences of a distinct character,"<sup>1</sup> i.e. to the case that a person convicted of larceny has, for instance, in addition committed false pretences, not to the case that he has committed several larcenies. This restriction is all the more important as recidivists often stick to the type of crime they are accustomed to. Even so, however, is the number of additional offences shown in Columns 20 to 22 very high, and for offences against property often higher than the number of persons for trial. It is to be regretted that these columns are included only in the tables recording proceedings before Assizes and Quarter Sessions, not for Summary Jurisdiction cases.

Another method is in use in the table "Police Returns. Indictable Offences." There up to 1937 a Column 12 could be found: "Crimes of which the perpetrators were detected, but in respect of which no entries appear in Columns 3 to 11." Note (j) to this table gives the following explanation:

"Column 12 includes offences of which the perpetrators were detected but in respect of which no entries appear in Columns 3 to 11 because the offenders, or the prosecutors, were dead and proceedings were impossible, or because the prosecutors did not desire to prosecute, or proceedings (e.g. for Attempted Suicide) were considered unnecessary; or because the offences were taken into account upon another conviction or . . . the sentence passed was consecutive upon or concurrent with another sentence for an offence which does appear in the foregoing columns."

In 1937 this column was replaced by the above-mentioned column: "Cleared up during the Year," the scope of which seems to be still wider. In particular, all cases are now explicitly included where a person has been arrested or summoned or cautioned by the Police.

*This is thus a combination of several very different aspects, each of which would justify a separate computation.* Partly, this column deals with further crimes committed by persons already dealt with by the Courts for other offences. In so far, it is similar to Columns 20

<sup>1</sup> Note (c) to Tables I-III.

## *Social Aspects of Crime*

to 22 in Tables I to III, with the difference, however, that it is not restricted to "offences of a distinct character." As indicated above, it is important from the criminological point of view to know the number of such further offences in order to get an idea of the extent of professional crime.

The group of offences *detected but not prosecuted*, because the injured person did not desire to prosecute, is interesting as showing the influence of the system of *private prosecution* on the number of prosecutions, whilst the group of cases in which proceedings were considered unnecessary may furnish an idea as to the working of the *discretionary power of the Police* (corresponding to the Continental *Opportunitätsprinzip*).

Column 12 thus includes a great variety of aspects which not only under criminological and penological aspects but also in the interests of a more efficient administration of criminal justice in general ought well to be investigated separately. The connecting factor is the justifiable desire on the part of the Police to prove that a difference between the number of persons for trial and of crimes known to the Police implies no certain failure of the Police to detect the authors of reported crimes. This is certainly a very important consideration, but not the only one. It would perhaps be possible, without much more clerical work, to tabulate the offences dealt with by taking into account, or by concurrent or consecutive sentences, separately from the other cases covered by the former Column 12.

Additional columns would be required if attempts were made to connect the figures with individual persons, i.e. to show how many individuals had committed, say, one to five, five to ten, or ten to twenty offences, and so on. Such an innovation would render possible a better assessment of the amount of habitual crime. If at present 1,000 persons are recorded as having committed 2,000 burglaries, this does not disclose whether each of them has committed two of these crimes, or whether 980 of them have only one case to their discredit, whilst the remaining 20 burglars are guilty together of 1,020 crimes. Surely this difference is very important not only from the criminological but also from the penological point of view, as it may help to explain some striking contrasts in the length of sentences.

## *The Structure of English Criminal Statistics*

One aspect of the matter would seem to require special consideration. At present, if there are several convictions against the same person, only one of the offences is selected for tabulation, i.e. that for which the heaviest punishment was awarded.<sup>1</sup> Consequently, if a slighter offence happens to be frequently committed in connection with a more serious one, the statistical figures for the former offence will be much too low. This is particularly the case with drunkenness convictions: when the drunken person, in addition to drunkenness, is convicted of a more serious offence, the drunkenness conviction does not appear in the *Criminal Statistics*, and one has to use the *Licensing Statistics* to get some information on the relation between drunkenness and delinquency.<sup>2</sup>

This system, however, is at least in harmony with the criminological significance of the various offences concerned, since it can be assumed that the offence for which the heavier punishment is awarded is also the more important from the criminological point of view. Under the system adopted by the German Criminal Statistics only that offence is chosen for tabulation for which the law, in general, permits the heavier punishment.<sup>3</sup> This offence may, however, be of less criminological significance and it may also in the given case have received a more lenient sentence; nevertheless, it is allowed to obscure the other conviction.

II. *In particular: The scientific value of Police Returns.*—Having realized the dual character of English Criminal Statistics, we can now examine the question to which of both sets of figures preference should be given in our further investigations. Expert opinion as to the scientific value of the rubric "Crimes Known to the Police" has undergone frequent changes.<sup>4</sup> Earlier volumes of the

<sup>1</sup> See note (b) to the tables "Assizes and Quarter Sessions" and note (b) to the tables "Courts of Summary Jurisdiction."

<sup>2</sup> See below, p. 160.

<sup>3</sup> See the Introductions to the *Reichskriminalstatistik*.

<sup>4</sup> For an excellent discussion of this question—mainly, but not exclusively from the American point of view—see Professor Sam Bass Warner's book *Crime and Criminal Statistics in Boston* (Survey of Crime and Criminal Justice in Boston, conducted by the Harvard Law School, vol. ii, 1934), p. 56 et seq.; also his article in 45 *Harvard Law Review* (1931), p. 307 et seq. See, moreover, Professor Thorsten Sellin's well-known essay, "The Basis of a Crime Index," in the *Journal of Criminal Law and Criminology*, vol. 22 (1931), p. 335 et seq., and Dr. Roesner's article "Polizeistatistik," in the *Handwörterbuch der Kriminologie*, vol. ii, p. 348 (1934).

## *Social Aspects of Crime*

*Criminal Statistics* used to emphasize the unreliability of these figures.<sup>1</sup>

"A prudent man," it is said in the Introduction of 1896, "will hesitate to use them as material for forming a definite opinion with regard to the amount of crime actually committed."

The *Report on Criminal Statistics of 1895* blamed in particular the lack of uniformity:<sup>2</sup>

"The chief defect in the old Police Tables, which were compiled from annual returns made by 191 separate and independent Police Forces has been due to the absence of sufficient instruction to secure their preparation on a uniform basis. . . . It would often have been better that they all should be wrong, provided that they all made the same mistake, than that some should be right and others wrong."

In 1912, however, the "Crimes Known to the Police" somewhat gained in reputation. Although still deemed inferior to the "Statistics of Persons Tried," they were used as a valuable confirmation of the conclusions drawn from the latter category if they stood in permanent agreement with it. This parallelism, however, ceased after the Great War when the number of "Crimes Known to the Police" showed a considerable rise in spite of a small decrease in the number of "Persons Tried." It is all the more noteworthy that the editors of the *Criminal Statistics* of that time changed their former attitude and described the number of indictable offences known to the Police as "the best available guide to the volume of serious crime."<sup>3</sup> The reasons for this reversal can be made clear only by a fuller discussion of the merits, or otherwise, of this part of the *Criminal Statistics*.

First of all should be borne in mind the fundamental difference that separates statistics of "Crimes Known to the Police" from other types of Criminal Statistics. The latter—whether they may be statistics of "Persons Tried or Convicted," or of "Length of Sentences," or of "Receptions in Institutions," etc.—represent but

<sup>1</sup> See, for instance, *Criminal Statistics*, 1895, p. 11; 1896, p. 11.      <sup>2</sup> P. 20.

<sup>3</sup> *Criminal Statistics*, 1928, p. v, and, even stronger, *Criminal Statistics*, 1930, p. vi (fn.). An important point in favour of Police Statistics is that, after all, Court Statistics must necessarily also be affected by Police methods.

## *The Structure of English Criminal Statistics*

mechanical transferences from one ledger into another, and the person who copies them has in no way to examine whether or not the conviction or the sentence, etc., may be justified. The statistics of "Crimes Known to the Police," however, are purely discretionary, as Sir Leonard Dunning justly called them.<sup>1</sup> The police officers in charge have to decide whether a certain event reported to them has taken place at all and therefore is "known to the Police," and, having answered this question in the affirmative, whether it constitutes a "crime," and a crime of a certain legal type. This means that the Police have, to a considerable degree, to anticipate the task of the Criminal Court. It is true, they can, when doing so, restrict themselves to an evaluation of mere probabilities, instead of exact evidence; but even with this limitation it is often very difficult to estimate the reliability of a report received from a private person that a certain crime has been committed. It is not only the old problem as to whether the missing property has been lost or misplaced or stolen, whether a motor-car has been taken for a joy-ride only or for good. Reported crimes may be purely fictitious in order to cloak unreported real crimes—embezzlement from an employer, fraud on insurance companies—or to cover illicit sexual intercourse, etc. Moreover, "The increasing popularity of insurance and the necessity of stating whether the Police have been informed when a claim to insurance money is made, go to increase the proportion of incidents that are reported as indicating offences and, consequently, to swell the number of crimes recorded as 'known'."<sup>2</sup> In former years the "Police Returns" contained tables which, by their very nature, led to a still higher degree of divergence between the various Police reports: the statistics of "Known Thieves," of "Known Houses of Bad Character" and of "Habitual Criminals at Large."

"In 1890," states the *Report on Criminal Statistics of 1895*,<sup>3</sup> there were in Liverpool 132 'known thieves' under the age of 16, in Birmingham only 23, in Bradford none, and in Manchester none. This extraordinary variation could be accounted

<sup>1</sup> See his evidence before the Committee on the Police Service, 1920, *Minutes of Evidence*, p. 82.

<sup>2</sup> Arthur Locke, *Police Journal*, vol. iv (1931).

<sup>3</sup> P. 23.

## *Social Aspects of Crime*

for only by the fact of the Police of the different towns taking totally different views as to what constituted a 'known thief'."

The Report points at the strange fact that London shows comparatively much lower figures than the country, and concludes:

"These figures convey no information whatever as to the proportionate numbers of the criminal classes; they merely represent the varying extent of the knowledge which the Police possess of the character of individuals according to the circumstances of the Metropolis, of smaller towns, and of country districts."

It is difficult not to sympathize with the indignation felt by a former Chief Constable of Liverpool<sup>1</sup> when lamenting the snares of Police Statistics:

"It is impossible to compare Liverpool (as has been attempted) with other towns by quoting statistics. To state, on such evidence, that Liverpool has 443 brothels, whilst Manchester has only 5, and Glasgow has only 14, is simply fantastic. Such figures only profess to show the number of such houses 'known to the police,' and all that they can prove is the very superior 'knowledge' of the Police of Liverpool to that of the other towns quoted. . . ."

In any case, the regret expressed by Roesner<sup>2</sup> at the disappearance of these rubrics does not seem to be well founded.

Such are the obstacles inevitably connected with any kind of discretionary Police Statistics. There exists, however, another difficulty which is a consequence of what may be called the *duality of purpose* of the Police Statistics. They not only aim at presenting the amount of crime committed, but may also be used as a means of checking the efficiency of the various Police Forces.<sup>3</sup> What are the consequences of such a duality of purpose? To give an example from a different field. The research worker whose position may be

<sup>1</sup> Sir William Nott-Bower, *Fifty-two Years a Policeman* (1926), p. 142.

<sup>2</sup> *Handwörterbuch der Kriminologie*, vol. ii, p. 372.

<sup>3</sup> "Under no circumstances should those responsible for the administration of the law be given the authority to collect and compile facts within their own jurisdiction." (James Edward Hagerly, *Twentieth-Century Crime—Eighteenth-Century Methods of Control*, 1934, Boston, Mass., p. 45.)