'Numbering Crimes and Measuring Space: Policing Sheffield in the Mid-Nineteenth Century'[1]

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I Introduction

Understanding and enumerating a social problem is not the same as taking action against it. It is, though, a necessary precondition for action, and one which can have a significant impact on how the issue is defined. Knowledge is not in itself power, but it often precedes and interacts with power. This article is about power and knowledge in nineteenth century Sheffield - specifically as expressed in the way that the state of crime in the city and the city police's attempts to control that crime were put forward in statistical returns. It takes what I have elsewhere described as a 'pessimistic' approach to criminal statistics, such as that adopted by Tobias, Sindall and Taylor.[2] This rejects the content of the numbers as any guide to the real state of crime. Instead, they are used to give an insight into the way in which the image of crime and the assumptions thus encouraged were produced. Although this approach is taken here, it does not imply that I reject the contribution that many statistical measurements can make towards an understanding of the activity of the criminal justice system.

Crime and the city have often been seen as synonymous, and this was especially true of the early nineteenth century, when concerns that had traditionally been associated with the metropolis began to arise in Britain's mushrooming industrial areas.[3] It was a commonly held axiom that crime existed 'in proportion to the density of the population'.[4] In an address to the 1858 meeting

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[1] This article benefits from feedback from a paper originally delivered to the 2001 Urban History Group meeting at the University of Glasgow. Richard Rodger, Clive Emsley, Lucy Faire and Judith Ditlef-Nielsen all gave me helpful advice that has improved it.

[2] C.A. Williams, 'Counting Crimes or Counting People: some implications of mid-nineteenth-century British police returns' in *Crime, Histoire & Sociétiés / Crime, History & Sociétiés*, Vol. 4 No. 2 (2000), pp. 77-93; J.J. Tobias, *Crime and industrial society in the nineteenth century* (Harmondsworth: Penguin, 1967); R. Sindall, *Street violence in the nineteenth century: media panic or real danger?* (Leicester: Leicester University Press, Leicester, 1990); H. Taylor, 'Rationing crime: the political economy of criminal statistics since the 1850s' in *Economic History Review*, Vol. 51, No. 3 (1998), 569-590.

[3] P. Rawlings, *Crime and Power: a History of Criminal Justice 1688-1998* (London: Longman, 1999), p. 8; P.J. Corfield, *The impact of English towns, 1700-1800* (Oxford: Oxford University Press, 1982), p. 144; C. Emsley, *Crime and Society in England, 1750-1900* (London: Longman, 1996), pp. 92-94.

[4] T. Carter, 'Crime in Liverpool' in *Transactions of the National Association of the Promotion of Social Sciences*, (1858), 350-363, p. 357.

of the National Association for the Promotion of the Social Sciences, the Reverend Thomas Carter, Chaplain to the Liverpool Borough Gaol, condemned the corrupting influence of brothels, gaming houses, and public houses, and singled out the 'inexperienced youth' from outside the city as especially vulnerable to sudden exposure to its bright lights. Even within this particular reading, which admitted the corrupt nature of city entertainment, the problematic figure who is seen as the point of departure for social intervention is not a 'local' but one who was not immunised to the city's potential to corrupt.[5] This habitual refrain was also heard elsewhere, notably in an analysis of Preston's criminal statistics in 1839.[6] That year, the justices of the peace who governed the West Riding of Yorkshire made an effort to establish a county police force. It was planned to cover only the urbanised west of the county: the industrial districts, in which life, order and property were held to be in danger from spreading disorder that was breaking free from the chains of paternalist control that held it in check in the rural areas. But was the city really criminal? Alongside the condemnation of the town by the countryside came an equally vehement, if not as loud, defence of the virtue of the city. A vocal minority of the West Riding justices, mainly those from the urban areas themselves, were able to derail the plan, and one plank of their counter-attack was that the countryside was just as lawless as the town. Rural crime, though, they contended, was not reported to the same extent as that in urban areas.[7] Even urban districts with the worst reputations can conceive of themselves as respectable areas, more sinned against than sinning. Sylvester has shown how nineteenth-century Odessa's Moldavanka, reputed as the fount of all thieves, was also represented as a place of respectability, where even the criminals strove to succeed and better themselves.[8]

One of the most powerful organising concepts behind the rise and spread of the 'new police' in Britain was the desire for administrative uniformity over large areas. This was expressed for three main reasons. One was that it was genuinely desired by those who had responsibility for implementing police power in inconveniently small or badly-placed areas.[9] Another was that it held out the prospect of a strengthened central authority that would be able to root out abuses and

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[5] T. Carter, 'Crime in Liverpool' in *Transactions of the National Association of the Promotion of Social Sciences*, (1858), 350-363, p. 350.

[6] J. Clay, 'Criminal Statistics of Preston' in *Journal of the Statistical Society of London*, Vol. I (1839), pp. 84-103, p. 93.

[7] Sheffield City Archives 'Map of West Riding County Constabulary District', 1840, AM 1614; *Sheffield and Rotherham Independent,* February 13, 1841.

[8] R.P. Sylvester, 'City of Thieves: Moldavanka, criminality and respectability in pre-revolutionary Odessa' *Journal of Urban History* Vol. 27, No. 2 (2001), pp. 131-157.

[9] E.A. Reynolds, *Before the Bobbies: The Night Watch and Police Reform in Metropolitan London, 1720-1830* (Basingstoke: Macmillan, 1998), p. 137.

to strengthen the beleaguered social order.[10] Perhaps the most compelling argument for geographical uniformity was the 'migratory criminal theory', which justified further innovations in police structures in terms of their success. New police in a few jurisdictions had driven out the migratory habitual criminals who would therefore prey upon those law-abiding citizens in areas that had yet to reform their police to the new national standard. On the basis of a highly tendentious reading of submitted evidence, this argument was deployed by Edwin Chadwick to justify a national rural police in the report of the Constabulary Force Commission in 1839.[11] This 'migration theory' remained a standard explanation of the universalisation of the Metropolitan police model for over a century before being refuted by Hart in the 1950s.[12] The perceived location of the active criminal class, therefore, had a direct bearing on the line of institutional development.

The view of criminal as 'other' inevitably leads to a definition of the criminal's place as different from that of the observer. Any mental construction of the criminal therefore has a geographical component, and involves the drawing of borders, some jurisdictional, and some more symbolic and necessarily fluid, in order that the inhabitants of an area may claim that theirs is not an inherently criminal place. The criminal statistics of Sheffield, as published for primarily internal consumption, attempted to label the rest of the world as the problem, not the 'real' town. When the problem was unavoidably internal, it was instead denatured by labelling and by enumeration, setting up external and internal symbolic boundaries that separated the law-abiding from the lawless.

II Sheffield's Criminal Statistical Returns

In 1851 Sheffield had a population of 135,000, which had been growing steadily for decades. It occupied a key niche in global production of specialist metal products. The grinding sector, generally organised in small workshops, was being joined by an expanding specialist steel casting sector. In both sectors economic mobility was possible (if not likely) for some members of the working class, either through advancement to employer status, or through increasing experience to a highly-skilled job. It differed, therefore from the social structure of the textile towns, with

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[10] D. Taylor, *The new police in nineteenth century England: crime, conflict and control* (Manchester: Manchester University Press, 1997), pp. 5-6.

[11] D. Philips and R.D. Storch, *Policing Provincial England 1829-1856: the politics of reform* (London: Leicester University Press, 1999), pp. 123-127.

[12] A. Solmes, *The English Policeman 871-1935* (London: George Allen & Unwin, c. 1936), p. 195; J. Hart, 'Reform of the borough police, 1835-1856' in *English Historical Review* Vol. 70 (1955), 411-27.

their more rigid division between classes, but its thriving tertiary sector was very similar to that of other large towns. In itself Sheffield accounted for a significant proportion of English population. Its criminal justice system was similar to that of most boroughs. There was a strict division between indictable and summary offences. The former covered most property crime and the more serious crimes of violence, and could only be tried at the West Riding Quarter Sessions (six per year), or twice-yearly Yorkshire Assizes. Otherwise, criminals were tried summarily by local magistrates at daily Petty Sessions in Sheffield. From 1847 juveniles, and from 1855 adult offenders, could be tried summarily for some minor indictable crimes if they pleaded guilty. The system was characterised by stages and decisions: the policeman's decision to arrest; the charge in court; the initial verdict of the magistrates. Those charged with indictable offences were committed to future trial, and faced a further (largely symbolic) sifting by the Grand Jury, before their eventual conviction or acquittal.

The main source for this article, the Criminal Statistical Returns, began in 1844, when Sheffield's police, which had evolved from the watch set up by a local Improvement Act in 1818, were put under the newly-formed corporation's Watch Committee. The police force was directly accountable to the Watch Committee, who ordered the statistics printed, and to whom they were addressed. They in turn printed them and distributed them around the city and the country, according to the schedule in Table 1.

Table 1: Distribution of Statistical Returns, 1844-62

Home Secretary	Highway Boards of Sheffield and Ecclesall (6)
West Riding Lord Lieutenant	Guardians of Sheffield and Ecclesall Unions (8)
West Riding Clerk of Peace	Magistrates Clerk
West Riding MPs (2 copies)	Coroner
Sheffield division JPs (c.12)	Mechanics Institute
Sheffield MPs (2)	Mechanics Library
Sheffield Improvement Commissioners (c. 100)	Athenaeum
Vicar of Sheffield and the clergy of the town	Church of England Instruction Society

(c. 8)	
Master Cutler	Sheffield Library
Town Trustees (12)	Town Councillors (50)
Church Burgesses (12)	People's College
Literary and Philosophical Society	The newspaper offices (4)

Source: Sheffield Borough Council Watch Committee Minutes, April 18th, 1848.

The distribution list shows that returns themselves were directed at informed public opinion among the town's rulers. They were distributed to a cross-section of the town's governing and intellectual elite, encompassing all the institutions with a vested or academic interest in the situation. Ian Inkster has shown how the overlapping membership of Sheffield's scientific bodies in the first half of the nineteenth century was an important factor in cementing and networking the local elites - as well as allowing them spaces within which they could interact with others outside their usual circles.[13]

The returns survive for the years 1844 to 1862. They gradually changed in format from year to year. They changed significantly in 1856, to make them compatible with the Home Office's new demands on police authorities to return statistics centrally. When a new Chief Constable, John Jackson, formerly head of Oldham's police, was appointed, they changed in format once more. This is consistent with one of Tobias's conclusions: the single factor that most alters the 'crime rate' in a city is a change in command.[14] From 1859, they included a preamble by Jackson, which is significant as an indicator of how he was attempting to present them. The returns gave a many different indicators. For most of the period, monthly totals, divided into male and female, were given for the various stages of progression through the criminal justice system, from arrest to conviction or release. Prisoners were further divided up by occupation, literacy, birthplace, sentence length, marital status, and age.

By 1862, there were nearly fourteen different tables in the returns, recording the following measurements: numbers of persons taken into custody, and for what offence; how they were disposed of, including division by sentence length, and between adults and juveniles; their

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[13] I. Inkster, 'The development of a scientific community in Sheffield, 1790-1850: a network of people and interests' in *Transactions of the Hunter Archaeological Society*, Vol. 10 (1979), 99-131.

[14] J.J. Tobias, *Crime and Industrial Society in the Nineteenth Century* (Harmondsworth: Pelican, 1972), p. 298.

country (English and Welsh; Irish; Scotch and Foreigners), marital status, and degree of education; their ages, divided by offence; their trades and occupations divided by offence, categories of property stolen, and whether it was recovered; the number of suspected persons at large and the houses they frequented; the numbers summoned by the Police, divided by offence, and the outcome of their cases; the number summoned by private individuals (divided similarly); the number of inquests held and their outcome; the number of fires and the damage they caused and the strength of the police force, including numbers at each rank, average age, height and length of service, and number of married and single men.

The form in which the statistics were presented gives an insight into the unwritten assumptions of social categorisation. One example that stands out is that of women's occupations. In 1854-56 and in 1859-62, the returns give breakdowns of offence via occupation. For every year except one, the arrested woman was judged not to have an occupation. The only categories she could be put into were: 'Females 15 years old or less', 'Females engaged in domestic affairs, or of no definite occupation', and 'Prostitutes'. The only 'definite occupation' that arrested women could have, therefore, was as a prostitute. The same pattern was repeated in the figures for 1859 and 1860, which used two categories 'Females having no trade' and 'Prostitutes'. The figures for 1860 and 1861 gave a variety of different jobs for women, but those for 1862 reverted to a division between 'Females' and 'Prostitutes'.

Devereaux has shown how the production of information about the progress of trials in the late eighteenth-century City of London was seen by its rulers as occupying an important normative function.[15] The exemplary nature of the information in the City's Sessions Paper was of a qualitative nature, focussing on the fate that awaited the individual criminal. The move towards greater quantification that accelerated in the nineteenth century led to the use of totalising quantitative data, claiming to represent not just the story of an unlucky sub-group of criminals, but instead to show the dimensions of crime as a whole. In Sheffield, the returns were publicised by the local newspapers, and uncritically treated as giving the whole truth about crime in the borough. The leading Liberal paper, the *Sheffield Independent*, reprinted and abstracted the figures for 1851, comparing them with the previous five years. Accompanying comments began with the caveat that 'we must guard ourselves from the idea that we are disposed to generalise upon the basis of so small a series of facts', and then proceeded to do just that, drawing the conclusion that the upward trend in crimes of disorder, and a worrying increase in assaults on

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[15] S. Deveraux, 'The City and the Sessions Paper: "Public Justice" in London, 1770-1800' in *Journal of British Studies* Vol. 35 (October 1996), 466-503, p. 493.

constables, stemmed from the unaccustomed level of prosperity of the time.[16] A similar pattern is discernible elsewhere. Contemporaries were wise to the many possible explanations for the rise in indictable crime: distress; changes in the laws; 'the increased vigilance of the police'; and more lenient sentences, were all cited by one article printed in 1833.[17] In 1853 Sheffield Council's report on drunkenness also recognised the limits to studying this phenomenon through the arrest statistics.[18] Nevertheless, these disclaimers were followed by analysis based on the figures.

New police forces, including the Metropolitan police, were keen to use numerical measures to bolster their claims to legitimacy.[19] The first Birmingham police force - unpopular, contentious, and foisted by government on an unwilling town chiefly to keep an eye on the Chartist National Convention - took positive steps to bolster its public image. The police Superintendent responsible for prosecutions made sure that each week the record of local arrests and their outcomes was published in the *Birmingham Journal*, one example of which is given in Table 2.

Table 2: Returns from Birmingham Police for June 23-30, 1840[20]

	Discharged, prosecutor refusing to prosecute	Remanded	Reprimanded and discharged	Summarily convicted	Committed for trial	Total
Felony	16	2	26		9	58
Misdemeanour	5		29	35		69
Drunkenness	1		24	24		49
Vagrancy			4	1		5

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[16] *Sheffield and Rotherham Independent*, May 24th, 1851.

[17] 'West Riding Expenditure', report reprinted from the *Leeds Mercury* in the *Sheffield and Rotherham Independent*, April 13, 1833.

[18] The report then proceeded to do this anyway even though 'the police returns cannot give positive evidence as to the number of persons who get drunk in any borough': 'Report from Town Council Committee of Inquiry into Drunkenness', January 12, 1853, SLSL, v. 60, p. 5.

[19] E.A. Reynolds, *Before the Bobbies: The Night Watch and Police Reform in Metropolitan London, 1720-1830* (Basingstoke: Macmillan, 1998), p. 161.

[20] *Birmingham Journal*, July 4th 1840.

| Total | 22 | 2 | 83 | 60 | 9 | 176 |

The Commissioner of the Birmingham Police acknowledged in his reports to his immediate superior, the Home Secretary, that his primary mission - maintaining public order in the face of the activity of Chartists in the city - was made easier by his force's usefulness in controlling petty and serious crime.[21] The message sent out by the continual presentation of results in the Birmingham press was a defensive one, designed to show that the police were active: even if only a few men were committed to trial for serious offences, the police were doing their part of the job, by bringing large numbers of criminals up before the magistrates. Numbers were the measure of success. Twenty years later, in a city where the police presence was far more legitimate, Supt James Smart of Glasgow city police, also saw the quantification of the output as the default way to measure 'crime': he automatically equated the level of crime in Glasgow with 'number of prisoners before the magistrates'.[22]

Although the returns themselves give the impression of a remorseless and inevitable process whereby unproblematic categories were automatically assigned to individuals and events, there is evidence that this was not the case. Some of it can be discerned from the returns themselves: notably the retrospective labelling of the categories 'Rogue and Vagabond' and 'Suspicious person'. Between 1843 and 1856, 94.0% of male 'suspicious characters' were discharged - after 1849 nobody is recorded as having been convicted for being one. Conversely, 97.5% of male 'rogues and vagabonds' were summarily convicted - and after 1854 nobody is recorded as ever being discharged when charged with this offence. It seems that the two 'offences' cover a category of people who were being arrested who, if released, were deemed to have been 'suspicious persons' all along. If convicted, they were retrospectively tagged as 'rogues and vagabonds'. The categorisation was not something suggested by an event, or even attached at the point of arrest: instead is was open to being altered as the prisoner passed through the system. Another example of it occurring in Sheffield is when the guidelines for recording the figures were obviously changed. The data for 1856 contain 'nuisances and offences against the local acts' under 'apprehensions': in 1859-62 the category of 'nuisance' labels only those prosecuted via police warrant; although many (around the same number as in 1856) were arrested for 'breaches

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[21] Public Record Office HO 65/10 'Birmingham Police', Jan 1st 1840; M. Weaver, 'The new science of policing: crime and the Birmingham police force, 1839-1842', *Albion* Vol. 26 (1994): 289-308, p. 307.

[22] J. Smart, 'State of Crime in the City of Glasgow' in *Transactions of the National Association for the Promotion of the Social Sciences*, (1860), 452-5.

of the borough bye-laws'. In addition, the categories of 'rogues and vagabonds' and 'suspicious persons' are not present in the 1859-62 figures. Changing definitions throw the process of labelling into harsh relief: the decision that the state (in the person of its agents) makes in attaching a label to an individual is the one that gets recorded. This need not necessarily have any consistent relationship with what the individual was, or was not doing.

Other evidence that the enumerated process of arrest and trial was not the whole story of police coercion of the public can be found outside the returns. Informal banishment was also a weapon against the marginal: when Superintendent Raynor was showing the moral entrepreneur Jellinger Symons around the town's low spots, he came across a girl from Chesterfield, having an altercation with her landlord. Raynor told her 'she must not stay in Sheffield.'[23] In 1837 a magistrate refrained from convicting a notorious brothel-keeper, provided that she leave the city.[24] In 1847 following a case of faked trouser-theft, Police Constable George Bakewell was imprisoned, dismissed, escorted to the railway station, and put on a train to Derby.[25]

III The criminal as external to the city

One idea that was pushed by the arrangement of Sheffield's statistics was that of the thief as 'other', originating beyond the boundary of the city. Victorians wanted to associate crime with anomie, rootlessness, and the external. In an address to the National Association for the Promotion of the Social Sciences in 1858, J T Danson said that: 'the tendency of crime is, on good grounds, though not yet strictly proved, to be stronger among those who are removed from the influences of family and neighbourhood.'[26]

Sheffield's Criminal Statistical Returns show a clear attempt to imply that crime was the work of 'the other', defined in both ethnic and parochial terms. From 1853 to 1856, the summary of the police's activity over the year included two extra columns, recording the number of 'Irish' and 'Strangers' *arrested* for each offence - no information is given on whether they were actually convicted. This had the effect of making the absolute numbers of strangers the highest figure possible. Table 3 shows the numbers and proportions of 'Strangers' for some selected offences.

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[23] J.C. Symons, *Report on the Trades of Sheffield and on the moral and physical condition of the Young Persons employed in them made under the authority of the royal commission of enquiry into the employment of children in trades and manufactures not under the factory acts* (Sheffield, Robert Leader, Independent Office, 1843), p. 8.

[24] *Sheffield Independent*, February 25, 1837.

[25] Sheffield Borough Council Watch Committee Minutes, June 17, 1847, p. 326.

Table 3: Proportion of 'Strangers' arrested for selected crimes, 1853-56

	All arrests	Strangers	Strangers %
Drunk	347	89	25.7
Drunk and disorderly	2766	368	13.3
Drunk and incapable	1233	292	23.7
Felony	1839	91	5.0
Larceny from the Person	165	11	6.7
Rogues and Vagabonds	741	105	14.2
Suspicious Characters	354	120	33.9
Vagrants, lodging in outhouses, &c	242	61	25.2
Vagrants, miscellaneous	566	186	32.9
Total arrests	14550	1539	10.6

These arrest returns, though, belie the image of the dangerous stranger. 'Strangers' were over-represented in 'Drunk' and 'Drunk and incapable'. This can be explained because drunken strangers would been more likely to be arrested, while drunk locals could be carried, dragged or directed home. Unsurprisingly, the charges for which the strangers were most likely to be arrested were 'vagabonds, sleeping in buildings' and 'suspicious characters'. 'Rogues and vagabonds' referred to prisoners who were picked up on suspicion and imprisoned. 'Suspicious characters' refers to people picked up on suspicion and then released. The police were willing to hold more strangers on suspicion although a lower proportion of them were in fact convicted of anything. Strangers were over-represented in the category of 'Vagrants, lodging in outhouses, &c' - the one often used as a proxy for suspected thieves - but was still mainly composed of locals rather than transients. This further casts doubt on the traditional early Victorian obsession - magnified by

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[26] J.T. Danson, 'On some characteristics of a great maritime town; having especial reference to the criminal tendencies of its population' in *Transactions of the National Association of the Promotion of Social Sciences*, 1858, 364-8, p. 365.

Chadwick's 1836 Commission - that saw itinerant vagrants as the root of the problem of property crime.[27]

Most arrests were for offences without a readily available 'victim', for offences of various forms of disorder, where the decision to arrest would be taken by the policeman involved.[28] It is likely that police discretion would naturally have born down harder on people from out of town: those who were not integrated into the local community. Another low level of arrests of strangers was that for 'Felony' which covered most categories of theft. 'Strangers' were less than 5% of those arrested for 'felony' in the period covered. Indictable theft was the most significant offence in the criminal justice system, and the mass of the prison and transportee population consisted of those convicted of it. In 1859-62, it accounted for 243,763 days of sentences passed, compared with 364,268 for all other offences put together.

In 1858 John Jackson became Chief Constable. He embarked on a policy of drawing the maximum attention to the role of 'strangers' in the city's crime. In the preamble to his second annual report, he stated that for the last year the Office-keepers had been required to record the length of time each prisoner had lived in Sheffield. His main conclusion was that of the 2787 arrested that year: 'of the total apprehended 955 only were natives of Sheffield, 595 were entire strangers, 90 had resided here less than six months'. The numbers who had lived in the town for different lengths of time were then given in yearly divisions up to seven years. Jackson was relying on a narrow interpretation of 'native' - actually being born in Sheffield - in order to make the category of 'criminal as other' as large as possible.

**Graph 1. The residence pattern of those arrested, 1858-63.**

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[27] See, *inter alia*, C. Emsley, *The English police: a political and social history* (Harlow: Longman, 1996), pp. 39-40, for the way Chadwick's agenda slanted the questionnaire for the 1836 Constabulary Commission.

[28] C.A. Williams, 'Counting crimes or counting people: some implications of mid-nineteenth century British police returns' in *Crime, Histoire & Sociétés/Crime, History & Societies*. Vol. 4 No.2 (2000), 77-93.
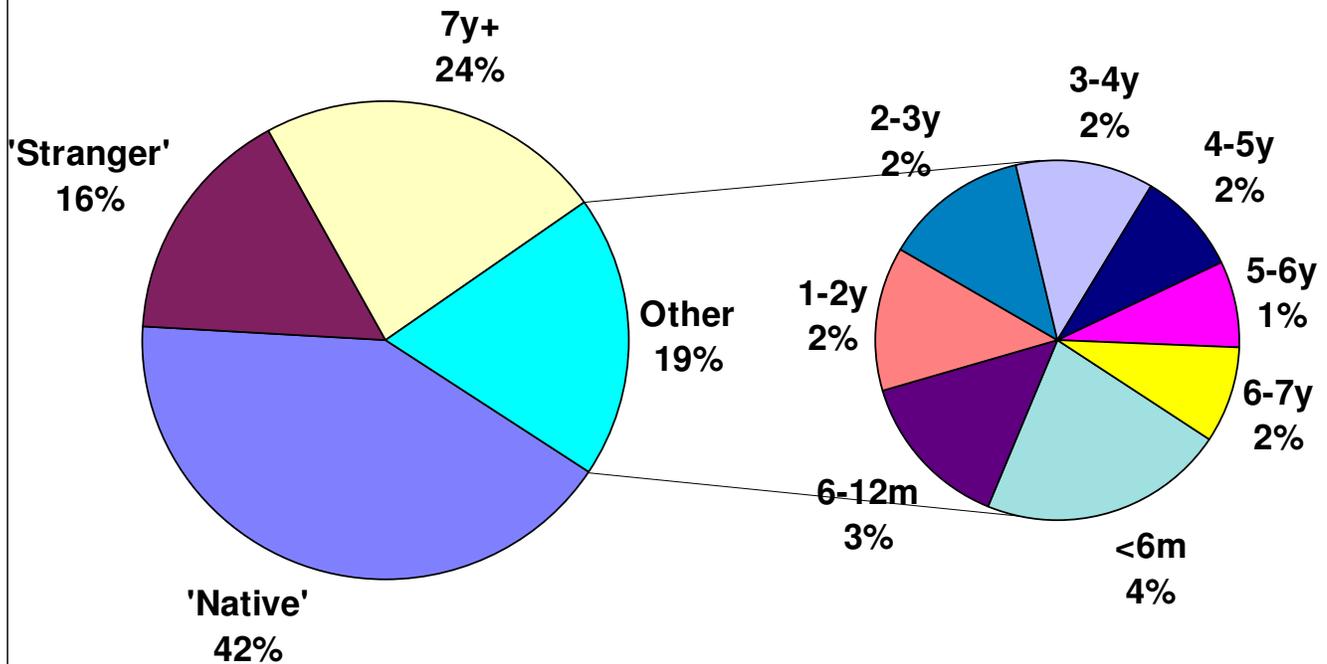
Jackson presented the results as proof that crime was the province of strangers. But the numbers for 'natives' crept up in the next two years: while the number of 'strangers' fell. There is a possibly that those who were recording the data were aware of the desired result, and thus, initially at least, were more willing to record people as strangers and less willing to record them as local. In subsequent years, recording could then have become more objective. The less impressive figures for 1861 and 1862 were relegated to the third paragraph of Jackson's preamble to the returns, and the number of locals was not prefixed by the word 'only'.

Graph 2. Trends in indicators, 1860-62.
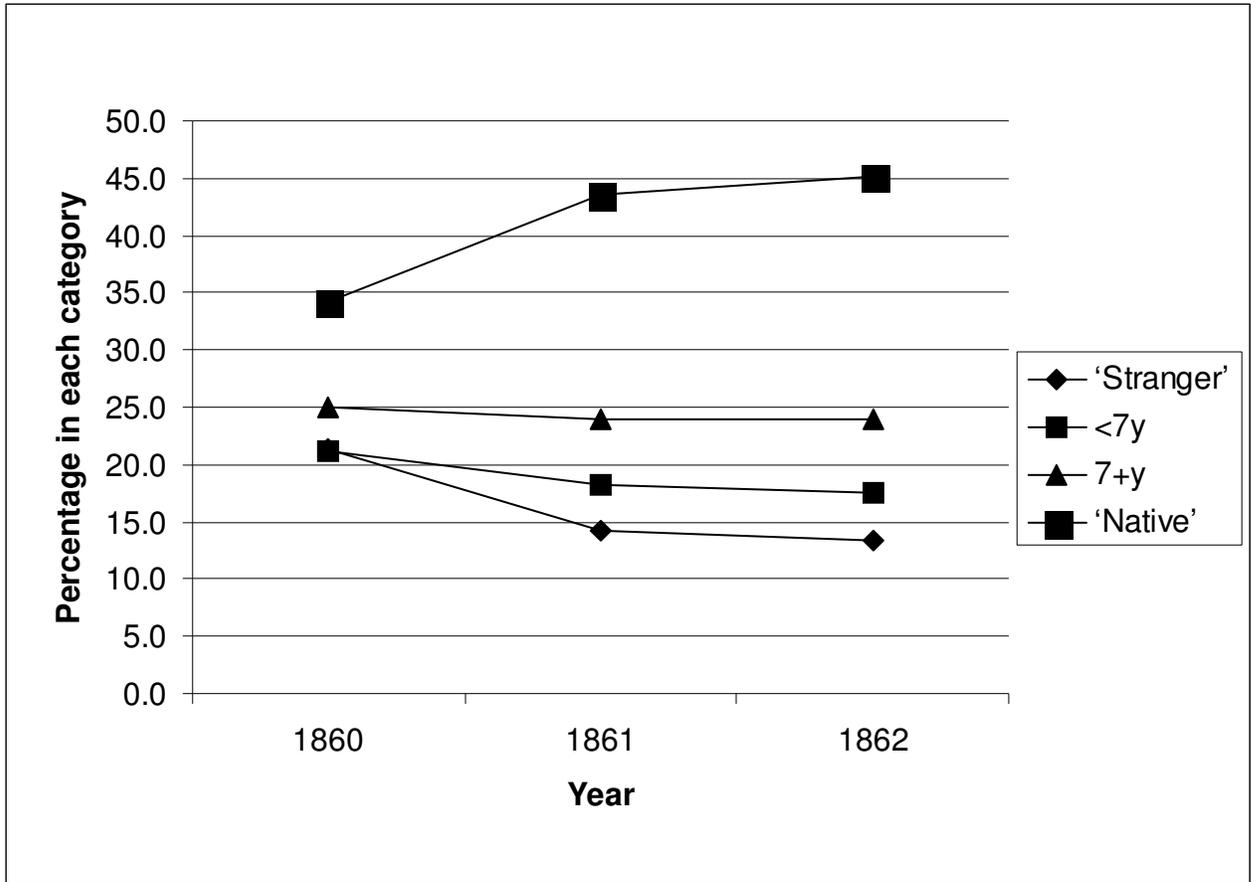
Yet even including the figures for 1860, the numbers themselves challenge Jackson's assessment. Once the number of those who have lived in Sheffield for a significant length of time is included, the total number of locals arrested rises to 65%, while over the three years the proportion of 'strangers' is only 16%. Many of the people arrested were newcomers. But if Jackson's measurement of who counted as 'native' is applied to the data from Sheffield contained in the 1851 and 1861 Censuses, it can be seen that it also applies to the population as whole. Outsiders showed little special propensity to fall foul of the law.

Graph 3. Sheffield's non-native born population
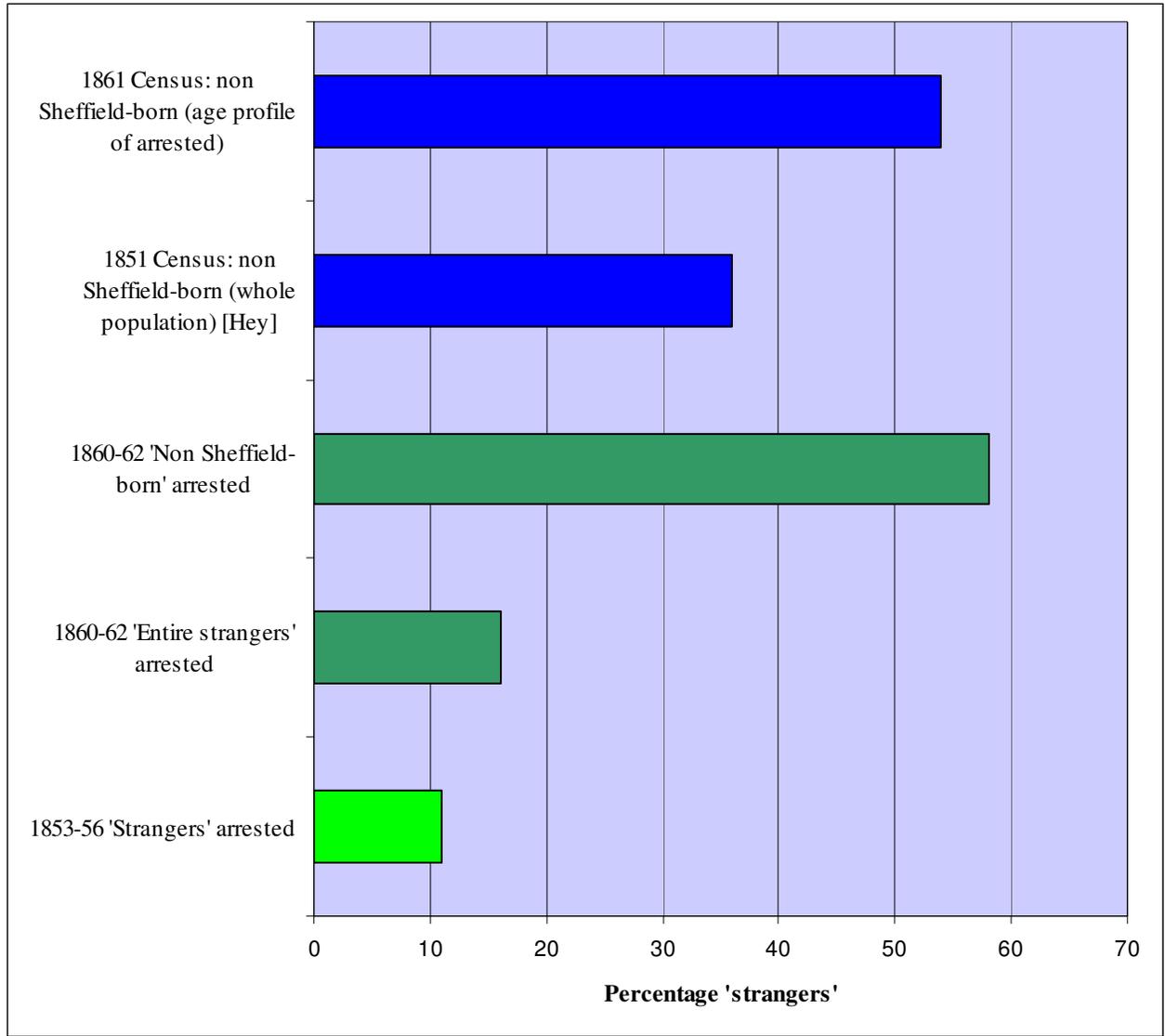
Between 1841 and 1861 Sheffield's population increased at a fast rate - 22% over the first decade and 37% over the second. The majority of this increase was from in-migration: after all the national natural increase in the 1850s was 14.6%.[29] In 1851, 36% were born outside the borough boundary, while for those aged over 20 the figure rose to 49%.[30] A random sample from the Sheffield census for 1861, adjusted to match the age profile of those arrested in the early 1860s, indicates that only 54% were born outside the borough.

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[29] 1861 Census, p. 6.

[30] D. Hey, *A History of Sheffield* (Lancaster: Carnegie Publishing, 1998), p. 148

Jackson's desire follows the logic expressed in 1857 in a paper to the Statistical Society by W.M. Tartt, who considered it important:

> to ascertain correctly whether the crimes committed in any particular district are by residents or non-residents. Where there is an increase in the former, it is a proof that there is something in the social state of the locality which requires to be remedied; if in the latter, it is merely a matter for the Police, or probably accidental.[31]

Thus the reality of the criminal as other served the purposes of the police force: it was either something which Jackson wanted to be true, or something that he wanted his audience to believe. The idea that the criminal was external to the city was certainly not suggested by the reality of the situation. But if Jackson proclaimed that the that criminal was architypically an outsider, it could not but help his relations with the urban establishment and with the councillors to whom he reported.

As well as being the province of those external to the city, crime was also presented as the special preserve of an ethnic minority, the Irish. In 1854 an addition column was added to the abstract of the numbers arrested for each crime that year, detailing the proportion who were 'Irish'. As with the strangers, the summary of those charged and convicted did not include a similar column, which meant that it was impossible to track how many of these Irish arrested were eventually found guilty. The numbers of 'Irish' as given in the breakdowns for 1854-56 can be compared to the figures that were printed in 1860-62, when a table giving the country of origin of all arrested was included in the returns. This gives a total number of 'Irish' arrested in the three year period as 1156 men and 375 women amounting to 16.8% and 21.5% respectively of all arrests in this period. This proportion is are around two and a half times the size of the proportion of 'Irish' recorded in 1854-56, and illustrates the elastic nature of such labelling. One explanation for the discrepancy might be that the earlier sequence showed the supposed ethnic identity of the prisoner, while the latter one was concerned with the prisoner's actual place of birth. The pattern presented by crimes for which 'Irish' were arrested differed from that shown by arrests of 'strangers'. The most over-represented offence is 'assaults on police officers'. Rather than 'drunk and incapable', they are next most prominent in the category of 'drunk and disorderly'. This tends

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[31] W.M Tartt, 'Report on Criminal Returns' *Journal of the Statistical Society of London*, Vol. XX (1857), 365-377, p. 369.

to underpin the stereotypical view of the Irish in the Victorian city as characterised by conflict with the police force.[32]

IV Labelling the internal criminal

As well as the external 'other', the returns identified and labelled offenders within the city, as demanded by the Home Office *pro forma* after 1857. Most, though not all, of the returns sent to the Home Office were also published in the city. This recorded the number of depredators, offenders and suspected persons at large within the Borough of Sheffield on 31st December and the Houses they frequent. This was divided by gender and into those over and under 16, and into: known thieves and depredators; receivers of stolen goods; prostitutes; suspected persons; vagrants and tramps. Also shown were: houses of bad character; resorts of thieves and prostitutes - public houses; beer shops; and coffee shops; brothels and houses of ill fame and tramps' lodging houses.

Such 'labelling' is too susceptible to changing definitions on the part of the police force to be considered as any reliable reflection of reality. It would have had to utilise the subjective opinions of many different men and be liable to change with changes of policy and personnel. This is illustrated by odd jumps in the statistics.[33] The number of 'known thieves and depredators' under the age of sixteen dropped from twenty-five boys and ten girls in the former year to four boys and no girls the next, before climbing again to eighteen and nine respectively in 1869. In 1858, ninety-five 'receivers of stolen goods' were living in seventeen 'houses of receivers of stolen goods'. By 1867, forty-four were living in fifty-one houses. Something had certainly changed, but it is most likely to have been the criteria used, rather than any 'actual' alteration in the number of fences and their residences. 'Female receivers of stolen goods' stood at six in 1859, twenty in 1860 and seven in 1861. Tobias and Sindall are certainly right in this particular case: changes in definition - subjective and unrecorded - can have so much impact as to render any study of other putative changes impossible.[34] It falls into the category of a 'discretionary statistic', which was

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[32] See F. Finnegan, 'The Irish in York' in R. Swift and S. Gilley, (eds), *The Irish in the Victorian city* (London: Croom Helm, 1985), pp. 59-84, pp. 68-71. Finnegan found that in 1850/51, the Irish in York were over-represented in court by a factor of three: the most common crime for which they were convicted was drunk and disorderly behaviour.

[33] The source for this and all other statistical information in this section, unless otherwise indicated, is the *Criminal Statistical Returns for the Borough of Sheffield*.

[34] J.J. Tobias, *Crime and industrial society in the nineteenth century* (Harmondsworth: Penguin, 1967), p. 258; R. Sindall, *Street violence in the nineteenth century: media panic or real danger?* (Leicester: Leicester University Press, Leicester, 1990), p. 19.

based to such an extent on subjective criteria that it could be manipulated at will by those whose job it was to record it.[35]

This process of labelling was occurring in the national context of a shift in the definition of the criminal, which has been charted by Martin Weiner. The idea of an amorphous 'dangerous class', potentially taking in the entire working class was being replaced in the mid-century period by a more narrowly defined 'criminal class'. Weiner writes that: 'as prison walls rose up around the now-private punishments of the convicted, the institutions of the state tried to symbolically know and fix the location of the unconvicted felon.[36]' This trend culminated in the 1869 and 1871 Habitual Offenders Acts, which submitted released prisoners to constant police surveillance. The 1860s saw a rise of the naturalistic view of the criminal in which the category 'criminal' was seen as given. The criminal was a member of a minority, deviant, sub-culture and was driven by instinct.

This process was not limited to Britain. The combined attraction and repulsion of the sexual danger that the French city created was also dealt with by a process of internal mental colonisation. As described by Alain Corbin, the pioneer theorist of prostitution, Parent-Duchatelet drew up a plan that would allow vice to be controlled. An 'enclosed millieu,' invisible to all but prostitutes and the authorities should be created, which maginalises the prostitutes and 'constitutes a dike to prevent any spilover'. The milieu is transparent to the authorities who supervise it.[37] Despite the precedent set by the Contagious Diseases Acts, and the expressed desires of some of the advocates of these measures, the British state never reached a similar level of overt state regulation as was practised in France and Germany.[38] However, the British statistical returns proclaimed a similar transparency when it came to prostitution. Thus in 1859 it was claimed that 230 prostitutes over the age of 16, and exactly one under that age, were at large in Sheffield. Exactitude as to numbers was matched by an exact estimate of places of resort: they were allegedly using 111 brothels or houses of ill fame. The level of information implied that knowledge has reached a forensic level. Did the rhetoric ever match the reality? Sometimes it *did* appear possible to delimit the activity of the 'internal other'. In Glasgow, Superintendent James

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[35] H. Taylor, The politics of the rising crime statistics of England and Wales, 1914-1960, *Crime Histoire & Sociétés*, Vol. 2 No. 1, (1998), 5-28.

[36] M.J. Weiner, *Reconstructing the criminal: culture, law and policy in England 1830-1914*. (Cambridge: Cambridge University Press, 1990), pp. 101, 148, 149.

[37] J. Schlör, *Nights in the big city: Paris, Berlin, London 1840-1930*, [tr. P.G. Imhof and D.R. Roberts] (London: Reaktion Books, 1998), p. 181.

[38] J.R. Walkowitz, *Prostitution and Victorian Society: women, class and the state* (Cambridge: Cambridge University Press, 1980), p. 80.

Smart claimed in 1860 that when the city hosted the Highland and Agricultural Society's show, the police simply locked up '20 or 30' thieves for the duration, and thus there were no thefts. Smart was also convinced that his force had actually managed by a 'preconcerted and simultaneous movement of the police over the city' to count the number of prostitutes in the city - arriving at a total of 1,047.[39] However, the operation had not been repeated in the 12 years since 1848, and Smart offered no explanation as to why this might have been the case: it was obviously something of a *tour de force*, which could not be carried out at will or over a long period.

Labelling, therefore, created a transparency, and gave to the public the illusion of the police as panopticon: ceaselessly surveying the criminal class and thus having a ready and exact knowledge of its extent. As Foucault put it, with the move to modernity in the criminal justice system: 'for the vague swarming mass of a population practising occasional illegality . . . is substituted a relatively small and enclosed group of individuals on whom a constant surveillance may be kept.'[40] Thus insulated from the mass of the working classes, the criminal minority could be presented as posing little threat. But labelling has its limits. Counting 'thieves at large in the borough' served to symbolically fix the problem: so this figure was printed locally. Some information that was also collected offered no such reassurance, and thus the choice was taken from 1858 not to reprint locally all the material that was sent to the Home Office. Most significantly, this included the combination of the labelling and the activity of the criminal justice system, and it was not as re-assuring as the two indicators taken separately. It divided up all those proceeded against on indictment for serious crimes, along with all those proceeded against summarily, into the labelling categories.

Table 4: Sheffield arrests as given in Home Office returns, 1858-62:

Status	Indictable	Summary
Known thieves	449	713
Prostitutes	103	1041
Vagrants	18	506
Suspicious	154	679

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[39] J. Smart, 'State of Crime in the City of Glasgow' in *Transactions of the National Association for the Promotion of the Social Sciences*, 1860, 452-455, pp. 453 - 4.

[40] M. Foucault, *Discipline and Punish: the birth of the prison* (Penguin, 1977) [tr Alan Sheridan], p. 278.

Drunkards	41	352
Previously good	61	900
Unknown	637	18397
Total	1463	22588

The result for the years 1858-62 shows that the reassuring labelling does not work. Of those proceeded against on indictment in 1858-62, almost half - 637 out of 1463 - had not previously been labelled. For non-indictable offences, the figure was even more stark: 85% of over 22,000 proceeded against did not fit into the category of the 'dangerous class'.[41] The identified deviants were not the ones committing most of the crime. Proportions of those arrested who had been labelled also fluctuated to a large extent. The percentage of those arrested for indictable crime whose character was alleged to be 'unknown' varied from just 18% in 1858, climbing and remaining around 50% for four years before rising again and reaching 87% in 1866, only to fall to 70% the next year. These abrupt movements are best explained by changes in bureaucratic procedures and classifications.

V Counting out crime

Reducing complex social phenomena to numbers had an impact in itself. This final section attempts to 'read' that impact. The focus of the returns was mainly on the activity of the criminal justice system rather than on recorded crime. When recorded crime did feature, the work of the police was overlaid upon it - so the records of property stolen were balanced by value of property recovered. In his preamble to the Criminal Statistical Returns of 1859-62, John Jackson recorded the numbers of reported robberies in passing (pointing out the proportion detected) while spending far more time pointing out the exact amount stolen, and the circumstances of the thefts, and the characteristics of those arrested. The figures for all indictable reported offences, which Sheffield was obliged to send in to the Home Secretary, do not appear among the figures printed for Sheffield.

Another example of significance of the way the numbers are presented is contained in the table dealing with thefts. This listed and costed all reported thefts, dividing them between 'solved' and

'unsolved'. The value of property stolen was also given, divided between that stolen and that recovered. It was also broken down into different sorts of property: cash notes and cheques; watches and jewellery; wearing apparel; bed linen; horses sheep and cattle; butchers' meat and other eatables; goods and material possessions in the process of manufacture; working tools and implements; and 'property not otherwise described'.

It was also an implicit crime-prevention lesson: featuring drunks robbed by prostitutes, windows left open, and thefts by servants. Each different charge was sub-divided into up to eight different categories, and then cross-referenced in three separate fashions: the amount stolen; the time it took place; and the value of the goods recovered. For example, the offence of 'Burglary' was split into four methods: 'By breaking through Doors'; by breaking Glass and lifting the Window'; By entrance through Coal Grates' and 'By entrance through Doors and Windows left insecure'. The message here is that the householder shares culpability for some of these crimes, and thus the police cannot be blamed for failing to prevent them. 'Robbery from the person by Force or Threat' was divided into 'By Males only' and 'By Prostitutes and other Females assisted by Males', and further sub-divided into 'When the party robbed was Sober' and 'When the party robbed was intoxicated'. By this sleight, 27 serious crimes involving £115 worth of property were reduced to just 7 crimes involving £6 worth of property for which the victim was not presented as having acted recklessly by getting drunk or consorting with prostitutes. Taking the table for 1859 as an example, the effect of this sub-division is to break up 883 crimes into far smaller numbers. The largest offence, 'Larceny', had 536 prosecutions. The largest sub-totals in the table dealing with timing, on the other hand, are seventy-two larcenies 'from occupied or tenanted premises', of 'goods exposed for sale' occurring between from 5pm and 9pm' and thirty-four larcenies 'from occupied or tenanted premises', of 'goods exposed for sale', valued between 5s and 10s'. The majority of the cells contain very low numbers. The atomisation of the robberies into numerous sub-classes diverts attention from the total figure: rather than being one of several hundred identical offences, it becomes one of a reassuringly small group of other robberies that fit into their own small sub-classification. Each robbery is reduced to purely financial terms. The atomisation of the robberies into numerous sub-classes diverts attention from the total figure: rather than being one of several hundred identical offences, a robbery becomes one of a reassuringly small group of other robberies that fit into its own small sub-classification - 'robberies committed after 6pm by breaking in through windows, etc.' Significantly, the subdivision headed: 'amounts recovered' does not list the number of crimes for which goods were

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[41] PRO HO 63 Police Returns. Data for Sheffield from 'Table 2 Class of persons who were apprehended or proceeded

recovered, leading one to the conclusion that this figure might not have been so flattering to the police.

By splitting up the problem it becomes solvable: it has been enumerated and described in a systematic way, therefore it appears that the first step in the process of solution has already been taken. Detective-turned anthropologist Malcolm Young was keen to stress the symbolic importance of the clear-up rate in the city of the 1960s: 'The transformation of an actual level of deviancy (which we were well aware was unknowable) into another official perspective was part of how order was defined.'[42] Even the statistical image of the criminal act has become part of the state apparatus. Its ability to shock and dismay has been neutered. The statistical returns are evidence of an attempt to create an identified city. They prominently enumerate the actions of the forces of law. In addition, the police are rendered numerical, by a table giving their average age, height, and length of service. At the start of the nineteenth century, English criminal justice was seen as revolving round an essentially amateur-led system, whereby the private prosecutor provided that impetus for action, and the state's role was limited to backing him or her up.[43] The mid-nineteenth century saw an acceleration of the process of professionalisation and state intervention, by which public and private life was increasingly regulated by a 'policeman-state', and the necessary promise held out by those who were substituting professional competence for a *laissez-faire* social policy was that they were able to deal scientifically and efficiently with social problems.[44]

As much crime as possible was deemed to originate from outside the town's boundary. Thieves, and other marginal deviants, were reduced to numbers. The amorphous dangerous class was identified and enumerated, and their haunts counted and classified.[45] In the shape of the text delivered as part of the Criminal Statistical Returns, the threat was redefined - the first necessary step to control and eventual elimination. The burglary table was an attempt to fit the activity of almost two hundred police, and the whole hard-to-define problem of crime, onto one sheet of

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against' for 1858-1862.

[42] M. Young, *An inside job: policing and police culture in Britain* (Oxford: Oxford University Press, 1991), p. 327. 'We' in this context refers to Young and his colleagues in the Newcastle-upon-Tyne CID in the 1960s.

[43] C. Emsley, *Crime and Society in England, 1750-1900* (London: Longman, 1996), pp. 184-188.

[44] V. Gattrell, 'Crime, authority and the policeman-state' in Thompson, F.M.L., (ed.), *The Cambridge social history of Britain 1750-1950: Vol. 3 Social agencies and institutions* (Cambridge, 1990), pp. 243-310; M.J. Weiner, *Reconstructing the criminal: culture, law and policy in England 1830-1914*. (Cambridge: Cambridge University Press, 1990), p. 221.

[45] This process of nailing down the deviant by categorisation featured in the social researches of Henry Mayhew. These were qualitative rather than quantitative, but they were also a product of a desire 'to keep their surveys matter-of-fact, to banish contemporary phobias, and to study their subject as scientists rather than sentimentalists', writes P. Quennell in his introduction to H. Mayhew, *London's underworld* (London: Bracken Books, 1983) [fp. 1851-62], p. 25.

foolscap paper. This obsessive desire to count and abstract fits in with the nineteenth-century idea that clockwork could be an analogy for the world. The 1850s saw the high point in Britain of logical positivism: it was then that H.T. Buckle attempted to write a positivist history of England, which would be part of the process of illuminating the underlying universal laws of historical development that were being acted out in social reality.[46] The nascent social sciences, represented by the London Statistical Society and the National Association for the Promotion of the Social Sciences, saw essentially unproblematic counting as the first step towards the reduction of social problems to solutions. Weiner wrote that as: 'the criminal' becomes a natural category rather than a moral one the policymakers 'maps of social reality' are re-drawn.[47] According to Foucault: 'one of the primary objects of discipline is to fix: it is an anti-nomadic technique.'[48] Enumerating is the first step in fixing. In 1862, the burghers of Sheffield slept soundly, knowing that local thieves were under surveillance by a policeman aged 34 years and 30 days, 5'8" tall, with 4 years and 343 days service on the force, and an 82.16% chance of being married.

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[46] E.H. Carr, *What is History?* (Harmondsworth: Pelican, 1987), p. 58.

[47] M.J. Weiner, *Reconstructing the criminal: culture, law and policy in England 1830-1914*. (Cambridge: Cambridge University Press, 1990), pp. 101, 229.

[48] M. Foucault, *Discipline and Punish: the birth of the prison* (Penguin, 1977) [tr Alan Sheridan], p. 218.

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Data points for graphs:

Graph 1. The residence pattern of those arrested, 1858-63.

'Native'	3548
'Stranger'	1400
7y+	1999
<6m	357
6-12m	230
1-2y	214
2-3y	213
3-4y	202
4-5y	153
5-6y	128
6-7y	142

Graph 2. Trends in indicators, 1860-62.

	1860	1861	1862
'Stranger'	21.4	14.2	13.3
<7y	21.2	18.2	17.6
7+y	25.0	24.0	24.0
'Native'	34.3	43.6	45.1

Graph 3. The reality of 'strangers'

1861 Census: non Sheffield-born (age profile of arrested)	54
1851 Census: non Sheffield-born (whole population) [Hey]	36
1860-62 'Non Sheffield-born' arrested	58
1860-62 'Entire strangers' arrested	16
1853-56 'Strangers' arrested	11