



**ESRC FESTIVAL OF SOCIAL
SCIENCE 2017:
'CREATING PURPOSE' CRIME
HISTORY EXHIBITION**

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with Kim Stevenson and
Craig Newbery-Jones¹***

Introduction

The law does not discriminate between the people who are subjected to it; it is created to be fair, just, and impartial for it to be deemed effective in its regulation of society. However, this has not always been the case. Historically speaking, there are many examples where the law has often been used against the lower classes imposing what would often now seem to us as disproportionate punishments to petty crimes. This is just one of the issues explored by the #CHITCHAT Research Initiative group from the Faculty of Business ISPER Research Institute.² The #CHITCHAT team curated an exhibition hosted in collaboration with Devonport's community enterprise RIO -Real Ideas Organization - at their base at the Devonport Guildhall for this year's Economic and Social Research Council (ESRC) Festival of Social Science. #CHITCHAT which stands for Crime, History and Institutions: Transdisciplinary Conversations in Heritage, Art and Transmedia is led by our first year law teachers Professor of Socio-legal History Kim Stevenson and Law Group Lead Craig Newbery-Jones who are the Co-Directors, the School of Law, Criminology and Government's Visiting Research Fellow and social history expert Dr Judith Rowbotham and recently appointed resident IT expert and senior technician Rob Giles. #CHITCHAT also encourages law students to participate in its associated student work based research project CHiLP - Crime and History in Law Project - which encourages students to work with the team as research partners – and that's where we come in.

This year's ESRC Festival's theme was 'Social Sciences: Creating Purpose' running from 4-11 November 2017. The #CHITCHAT team were invited to present a publicly accessible, month long, free exhibition at Devonport Guildhall in – somewhat appropriately given the

¹ First year LLB students - Megan is pictured left and Georgia on the right..

² Institute for Social, Policy and Enterprise research

theme of the exhibition – the original ground floor Victorian police cells. The installation was entitled *(Re)Purposed Communities: Public Engagement with Law, Crime, History and Heritage* and it consisted of an interactive poster display (28 posters in total) taking visitors on an historical and contemporary journey through Crime and Everyday Offending in Devonport, one of the former Three Towns of Plymouth before its amalgamation in 1914. Posters illustrated some of the cases and individuals – magistrates, police officers, defendants etc., who appeared in that very building in the nineteenth century as well as broader contextual issues about the health, environment and civic nature of the town. During the scheduled Festival week students from Plymouth City College visited the exhibition and interacted with the display and were placed in a Virtual Reality experience of stepping on board a convict ship of the type that would have left Devonport in the first half of the nineteenth century (more of which below).



Rob, Craig and Kim curating the exhibition at the Devonport Guildhall

The University held an evening event on 8 November to celebrate the ESRC Festival week and to highlight the activities of [the 18 contributors](#) across the University this year – the most ever. This is the fourth consecutive year that Law staff and students have been involved in the Festival (see previous issues of the Plymouth Law Review). The #CHITCHAT team showcased some of their Devonport Crime History exhibition at the celebration event including the VR convict ship experience which, because we also have an interest in the subject, we were invited to and were asked to review.



From the sample posters displayed at the Celebration event it was clear that the main exhibition was impressive and well put together with an array of posters and pictures portraying the crime heritage of Devonport and the associated and related problems of drunkenness, immorality and disease.



However, the most significant representation of the research focussed on the use of transportation for those convicted of (often quite minor) criminal offences and sent to the colonies. It was the use of the Virtual Reality convict ship created by Rob Giles that really put you into their shoes and helped you understand – to some extent at least- what they experienced whilst being on board the ship as Georgia explains below. The impact of this was particularly impressive as everyone was drawn to the Virtual Reality experience where a dozen stories were brought to life including the convicts, a nurse and the ship's surgeon who looked after their well-being as best they could given the ship's conditions, and a rather moralistic and respectable Christian lady who thought that transportation was the only way to deal with and educate such miscreants. This interactive experience was a clever and well thought out way of presenting the project research by using modern technology in order to look back on the past.



Josh another first year student and member of CLiHP steps on board an early nineteenth century convict ship

The way in which the presentation was put together was interesting as it gave people a chance to walk around the display and look at a number of different posters that organised the information systematically using pictures and spreading the information across the page instead of using block writing that would not have looked as appealing to read. All of the posters complemented each other well, there was no repeat of information, yet they all linked in with each other and told different people's stories and perspectives on how they came to

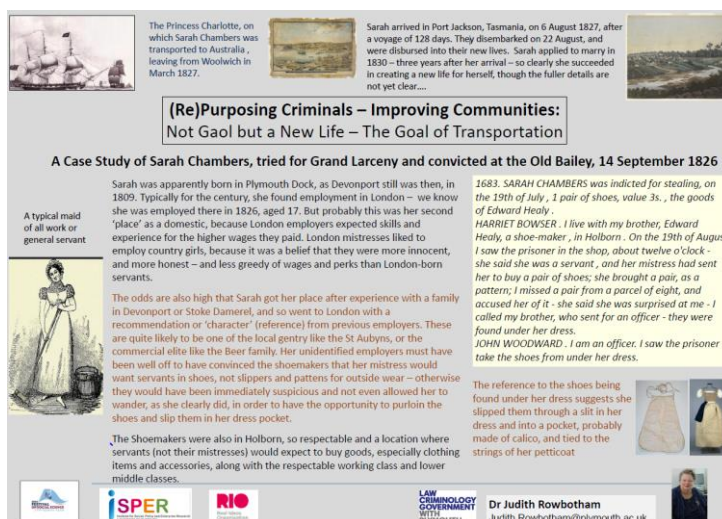
be on the ship. It really highlighted how unfair and harsh the legal system was back then, particularly on the poor.

1 Transportation to Australia and Sarah Chamber's story (Megan's Personal Perspective)

The exhibition at the Devonport Guildhall displayed a number of posters based on research about the convicts that were sent to Australia via privately commissioned ships from 1788 to 1868. Approximately 162,000 convicts were sent to Australia, often for the pettiest of crimes where they were treated as slave labour to help build the new colony's infrastructure and received the harshest of treatment.³ The exhibition specifically focussed on a number of individuals with particularly interesting stories and backgrounds who ended up on one of the convict ships. My attention was drawn to Sarah Chambers, a Plymouth girl born in Plymouth Dock (later renamed Devonport in 1824) in 1807, and her story of how she ended up on the convict ship after stealing a pair of shoes to the value of 3 shillings. This story was striking, as aged just 17 she was tried for Grand Larceny and convicted at the Old Bailey on 14 September 1826 for petty theft which constituted as the worst kind of punishment just because she was trying to provide for her three children. She was given a seven year sentence and was transported to New South Wales in March 1827 arriving 128 days later in August that year. Having spent almost a year on a ship (including the time spent waiting to sail) the physical transportation to Australia and being detained on the ship constituted a major punishment in itself. Many did not survive, for example, 267 convicts died during the voyage of the Second Fleet, and 199 in the Third Fleet. Captain Hill, a British military officer at that time, wrote of the awful conditions in the convict fleets.⁴ What was impressive about the way in which Sarah was presented in the exhibition was that she was introduced first as a person rather than introducing her by the crimes she had committed. This stood out to me as it is easy to think that people put on the convict ships deserved to be there because they had committed serious 'crimes' but in fact when you take a deeper look it shows that many were treated so unfairly in that their punishments were out of proportion to the crimes they committed often in a desperate act to provide for their families.

³ 'Convicts and the European Settlement of Australia,' <http://www.cultureandrecreation.gov.au/articles/convicts>

⁴ 'Convicts and the European Settlement of Australia'.



Judith's poster illustrating Sarah's story

2 Really Stepping into the Shoes of Matilda Whittle (Georgia's Personal Perspective)

My participation in the exhibition started by reading the story, which was voice recorded, of a first person narrative supplied by Dr Judith Rowbotham of a real life woman convicted for receiving and re-purposing stolen goods which were very simply a gown piece and some ribbon stolen from a Mrs Pinky at Stonehouse. Her name was Matilda Wittle (/Whittle) and she was tried at the Devon Lent Assizes at Exeter on 17 March 1835⁵ alongside her sister-in-law Fanny Wittle (/Whittle). Both received a 14 year transportation sentence to New South Wales in Australia. The convict ship she was transported on, named the 'Henry Wellesley', departed from Portsmouth with a total of 118 female prisoners during the first week of October in 1835 and would not dock in Australia until 123 days later. When reading case reports such as that of Matilda, it is easy to lose sight of the person as a whole. Matilda was not just a convict. She was an employed servant, a daughter to an elderly mother, a wife and a mother herself to four children. She was 33 years old at the time of her transportation. It is estimated that the average life expectancy for similar women of that period would have only been around 40 years of age.⁶ Therefore, it was highly unlikely that when Matilda embarked on this voyage - not by her own choice, that she would never see her family or home ever again. If, in fact, she was lucky enough to live until 40, she would die in an unknown place surrounded by strangers and if she had wanted to, or was able even, to come back to England she would have to have served a second sentence here, the original one that would have been imposed instead of

⁵ The National Archives, Reference: HO 17/32/145 <http://discovery.nationalarchives.gov.uk/details/r/C12761408> 8 December 2017.

⁶ Max Roser, 'Life Expectancy' (2017) *Published online at OurWorldInData.org*. Retrieved from: <https://ourworldindata.org/life-expectancy/> [Online Resource] 8 December 2017.

transportation which would have been one of imprisonment, before she could ever return to her family..

Having voiced Matilda's story beforehand, it was not until I attended the ESRC Festival of Social Science Celebration that I experienced the finished project as put together by Rob Giles who had created a Virtual Reality headset walkthrough of the convict ship complete with audio narratives of the monologues that had been recorded, including mine of Matilda. And it was only then, when I put the headset on, that the full magnitude of such a daunting and unfathomable concept hit me. During the recordings, after receiving the instructions to act like a haughty commoner, it struck me that I would be giving a voice to someone who was once forgotten. By being able to take part in this project I would be helping to revive the memory of individuals such as Matilda and the journey they faced. When walking around wearing the headset, I could see countless rusty metal cages with bars which the prisoners would be crammed into and often forced to stand in for some time. I could hear the monologues we had recorded, projecting a hauntingly ghostly feel but at the same time nearly tangible with the editing in of sound effects of a typical ship; banging, waves and seagulls. It was almost completely dark with few sheds of light filtering through from the top deck of the ship. The ship surgeon's Medical Journal⁷ concludes that 'the weather was favourable with two exceptions' which I can only imagine would have amounted to being soaked to the skin with salt water and many sleepless nights of (literally) tossing and turning. He continues with a catalogue of the illnesses on board, including but not limited to; scurvy, fever, vomiting, diarrhoea, hepatitis, paralysis, burns, lice infestations and six deaths including an 18-year-old girl and her baby. It appeared that this was a relatively successful voyage when compared to many others as countless records from workers on some of the various all-female ships to New South Wales tell of rather unfavourable accounts of the prisoners on board, one describing them as 'persons whom all the wise and salutary laws of England had failed to reclaim'.⁸ However, there were also few who acclaimed pity and sympathy towards those aboard to the extent that the author of one journal expresses 'I had the happy effect of soothing their fears'.⁹

⁷ Jenwilletts, 'Free Settler or Felon?', "Convict Ship Henry Wellesley 1836", https://jenwilletts.com/convict_ship_henry_wellesley_1836.htm 8 December 2017

⁸ Ibid; Kains 1831 Dr Clarke https://www.jenwilletts.com/female_convicts.htm 8 December 2017.

⁹ Jenwilletts, Free Settler or Felon?, 'Female Convicts', Roslin Castle 1830 Journal of William Conborough Watt https://www.jenwilletts.com/female_convicts.htm ; extract from https://jenwilletts.com/1835_convicts.htm 8 December 2017.

Since discovering such polarising opinions from my own research, (such as the extract left¹⁰) it has provoked thoughts and views of my own. We may never know what it was truly like to be a prisoner on an unsavoury vessel headed for some equally ambiguous far off land, but it is important that we try and consider and imagine what it might have been like. Such is the power of humankind; of mindfulness, of asking ourselves the age old question – ‘what makes us human?’ In my view, the concept of ‘humanity’ is about how one individual, in my case Matilda Wittle, can bring a collective of other individuals together to ‘create a purpose’ and to further a cause by sharing and creating ideas, opportunities and experiences.

Conclusion and the Next Project....

The crime history project involving CLiHP and #CHITCHAT brings historians’ and lawyers’ knowledge together along with their skills and expertise in order to form one coherent research project, which is producing significant results such as the ESRC exhibition. We are both interested in the subject of crime history as it gives us a chance to look back on the past in

The magistrates of New South Wales—generally holders of convicts—were invested with great power of inflicting punishment. There were 28,000 convicts in the colony in 1835, and in the same year there were 22,000 summary convictions. There were 247 convicts flogged in one month, which would give 2964 floggings, and 108,000 lashes, in the year; and a large portion of these were inflicted for “insolence,” “insubordination,” or “neglect of work.”

order to avoid making the same mistakes in the future, that is why this topic is so important. It also gives us a chance to look at how our legislation has changed throughout the years and the impact that law made in the past still has today. We still use important legislation made in the nineteenth century, for example the Offences Against the Person Act 1861, which shows just how important having knowledge of


and being aware of the past really is.


From being a part of this project we have learnt more about the past in order to compare it with the present. We hope to continue being a part of the crime history project to explore and find out more and are particularly excited to find out that #CHITCHAT has been invited to produce another exhibition for the annual Plymouth History Month in May 2018 – and that we are to be involved in contributing material to it. The overall theme is social policy initiatives, state intervention and personal choice. The exhibition will focus on local reactions in the Three Towns to laws compelling parents to have their infants vaccinated against smallpox before the


¹⁰ https://jenwilletts.com/1835_convicts.htm

age of six months. If you were poor the health implications of vaccination could be dangerous and even fatal. Participants and audiences will be invited to consider the personal moral choices they would make when presented with real life historic dilemmas about their family's health and wellbeing and the effect their decisions would have on both themselves and their communities.

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Legal Tyranny: Conscientious Objection in the Three Towns 1853-1914

Interactive exhibition and talks

Illustrated Police News 2 October 1886 courtesy (c) British Library Board

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As part of the 2018 Plymouth History Festival, come and visit this free interactive exhibition curated by staff and students from the University's School of Law, Criminology and Government and listen to public talks on the theme of social policy initiatives, state intervention and personal choice.

Displays and apps will explore aspects of the festival themes particularly enlightenment, scientific thought and public health.

May 2018: 5 → **Jun 2018: 3**

Devonport Guildhall, Ker Street, Plymouth PL1 4EL