

CRIMINALS AND CRIME: SOME FACTS AND SUGGESTIONS

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9781760572068

Criminals and Crime: Some Facts and Suggestions by Sir Robert Anderson

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

SIR ROBERT ANDERSON

**CRIMINALS AND
CRIME: SOME FACTS
AND SUGGESTIONS**

CRIMINALS AND CRIME:

SOME FACTS AND
SUGGESTIONS

BY

SIR ROBERT ANDERSON, K.C.B., LL.D.



London

JAMES NISBET & CO., LIMITED

22 BERNERS STREET, W.

1907

PREFACE

THAT this book has taken shape as a popular treatise is a departure from my original plan and purpose. But I do not regret the change. For apart from the main reason for it, explained in these pages, it has been urged upon me by "men of light and leading" that what is now needed is to convince the general public that the reforms here advocated are both important and practicable.

Some of the most influential Judges of the High Court have spoken to me in this sense. On the last occasion on which I had the privilege of discussing the matter with Mr. Justice Wills—it was before his retirement—he renewed his assurances of sympathy, but raised the objection that the public were not ready to sanction the indefinitely prolonged imprisonment of offenders. I urged in reply that the public would fall into line, if the Judges would adopt Sir James Fitz-James Stephen's proposal that a criminal's fate should be determined only after a formal public trial on the issue of his being a "professional."

An interruption brought our conversation abruptly to a close, and Sir Alfred said he would consider the matter and write to me. A letter received a few weeks afterwards authorised me to express his approval of the scheme; and this has been confirmed by a letter with which I have been favoured while these pages have been passing through the press.

It is to the public therefore that this volume is addressed. For if the public became alive to the fact that all the principal offences against property are the work of small bands of professional criminals, and that the professional criminal is the creature of our punishment-of-crime system, we should soon have a popular outcry in favour of the reforms here advocated.

A "good burglar," for example (to use a phrase by which the Police designate the sort of criminal who achieves success in that branch of the profession), must be a man of nerve and skill and resource. And his appreciation of a life of adventure and luxurious idleness far outweighs his fear of an occasional term of penal seclusion. For he counts upon having "a good run" during each period of misused liberty; and as a matter of fact he will probably have a great many cases to his credit before he is caught. But burglars of this type are not numerous; and it is due to

PREFACE

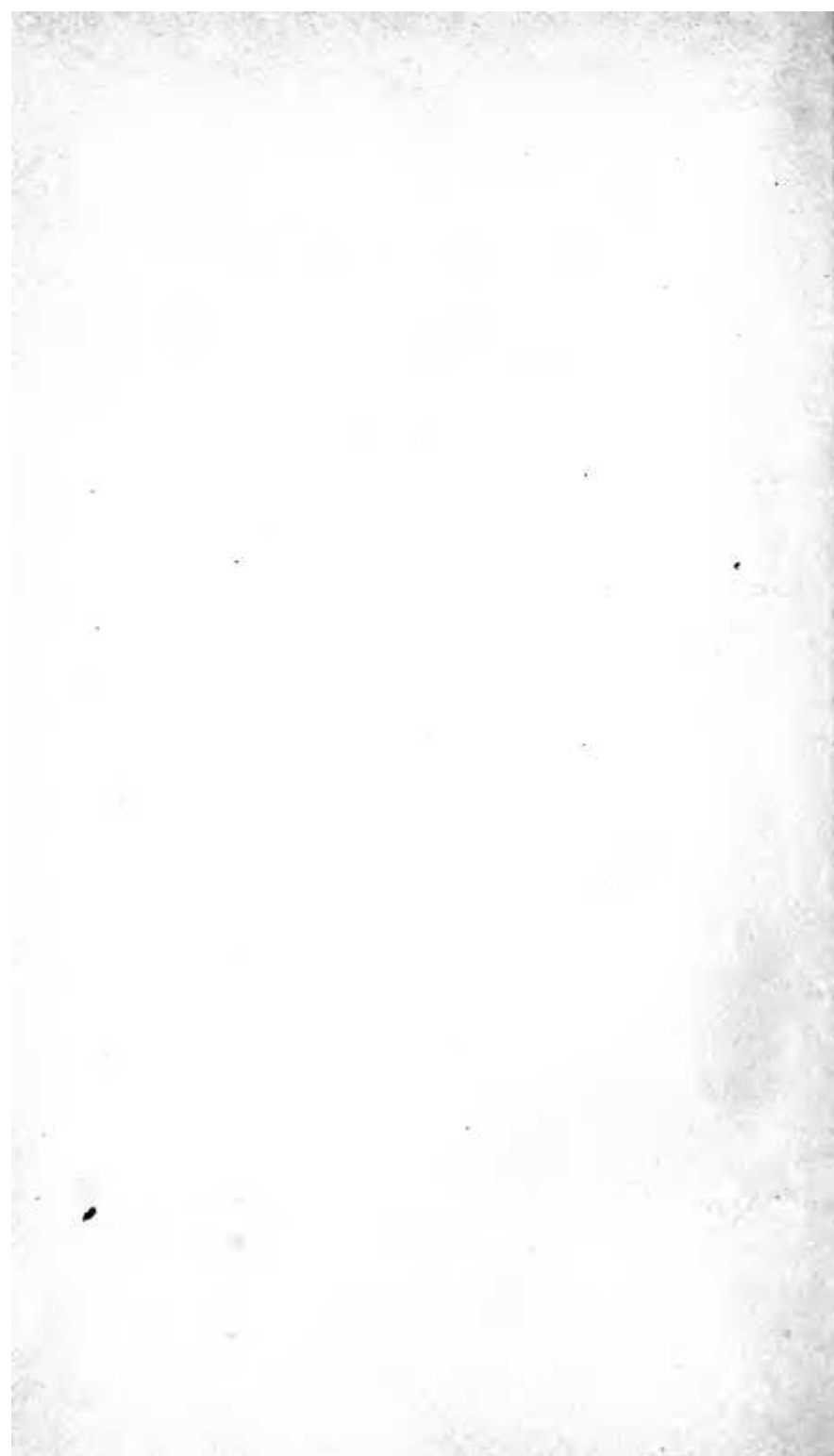
vii

our releasing them in relays, under the punishment-of-crime system, that the business is still kept going.

The knowledge of facts such as these cannot fail to create a healthy public opinion that may serve to counteract the agitation so persistently maintained by the professional humanitarians on behalf of the professional criminals.

It is with the cordial assent of my friend Sir James Knowles that, in writing this book, I have made use of my *Nineteenth Century* articles on crime.

R. A.



CONTENTS

CHAPTER I

	PAGE
Our system of dealing with criminals, compared with the barbarity of other days—The decrease of crime in general, and the increase of professional crime, proved by the statistics—Professional crime preventable—Professionals are of two classes—The attractions of a life of crime—An American prison example—"Morality by Act of Parliament"—The need of intelligence and common sense—Major Griffiths' dictum—"Why do we imprison our criminals?"—Sir John Bridge's dictum—Our system illustrated by the case of a new community . . .	1

CHAPTER II

Henry Marchant's case—Sir James Stephen's proposal—The influence of minorities—Statement of the author's scheme—Our present methods criticised—Need of asylum prisons—The importance of enforcing the restitution of stolen property—The losses of poor and humble people—The <i>élite</i> of the criminal profession—The inequality of sentences	16
---	----

CHAPTER III

Mr. Justice Wills' <i>Times</i> letter on the author's scheme—Action taken by the Judges: Mr. Justice Phillimore's statement—Action taken by the Commissioners of Prisons—Action taken by the Home Office: The Penal Servitude Bill of 1903—The "humanity-mongers," and their influence—The power of minorities	33
---	----

CHAPTER IV

	PAGE
The author's aims—"The short sentence craze"—Sir Edward Malet's story—The author's personal experience of a crime—Our present system, and the need of reforms—The object of imprisonment—Criminals differ—Asylum prisons—Police "shot-drill" illustrated—"Who has a right to complain?"—The "doctrinaires"—Major Griffiths' story	48

CHAPTER V

General reforms: Lord Cairns' dictum about temperance and crime—The reform of the drink code, and its dependence on fiscal reform—Importance of reforms of another kind—The analogy of sanatory legislation—Evil of the punishment-of-crime system—The Judges seek to evade it—Inequality of sentences—How Scotland Yard regards, and deals with, outbreaks of crime—The author's "burglary" at Charles Reade's house—How thieving on the Channel boats was suppressed—Inferences and suggestions—Illustrative cases	66
--	----

CHAPTER VI

The author's Scotland Yard experiences—A Cheshire "ladder larceny"—"Quiet Joe"—"Old Carr," and his action at law against the author—"Sausage's" case—Madame Patti and the criminal Benson—Dr. Max Nordau and the "type" theory—Raymond's case: his Kimberley diamond robbery: Mr. Agnew's picture—Powell and the Channel boat gang—The Ascot Gold Cup	87
---	----

CHAPTER VII

Different classes of criminals—The leaders, and other professionals, and the weak—The degenerates—The aliens question—"Hooliganism:" a Dublin magistrate story—The growth of rowdism—Suggestions for dealing with it—Boys should be rescued before they fall into crime	102
---	-----