CRIME IN WARTIME

A Social History of Crime in World War II

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Crime in Wartime

This book is dedicated to my parents

Author's Note

I wish to thank all those who have helped me in preparing this study. In particular I owe a considerable debt to my friends who have read and discussed parts of the book with me. Any errors that remain are entirely my own.

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Introduction

The Second World War has arguably been the most decisive experience of British people during the present century. This study examines one aspect of that experience – the influence of the war on patterns of crime.

To illustrate how the war influenced the way people behaved, let me quote from four cases at random:

(a) 'In June, 1941, this woman's husband, to whom she was most devoted, was killed in the course of a bombing operation. The shock to her was a dreadful one, and she sought every possible means of getting away from herself, her loneliness and her sorrow. She sought out all the friends she could muster, so to speak, and entertained them, or travelled long, expensive journeys at weekends to visit' them with the result that she began 'to borrow' in a small way 'and so this wretched business started'.

(b) 'There were special circumstances in this case . . . as a result of the war he had been living alone in a room, separated from his family. Bombs had fallen on each side of the house and his windows were broken by blast. All this had a serious effect upon him and he had been suffering from melancholia. He had now lost his job and his pension.'

(c) He 'had been badly wounded at Dunkirk' and was discharged from the Army as medically unfit. 'He had lost the sight of one eye while his left arm was partially disabled.' He 'had been reading a lot about fifth columnists dressed in women's clothing' and so 'he had decided to try it'. He 'had walked three miles before being detected'.

(d) 'A few days before the war began he met a refugee girl, who was unable to find any friends and was without any means. He and his wife took pity on her and kept her for about eight months when she left them to get married. As

a result of their keeping this girl he fell into arrears with the instalments on his home, and furniture. He then lost his job at the railway and took a job as a stretcher bearer, at a greatly reduced wage. He then found himself very heavily in debt and committed these offences.'

The defendants in these four wartime cases were respectively charged with (a) falsifying entries in the wage sheets during the course of her work at the Treasurer's department, Chatham Town Hall,[1] (b) stealing postal orders from letters,[2] (c) importuning in the North End Road, Fulham, wearing silk petticoat, knickers and a brassière filled with inflatable balloons,[3] and (d) stealing eleven suitcases from unattended motor cars.[4] In common with many hundreds of other people who found themselves in court between 1939 and 1945, they attributed what they had done to the impact of the war on their lives. The war saturated the consciousness of the people who lived through it to the extent that they would seek to explain many peculiarities of behaviour by it. Maybe they were merely looking for a persuasive story to put before the magistrate, but it was to the war that they turned, the tribulations and horrors of which everyone, including magistrates, had shared.

To begin with the most immediate record, the statistics. In 1939 the police had known of 303,771 crimes;* in 1945 they knew of 478,394,* a rise of 57 per cent in seven years. In the previous five years (1934–8) the number had increased by only 21 per cent, so the war saw a marked quickening in pace.[5]

Of the persons accused of committing these crimes, 47,223 were found guilty in 1939, and 72,758 in 1945,* a rise of 54 per cent. Or, to express the change in a different way, for every 100,000 people, 149 were found guilty in 1939, and 223 in 1945.[6] Recorded crime and recorded criminals thus both increased during the war, and most alarmingly during its last two years.

The war has generally been regarded as a heroic period in the country's history; this study, however, is concerned with the underside of that achievement: the English people in their unheroic moments. Yet these two aspects of the country's experience cannot be separated from one another, a point that might best be illustrated by one contemporary who writes

* In England and Wales.

of a drunken party he attended: 'I thought I had better go to bed. I had had my fill and found it rather difficult to walk straight. As I was trundling along the corridor there happened to be four fire extinguishers in the way. These I did not see, partly for the obvious reason and partly because the corridor was dark. Anyway, I had the misfortune to trip over them and one by one they went off. I did not know what to do. First I tried to sit on them to keep the liquid from going on the corridors; that was no good. The stuff seeped through my trousers and then began to spray out again. There was no way out of it. Nearby was a large and ornamental door covered with glass. One by one I threw the fire extinguishers out, making a most horrible noise of tinkling glass and squirting extinguishers. Then I went to bed, feeling that I had done my best in difficult circumstances.'[7]

The author of this account could well later have found himself in court facing a charge of committing wilful damage to government property, or drunken and disorderly behaviour; whilst if his act of hooliganism had taken place at an armaments factory the charge might well have been sabotage, carrying with it the possibility of a lengthy prison sentence. In fact the offender was the RAF pilot and future war hero, Guy Gibson; nor did he escape punishment of sorts. He was 'impolitely informed' that he had been taken off drinking in the Mess for a month. Thus even war heroes had unheroic, antisocial, destructive moments: this study proposes to examine the behaviour of the English people at such times.

By 'crime' in this book is understood those acts which are punishable by law; the war itself caused Parliament to add considerably to their number, and this explains the topics that are examined here and the way in which they are set out. For example, the maintenance of public morale was a major preoccupation of the authorities, and those organisations which were identified as potentially disruptive soon found themselves the object of police attention. There was a wave of prosecutions for offences against 'morale' in the first eighteen months of the war and for a time they loomed large in court proceedings and newspaper reports. The wave subsided during 1941 as the authorities grew increasingly confident about the country's morale and as other forms of crime pressed for their attention.

The government had attempted to control the market, and as the rationing regulations made themselves felt with considerable thoroughness a black market emerged which rapidly began to influence other types of crime, especially theft. Pilfering from the employer; the professional robbery designed, for instance, to steal a lorry or break into a warehouse; and receiving – all expanded to meet the demands of the black market. And the techniques of professional robbery underwent a most significant transformation, as the emphasis shifted from stealing property (paintings, jewels, or furs) from the rich to obtaining goods in short supply (cigarettes, alcohol, consumer goods). Between 1944 and 1946 the black market reached its highest point of development, and theft and receiving flourished along with it. Involved actively in hastening the process were hitherto 'respectable' persons. Many businessmen, shopkeepers and tradesmen participated energetically in the black market, and connived at breaking the rationing regulations, while countless members of the general public co-operated with them over the counter and elsewhere. A similar process affected other 'respectable occupations' – most conspicuously the civil service and the building industry: 'white collar crime' emerged for the first time as a serious problem.

The black marketeers had a great deal of money to spend, as did the traditional 'leisured' classes (now confined to the island for the duration) and those well paid visitors, the United States and Canadian military. Many sought the usual outlets of gaming, unlimited drinking, the company of prostitutes; and racketeers were only too anxious to supply them. But they did so at a time when the authorities, with strong support from a substantial section of public opinion, were seeking to limit and control such 'action', partly because they wanted to concentrate energies on the war effort, but mainly because they feared that the dynamics of the war itself threatened the country's established code of morality. The young were identified as the most vulnerable, and also as advancing the trend: the law was thus introduced to try to halt the process of social change itself.

Running parallel with these trends was an alarming increase in violence which, however, had separate roots, but which also added to the impression of greater lawlessness in

the country in the concluding stages of the war. The police were required to cope with all these developments at a time when their own resources were much reduced: by 1945–6 they were enduring severe strain, as their spokesmen did not hesitate to point out. The courts were in similar difficulties and in both areas policy needed to be adjusted to take account of altered circumstances.

Although the range of 'crime' discussed in this book is a broad one, it is not intended to be exhaustive. There is little discussion of prison and borstal in wartime, and less about the intervention of the law into, for instance, industrial relations. There are also geographical limitations. Even though many of the statistics refer to 'England and Wales', the social histories of Wales and Scotland differ markedly from that of England, as the nationalism of recent years has demonstrated. England should be studied as the national entity it is, while Glasgow (and perhaps Cardiff also) pose problems sufficiently complex and interesting to merit studies on their own account.

Within England, London will be seen to dominate. London was the crime capital of the country, especially where professional criminals were concerned. But this emphasis reflects also the documentary evidence available for the capital. Many of the policemen, lawyers or former criminals who published their memoirs were Londoners, or had spent the greater part of their professional lives in the capital. The reports of the Commissioner of the Metropolitan Police were (when they appeared) fuller and richer than those of his provincial colleagues. To this must be added the wartime complication that whereas the provincial big city press largely abandoned its interest in local affairs for the duration, not surprisingly preferring to concentrate on reporting the war, the local London press, and to a lesser extent that in the smaller provincial towns, continued to offer comment about and reports of court proceedings. This is vital for understanding the pattern of crime as it developed in the capital but it causes gaps where the great provincial cities are concerned – Liverpool, Manchester and Leeds especially.

The problem is compounded by the exigencies of the war itself. Even in their published form the statistics do not provide answers to a number of questions the social historian wishes to ask. They do not give clear indications of what was

happening in the various forms of theft (especially pilfering) nor, for example, do they show the amounts stolen in robberies, nor how many robberies were accompanied by the use of guns or actual physical violence. The statistics concerning the black market lump together buyers and sellers, 'big' dealers and the trivial shopping offence which happened to be reported. Nor do they distinguish the social class or occupation of the offender, so it is not possible to estimate the extent of 'white-collar' and 'proletarian' crime. But, incredibly, during the war publication of the relevant statistics was in many instances interrupted. The most severe omission affects *Criminal Statistics*, suspended for the duration, but even the reports of the Commissioner of the Metropolitan Police ceased during the middle stages of the war, whilst reports for Liverpool were abandoned altogether. Even the police reports that continued to appear did so only in truncated form.

The greater part of the book, therefore, concerns *reported* offences, which represent, of course, only a proportion of the crimes actually committed. The 'dark figure' varies considerably from one type of crime to another – certainly very small for murder, enormous for the black market. It would be helpful to know the extent of police *suspicions* about offenders and offences which were never developed into prosecutions but, understandably, the relevant files are closed and will remain so until well into the next century. Unfortunately, closed along with them are all other police files, and my attempts to secure access to them have been totally unsuccessful. This means that it is not possible to follow the development of policy in such crucial areas as the relations between the Home Office and the Chief Constables, the character of the instructions relayed to the provincial forces, how these were translated into general inquiries, and how they affected the approach taken by the individual constable in the street. From time to time guesses have had to be made as to the broad lines of policy, but they can remain no more than that until the files have been opened.

CHAPTER ONE

Morale

In March 1942 in Hove, an elderly and impoverished American lady, living alone, happened to go into a café and sit at a table near a young army officer. The two began a conversation and, almost inevitably in that grim third winter of the war, they talked about politics. Or rather the American lady talked, for politics and the war were matters about which she held strong opinions.

'She said, among others things, that she was an American, but, owing to the war, could not return home. She told him she had travelled extensively in Europe, including Germany, and the Germans were quite happy working for the State. She expressed admiration for the German type of government now in existence, and said that in her opinion Germany did not want to fight this war . . . it was this country's fault we were at war. She admired Hitler, and considered he was a great ruler . . .'

The 'young lieutenant of infantry, in uniform', did not protest; indeed, he encouraged her, so much so that she invited him to visit her at her flat. She went on to inform him that Roosevelt and Churchill had 'Jewish blood' and produced a piece of paper on which she expressed herself in verse. She was, it seems, the kind of elderly crank, more pathetic than menacing, who sought out resorts like Hove as a refuge in wartime; but the soldier did not think so, nor did the police. She was prosecuted on a charge of having 'published a statement related to matters connected with the war which was likely to cause alarm and despondency'. She pleaded guilty and the magistrate sent her to jail for a month's hard labour, and fined her £50.[1]*

* 'Hard labour' at this time meant that the prisoner performed whatever labour he or she was medically fit to do, and also went without a mattress during the first fourteen days of the sentence.

To understand the motives of the prosecutors, and the view that such a person could represent any sort of threat it is necessary to recall the general atmosphere of the time: the invasion scare of 1940–1; the blitz; the uncertainty of final victory; and the German armies ever-present on the other side of the Channel. Even so, the response of the officer, the police, the court, and the local newspaper (which reported the case in detail) seem out of all proportion to the 'offence'. The courts were here clearly being used for a political purpose, to maintain public morale, and they continued to be so used throughout the war, though the type of activity penalised altered from time to time.

The first of several waves of wartime prosecutions began with the very start of hostilities, and concerned the blackout. Something of the tension of those first weeks of war can be recaptured from reports of the scenes which occurred when the blackout regulations were flagrantly broken. Crowds gathered, the police were summoned, windows got broken, and the culprits were threatened with violence. Old and 'eccentric' people (who may not have realised 'there was a war on') were particularly vulnerable. Police called to the home of an 83-year-old man in Hampstead found a hostile crowd assembled, shouting 'Smash the door down!' Lights showed in two front-room windows. The court fined him £2 (four times the weekly pension of a single man in 1939).[2] An elderly man in Highgate who burned a fire in his garden was remanded in custody for a week for a medical report. People in the 'large crowd' which collected 'wanted to assault' him.[2] Shopkeepers and businessmen who broke the law were heavily fined: £50 was by no means unusual. A Stamford Hill shopkeeper who left arc lamps burning in his shop was fined this amount: an angry crowd of between fifty and a hundred people gathered outside.[3] Such incidents reflected fears derived from the propaganda of the 1930s that the bomber 'always gets through'; indeed, devastating German air raids were expected within days of the declaration of war. As autumn lengthened into winter and the raids did not materialise, the public became more casual in its attitude and infringements of the blackout were increasingly regarded in much the same way as breaches of the traffic regulations – as not being real crimes at all. Nonetheless, 300,000 people passed through the

courts in 1940 alone, and the fines imposed must have represented a considerable extra source of revenue for the exchequer. Court proceedings seemed incomplete without a batch of blackout prosecutions.[4]

In the first twelve months of the war the courts took very much more seriously another category of offenders: the political critics of the Government on the extreme left and the extreme right who advocated their views in public. The authorities decided that the British Union of Fascists and the Communist Party of Great Britain represented potentially dangerous centres of disaffection and were prepared to use the courts in an attempt to silence them.

The British Union of Fascists received the closest attention during the first year of the war, and from its very first day. One early prosecution involved a thirty-year-old clerk who spoke in London to a crowd of about 2,000 people, including, according to the police, about 100 Jews. The meeting actually took place on 31 August, but the case came to court after 3 September when war was declared. The clerk had said, when he mounted the platform, 'I feel very bitter tonight . . . the call is to revolt . . . If there is a War Chamberlain will still draw £10,000 a year, and so will Mr. Atlee [*sic*], the stinking traitor . . . The German people are led by a German, the British are led by a Jew, fed by a Jew, clothed by a Jew, pushed by a Jew . . . Don't think it [the war] will be a walkover. What a chance we have! Look at our Army! Look at its leader – Hore-Belisha! . . . Whenever I see this man's physog in the paper a horrible, revolting feeling comes over my stomach . . . Don't blame Hitler; blame the people who have brought us to this state of affairs. When you walk down the High-street show your common enemies what you think of them. You can show them in many ways . . .'[5] Not surprisingly, the clerk was charged with threatening a breach of the peace, and he was jailed for three months.

Such cases, where the evidence was clear, were comparatively easy for the courts; much more difficult were those involving persons who chose their words with some care. When Alexander Raven Thompson, 'the philosopher of British Fascism',[6] offered some of his philosophy to a crowd of 400 in Finsbury Square in January 1940, the police noted the following from his speech: 'The British Government is rotten

throughout . . . the sooner we Englishmen rid ourselves of the filthy corrupt practices and the alien influences of the Jewish financiers, the sooner the War will end and England will be a better place to live in.'[7]

The problem the courts faced in sentencing in such cases was how far they could go without causing an obvious miscarriage of justice: Raven Thompson was found guilty of using insulting words and fined £25. The answer to the problem lay in the phrase often employed in bringing charges against Fascists and Communists: 'using insulting words and behaviour whereby a breach of the peace might be occasioned'. If a man or woman spoke to a crowd which did not like what it heard and showed it, then the speaker could be accused of having provoked them to a breach of the peace. It was a dangerous situation: strong language used by ministers in the government, which might well be regarded as insulting by some sections of their audience, rarely if ever resulted in the prosecution of those ministers. But, when an opponent of the war spoke out, then a prosecution could well ensue. The evidence in some of these cases looks very thin indeed. A 23-year-old clerk was prosecuted after addressing a BUF meeting in May 1940. His audience included men and women in uniform and presumably the most inflammatory section of his speech was held to be insulting to them: he said, 'My forefathers from Wales won five V.C.s at Rorke's Drift. They were then called heroes: but when they came back what did they come back to? Why, their dirty little villages and slime. That is what the soldiers of 1940 will come back to.' The police conceded that 'no one attempted to attack the accused' but added that 'it was evident that his remarks were disliked'. The court accepted this and the clerk was jailed for three months.[8]

On several occasions magistrates were able to expose the poverty of the propaganda of right-wing critics of the war. When a 25-year-old clerk was prosecuted for pasting bills on a wall, the magistrate asked him about the contents of the posters and the following exchange ensued:

Defendant: 'We were just publishing the names of those people who were trying to dodge conscription.' (The names were all Jewish.)