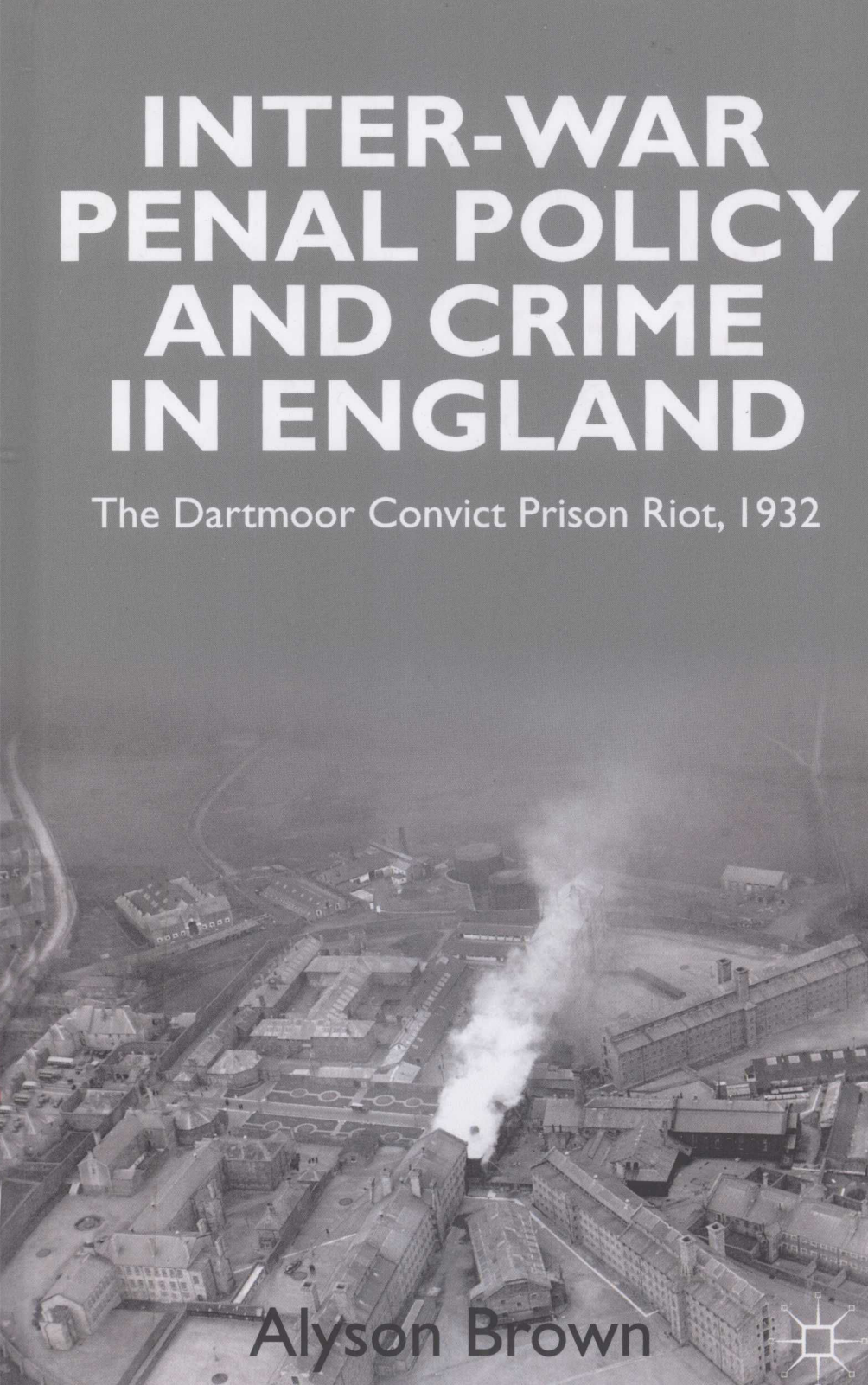
INTER-WAR PENAL POLICY AND CRIME IN ENGLAND

The Dartmoor Convict Prison Riot, 1932



Alyson Brown

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To my darling Megan

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1
Introduction

This book examines the causality, process and impact of a major prison riot which occurred in Dartmoor Convict Prison, Devon, on 24 January 1932. This disturbance, in which the prisoners took over control of the prison, albeit for a short period of time, attracted extensive political, media and public attention. The riot was one of the biggest media events of the year, resulting in headlines in all the popular newspapers and newsreels by Pathé News and Movietone being shown across the country. It also tested the strength of the prevailing direction of penal policy and focused political and public attention on the persistent offender. The Du Parcq Inquiry was immediately established in order to examine the causes of the outbreak and its report, after only five days of work, was eagerly awaited by the press. Investigators from the Criminal Investigations Department then began to collect evidence for use in the prosecution of individuals for their role in the rioting, and ultimately charges were brought against 31 Dartmoor inmates. Proceedings were also brought against two convicts for assaults against prison officers in the days before the riot. A total of 99 years was meted out in additional sentences to these 33 Dartmoor defendants; sentences which contemporary officials accepted were exemplary.

The drama and rarity of the Dartmoor riot have meant that a large amount of primary material is available for historical analysis, although a significant part of this, for example the papers relating to the Du Parcq inquiry, has been subject to a 75-year closure. While the records held within the prison at the time of the riot were destroyed, the post-riot collection of evidence to enable the prosecution of Dartmoor defendants resulted in a valuable archive which includes the individual criminal convictions records of most of the inmates incarcerated at the time of the riot. Dartmoor Convict Prison held a total of 442 convicts on

24 January 1932, at a time when the total daily average prison population in England and Wales was around 10,000. Dartmoor was one of only two prisons in England designated for serious and/or recidivist offenders, the other being Parkhurst. Therefore, this is an extremely valuable archive for the examination of serious crime in the decades prior to 1932.

In addition, transcripts of the special assize established after the riot, although not unproblematic, give a rare voice to convicts and, to a lesser degree, prison officers. While the constraints and distortions of testimony in the courtroom have to be taken into account, this evidence gives valuable insight into the emotional environment of the prison. Nevertheless, there are frustrating gaps in the archive. For example, there are allusions to letters written by convicts to Herbert Du Parcq as part of his investigation. Mention is made by Justice Finlay, the judge at the trial of the Dartmoor defendants, about anonymous letters received by him. Unfortunately, none of these appear to have survived.

Surprisingly, this major inter-war event has attracted little attention from historians. The analyses of prison disturbances undertaken by criminologists have tended to be restricted to the post-war era. Nevertheless, their research has established the basic precept that prison riots are complex entities. As Carrabine asserts, '[a]ny convincing explanation [of prison riots] needs to be attentive to the structural circumstances of confinement (material conditions, institutional diversity, power relationships and state organization, for example) whilst recognizing human agency (prisoner anger, official indifference, administrative struggles, charismatic personalities and so forth)'.[1] Carrabine's approach certainly resonates with the findings of this analysis of the major prison riot which broke out in Dartmoor Convict Prison in January 1932 which illustrates not only the extent to which his schema is historically relevant but also the enduring nature of the structures and tensions maintained within the prison estate. As Carrabine himself notes, 'it is important to recognise that a prison, like any other complex organisation, will be a place possessing a unique history, with a distinctive tradition that informs the actions and beliefs of the keepers and the kept'.[2]

There has been little in-depth historical academic analysis of prison riots. Indeed, the statement by Emsley in 1996 that the 'whole field' of penal policy in the twentieth century remains 'largely unexplored' by historians remains largely true.[3] This is especially the case for the inter-war period. Published work on the Dartmoor riot has tended to cater to a popular readership and to be quite descriptive and broad, giving

only basic facts of the events.[4] However, the much more useful work of Joy and Dell has begun to consider causality and consequences, albeit largely as related directly to internal prison conditions.[5] Academic works which have considered the Dartmoor riot have tended to be either rather brief and/or distorted by a focus which is considerably broader than the disturbances themselves. An example of the former is Harding et al.'s *Imprisonment in England and Wales: A Concise History* which devotes less than a page to the riot. That publication attributed the Dartmoor riot to problems arising when prisoners heavily outnumber prison staff 'in a tense, repressive environment', and asserted that 'an uprising of that kind would have been virtually impossible before 1898'.[6] This observation appears to be based on an assumption that major disturbances have historically been circumvented by the separate system, a system which was unevenly implemented both across the prison system and chronologically.[7] In the public works prisons where convicts laboured in association, as part of the three-stage progressive system, large-scale disturbances occurred during the 1850s and 1860s – including a major riot in Chatham Convict Prison in 1861.[8] In local prisons, large combined disturbances appear to have been rare but were more likely to have been inhibited by the short sentence lengths served by prisoners than the supposed rigours of separation. Indeed, the reach of the separate system into many local prisons was patchy at best.[9]

Adams's analysis compares prison riots in Britain and the United States, and categorises the Dartmoor riot as 'traditional'. This is because it was, he contends, 'an isolated incident associated with an escape attempt which went wrong, in which the grievances of prisoners were to be inferred rather than spelt out and communicated to non-rioters either inside or outside the prison'.[10] This perspective is rather vague, and in the case of the Dartmoor riot the association between an escape attempt just prior to the disturbance and the riot is not clear. Also, there is no consideration of whether this implies a level of planning by convicts. In addition, some evidence suggests that the riot may initially have been an attempt to communicate grievances to the Prison Governor but within his definition of 'traditional' Adams notes that prisoners resisted 'the immediacy of imprisonment, with no wider implications: they "simply" rioted'.[11] However, the 'immediacy' of imprisonment and the regimes and conditions relate inextricably to broader philosophies and policy and cannot be extricated from context. In other respects, Adams largely follows Priestley's conclusions on the riot that it broke out following 'an attempt to reintroduce an older notion of discipline after the relatively liberal governorship of Gerald Fancourt Clayton'.[12]

Yet this makes Roberts, Governor of Dartmoor when the riot broke out, a paradox and a rather one-dimensional aspect of the causality of the riot. Roberts cannot be taken as simply implementing traditional disciplinarian principles and practice. Not only was he a product of training through the new borstal system but he had no previous experience of convict management and was also one of a new breed of prison governors who had risen through the ranks of the prison service. The extent to which this in itself lent instability to his regime was one of the issues debated during the Du Parcq inquiry in the aftermath of the riot. One of the doctors in the prison at the time of the riot later commented that

> At the time prison Governors were almost always of the upper class often they were retired officers from the armed forces. Any Governor who had risen from the ranks might be vulnerable to lack of confidence from the staff and suspicion from the inmates.[13]

The appointment of Roberts was an experiment, but unfortunately what precise kind of experiment he represented is not clear. Other factors were also important. These included a broad context of reformative rhetoric which made the conditions in Dartmoor seem relatively more deprived to prisoners and prison officers. This may have been exacerbated following uncertainties accompanying Governor Roberts's arrival and an impending reduction in the war bonus of prison officers, in effect a pay cut, as well as rumours that Dartmoor could be closed as an economy measure in difficult economic times. In other words, Priestly's conclusions are useful but have a focus which is too narrow. Adams's viewpoint is a development of that of Priestly's but is insufficient to explain the Dartmoor riot, given its significance, scale and rarity.

In another brief but valuable account of the Dartmoor Convict Prison riot, Thomas offers a perspective which is framed within an analysis of the history of the prison officer since 1850 but which is again based on the move away from the disciplinary regimes of the nineteenth century. Thomas is clear about the cause of the Dartmoor riot. Ultimately, he concludes, it was the inmates who were culpable – inmates whose capacity to communicate, organise and revolt had been enhanced by contemporary prison reform. According to Thomas,

> Dartmoor prison in 1932 was a very different place from what it had been thirty years before. The reforms which had been introduced had created an inmate community, able to communicate, and thus able

> to organise. The origins of the mutiny lay in the social dynamics which association initiates. New stresses arise among prisoners, and between prisoners and staff, which are difficult to ease in the secure prison. There has to be an outlet.[14]

So for Thomas the explanation is clear: reforms which allowed a greater level of association meant that inmates would inevitably combine and create trouble. This perspective is not without merit in that unrestricted association or loosely supervised incarceration can create stress and dissatisfaction and, as Carrabine points out, '[p]risons are clearly dangerous places'.[15] Nevertheless, Thomas has overdrawn the extent to which conditions in the prison had changed in the decades preceding the outbreak. More recent analysis has suggested a much slower pace of change not only in convict prisons but across the prison system as a whole. Indeed, Bailey maintains that the pace of prison reform between 1895 and 1922 was 'glacial'.[16] Although there were some notable achievements in the inter-war years, these remained limited in scope and application especially regarding the convict prisons. The impact of such measures on those prisoners in Dartmoor perceived as dangerous and irredeemable was at best only ameliorative. Some minor relaxations were introduced in Dartmoor Prison but they did not represent a reformative ideal which would threaten the primary disciplinary role of prison officers. Thomas's analysis of the causes of the riot resonates with the tone and perspective of articles in the pages of the *Prison Officers' Magazine*, because it is underpinned by an assumption of considerable reforms having taken place. However, many of the complaints made in the magazine relate to the pay and conditions of prison officers and fears for the future.

What is evident from the pages of the *Prison Officers' Magazine* is perhaps a declining level of understanding, sympathy and shared ethos between prison officers and the Prison Commission. Prison officers perceived themselves as a bulwark against any deterioration of disciplinary standards and penal certainties. An article published in the magazine in March 1929 asserted that 'there is a distinct policy of drift' and another in November of that year observed that at 'Head Office we have one or two old type prison administrators. In addition we have the reformers and idealists'.[17] The Dartmoor riot lent credibility to criticisms that had been voiced in the magazine for some time which suggested that prison officers were distrustful of, and powerless under, the influence of those who were disparagingly referred to as the 'long-haired, water-drinking reformers'.[18] Ultimately, such comment reflected

a limited faith in reform, as later observed by a Doctor in Dartmoor during the riot: 'I don't think that any member of staff expected anyone to be rehabilitated in prison, least of all at the Moor.'[19]

The pages of the *Prison Officers' Magazine* often reflect faith in older, semi-mythical but more certain and static regimes in which, by implication, major disturbances did not occur.[20] Certainly detractors within the prison system at this point gained little sympathy from the Prison Commission which had Parliamentary support underpinned by a general belief that progress was being achieved, although this confidence was severely dented by the riot itself.[21] Post-riot, in the February and March 1932 editions of the *Prison Officers' Magazine*, criticism was quite specific and highlighted staff reductions, lack of trust in prison officers and a policy which located recidivist offenders in one prison.[22] These criticisms reflected the broader penal policy purview of the magazine, examining causality from a perspective which nevertheless ultimately placed responsibility in the hands of a new kind of modern criminal.

> The trouble at Dartmoor was primarily caused by communist activity, its gangs and leaders. The prison ... contain[s] many desperate men who will not stop at anything in an effort to gain their liberty .... The prison population has lost the old 'hatchet-jaw' and often brainless criminal, but he is substituted by a cunning, dangerous and desperate man.[23]

There appears to be no evidential grounds for inferences about Communist sympathies but these weren't only drawn in the *Prison Officers' Magazine*. Such references were more likely to have been an illustration of social fears than about genuine affiliations, although the latter cannot be discounted completely.

The reformative ethos of the period asserted the need for greater categorisation and separation of offenders as a key part of training and rehabilitation. As has been pointed out by Rose, the extensive debates on forms of classification at this time were based on a concept of individualisation which posited that if the correct grouping could be established, then the worst influences emanating from the hardened persistent offender could be removed, segregated and diffused.[24] Dartmoor Convict Prison, Parkhurst Prison and the system of preventative detention at Camp Hill Prison, near Parkhurst on the Isle of Wright, were the primary means by which this could be managed, although by the 1930s the most serious offenders were directed to Dartmoor.[25] In this respect, the conclusions of Major Grew, who served as a Governor at

Dartmoor during the 1920s, are interesting. He highlighted a persistent uncertainty surrounding Dartmoor:

> Dartmoor has been under the shadow of its own eventual death penalty for many years. It has had a reprieve in post-war years only because there is a growing need for isolated prisons for persistent criminals. To convert Dartmoor into an up-to-date prison suitable for modern needs would involve fantastic sums of money and perhaps it would be less costly in the long run to pull it down and start all over again. There is an atmosphere of bitterness and despair about Dartmoor that is even more penetrating than its mists. The archaic buildings, the insanitary cell blocks, and the memories that haunt this grim old place cry aloud to be destroyed. Against such an atmosphere the small reforms that I saw introduced and the many that have been made in recent years are as a few drops of rain in a vast Sahara.[26]

Despite such later pessimism there was considerable optimism at the time about a 'new spirit' observed in prison administration.[27] The Howard League welcomed the annual report of the Prison Commission for 1922–23 as of 'first rate importance in the history of Penal Reform in this country'.[28] Yet descriptions of the reforms achieved demonstrate their limitations, especially in the face of limited resources during the depression. In the 1920s the period of initial separation was finally ended and the convict crop and the broad arrow removed from prisoners' dresses, although Dartmoor may have been the last prison where the 'broad arrow' was worn.[29] Provision for visits, shaving and visiting the toilet was improved, as were educational facilities, with an educational advisor being appointed for each prison, although not for Dartmoor.[30] The silence rule was apparently relaxed, although again evidence regarding Dartmoor suggests that this measure was circumvented meaning that men were not punished for talking but for disobeying an order if ordered not to talk. The use of prison visitors was also extended but again this was to prove problematic in a prison as remote as Dartmoor. Other reforms concentrated on the extension of borstals. Efforts were made to increase the availability of productive work, but this was soon affected by Government cuts which reduced demand for prison-made products from government departments so that at Dartmoor cell work was comprised largely of sewing mail bags.[31] Indeed, many of these reforms were not only quite limited generally but did not apply to Dartmoor.

According to Rose, conditions in Dartmoor and Parkhurst improved more slowly than elsewhere and there 'remained a strong underlying feeling that convicts were so brutal and lacking in all vestige of moral decency that attempts at reclamation were bound to fail. Or perhaps it was that the authorities felt themselves bound to be severe'.[32] Hence any claims of reformative progress were problematic, particularly regarding prisons which held more serious offenders. In fact the stated ultimate objectives of the Prison Commissioners were ambitious but also somewhat vague; 'to construct a system of training such as will fit the prisoner to re-enter the world as a citizen', 'the removal of any features of unnecessary degradation in prison life, and the promotion of self-respect'; and finally 'to awaken some sense of responsibility by the gradual and cautious introduction of methods of limited trust'.[33] In any case during the inter-war period the conditions and discipline at Dartmoor Convict Prison remained far below these aspirations.

To reconstruct the aetiology, events and impact of a riot about which so much evidence remains is a complex and labour-intensive task. In order to attempt to recognise the relative importance given to particular issues at the time this book is structured so that each chapter considers the riot from differing trajectories or perspectives. One disadvantage with this approach is that it has resulted in some reiteration of evidence and issues which are important to more than one perspective. However, such reiteration has served to emphasise effectively and from different angles crucial aspects of evidence and discussion on the riot and to fully explore its consequences. For example, this is the case with the role and influence assigned in multiple primary sources and indeed later secondary material to a small number of serious offenders held in Dartmoor, referred to variously as 'motor bandits' and 'gangsters' and perceived as representing a new, more threatening kind of criminal.

Chapter 2 focuses on the outbreak and scrutinises the process of the riot and what the events can say about the culture and conditions in the prison. It then goes on to assess the riot by making extensive use of the transcripts from the trial of the Dartmoor defendants, and highlights areas of contention. Broader economic contents and their repercussions on discipline in Dartmoor Prison are also considered. Chapter 3 begins with a consideration of the significance of one individual who has been seen as the leading light of inter-war penal reform efforts, Alexander Paterson. This chapter not only reviews his, in many ways, remarkable career but also suggests that post the Dartmoor riot, his influence, particularly on the Du Parcq Inquiry, resulted in debate on the riot being

closed down so as to head off any challenges to reformative penal policy for which he had worked for so long. In that sense the *Du Parcq Report* can be seen as a form of crisis management intended primarily for public consumption. Various lines of investigation were followed in the Du Parcq inquiry, but there was greater focus on two main subjects: the behaviour and credentials of the Governor, Mr Stanley Norton Roberts, and the presence and influence of certain inmates. Following the publication of the Report, it became more difficult for observers and critics to broaden culpability for the riot beyond these narrow themes, to include recent reforms, reformers or the political administration which was seen to support them.

Chapter 4 deals with the newsprint media responses to the riot. The context of intense press competition and a circulation war[34] heightened the value of the large-scale riot in Dartmoor as press property. This was a story guaranteed to attract public interest not only because it was an explosive and unusual occurrence but also because it momentarily opened out for public scrutiny a notorious and penal institution. However, for the most part there was little challenge from the press to the narrative constructed by the *Du Parcq Report*, which was largely accepted as an accurate and successful investigation of the riot. Therefore the riot was largely put down to reasons specific to Dartmoor, especially its inmates, avoiding the conclusion that its troubles were systemic. Chapter 5 concentrates on the small group of inmates which attracted much attention after the riot. Their activities prior to the riot may well have contributed to the destabilisation of the prison regime, but it is questionable whether they were responsible for the outbreak in the sense that they planned and directed the disturbance from the outset. Nevertheless, the assigning of culpability for the riot to them served to shift attention from the prison regime and contemporary penal policy to the dangerousness of the inmates. This also constructed a relatively simple narrative which was accessible and attractive to the media. Chapter 6 offers an examination of methodology – a microhistory. This approach has enabled a more narrative form of writing style to be used which will hopefully open out this book to wider public interest. Personal experience can be given greater priority in order for the perspective to be more grounded, and in that respect more concrete, bringing the subjects of the narrative closer. However subjects and indeed events, such as the ones explored here, must also be located within the multiple layers and dimensions of social experience, layers and dimensions which not only elicit differing perspectives but also interrelate and overlap in significant ways.

2

The Dartmoor Convict Prison Riot, 1932: Wild Happenings on the Moor

No major historical event occurs in isolation. Even though this chapter seeks to focus closely and directly on the prison riot that broke out in Dartmoor Convict Prison on Sunday 24 January 1932, to restrict examination to the events of the riot itself would be so limiting as to distort and possibly mislead. Large-scale prison disturbances, such as a riot, have contexts, precursors or triggers as well as repercussions which help to illuminate the individual, institutional and social tensions which compose the backdrop to the main event. In the days immediately before the Dartmoor riot, one harrowing assault best illustrates some of the elements within the prison's internal interpersonal relationships and cultures which served to increase tension and insecurity. Indeed, a prison doctor at Dartmoor was later to suggest that the assault intensified the existing strained atmosphere in the prison.[1]

Events before the riot

The victim of the serious assault which occurred in Dartmoor Prison on the Friday before the riot was Prison Officer Ernest Birch, a man with 29 years service. His testimony to the CID investigation following the riot gives his perspective on the incident. This CID investigation was conducted as part of the prosecution of 33 Dartmoor convicts for their part in the riot or in two cases for assaults that occurred just before the riot. The brutal assault by convict 341 Davis resulted in Birch being hospitalised until 6 February so that he was actually absent from the prison on the day of the riot while Davis was in the punishment cells awaiting adjudication. A chaplain at Dartmoor later claimed that the injuries sustained were so severe that they ended the officer's prison service career.[2] The assault was witnessed by many prisoners but none