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POLICE SCIENCE

THE METROPOLITAN POLICE ACT OF 1829:

An Analysis of Certain Events Influencing the Passage and Character of the Metropolitan Police Act in England

J. L. LYMAN

J. L. Lyman, D. Pub. Adm. (Oxon.) is an Assistant Professor, Department of Social Science, Youngstown (Ohio) University. In addition to graduate study in history and political institutions at London University, Dr. Lyman spent time as an observer with the Metropolitan Police and various other English police units. In 1958 she lectured before the Ohio Chiefs of Police Association on the Organization and Administration of the Metropolitan Police, and has published articles in several other professional journals.—EDITOR.

The Metropolitan Police Act of 1829 introduced a centralized and unified system of police in England. The Act constituted a revolution in traditional methods of law enforcement.

The purpose of this paper is to examine certain events which the writer feels were responsible for the eventual legislative action that established the Metropolitan Police and its development as a civilian police. The scope of the paper is limited to Metropolitan London. The Metropolitan Police of London became the model for subsequent national police reform.

In considering those events during the period 1750-1829 which in the writer's opinion most influenced the introduction and passage of the 1829 Act, some historic and essential facts must be recognized. First, the historic English concept of liberty was embodied in the accepted theory of community responsibility for keeping the King's peace. It had been customary for freemen to accept, in turn, this responsibility. English justice and administration were obligations, and privileges of Crown-appointed, unpaid, Justices of the Peace who were usually chosen from amongst the gentry. Their duties included responsibility for maintaining law and order, and the direction of the local parish constables. Secondly, Englishmen of all classes generally viewed the Continental monarchy as being based on a police tyranny. Consequently, any measure suggesting a strengthening of the power of the central government was suspect. Thirdly, the parish-constable system had become anachronistic in a new and rapidly developing industrialized-urbanized society. The old police

system had become ineffective. Tradition and the concepts of the new industrial capitalism delayed both the recognition of, and the willingness to deal with law, enforcement needs.

The eighteenth century witnessed an increase in population and urbanization. Revival of trade and commerce, progress in medicine, improved agricultural methods, and the Industrial Revolution were contributing factors. Parliament was concerned with the maintenance of the Protestant Succession, and Parliament and people were concerned with Jacobite threats and foreign wars. Little serious attention was paid to law-enforcement in London. London's constables and night watchmen were insufficient and inefficient. Public safety and the security of property were dealt with on a makeshift basis, although there were variations in the effectiveness of the City, parish, and borough watches. By the mid-eighteenth century, the inability of the police to deal with growing lawlessness and crime caused periodic anxiety.

The police were often harsh and bullying, many were unfit, physically or mentally, to perform their duties. As economic opportunities increased, householders found it unprofitable to assume their turns at keeping the peace. They hired others to do it for them; their choice was decided by the price. The result was that the parish's poorest and most unfit were often the parish constables. Many were notorious for bribe-taking and collaboration with known criminals. The increase in crime was reflected in a harsh penal code containing over two hundred offenses punishable by death. There was an increase in the con-

sumption of gin by the lower classes, accompanied by an increase in drunkenness and vice. An increasing birth-rate and population, with little progress in housing, wages, or law enforcement, made conditions worse in London. Boroughs, parishes, and private bodies established their own police or night watch, and each operated only within its own boundaries.

The first realistic attempt to deal with the problem of law-enforcement occurred in 1749 when Henry Fielding was appointed to the Bow Street magistracy. His interest in law-enforcement soon became manifest. This may have been due, in part, to a particularly severe London crime wave about the time of his appointment. The increased crime has been blamed on the hordes of disbanded soldiers and sailors who descended on London after the Peace of Aix-la-Chapelle, and to the new Government policy on gin. In 1745 Parliament had granted permission to distillers to retail on payment of a £ 5 license fee. Official dram shops sprang up, and there was a shocking increase of gin consumption due to its cheapness.¹ By 1750 the annual consumption of gin was over one gallon per man, woman, and child.²

Shortly after assuming office, Henry Fielding and his brother, Sir John, set up the Bow Street Foot Patrol, also called the Bow Street Runners. These were regularly paid detectives, functioning as a police force, and famous for results achieved. The Fieldings also suggested that metropolitan property owners combine into societies for protection against burglars. Each society would collect an annual subscription fee of two guineas per member. This accumulated fund would enable member-victims of robbery to call the Bow Street Patrol, and to pay any expenses incurred in the pursuit and prosecution of offenders.³ Meanwhile depredations against life and property continued, as did Government inaction; except for the Runners, the police offered little protection and less prevention.

Until 1829 numerous and sporadic, and generally inadequate, Bills were presented in Parliament for police improvement. Numerous committees were appointed to investigate the question, but their recommendations were seldom implemented. Bills and committees usually achieved little except the belated recognition of some exceptional outburst

of lawlessness or rioting. Much of the early police legislation was ineffective because it failed to provide any source of central control, and the ultimate control was always the individual parish or borough.

Between Michaelmas 1769 and March 1770 there were 104 house burglaries in the Metropolis. The loud protests of householders resulted in the appointment of a committee "to enquire into burglaries and robberies in Westminster and London and whether it is a growing evil." In 1770 the Committee's report was presented by Sir John Fielding. The Report stated:

"The Watch is insufficient; their Duty too hard, and Pay too small. . . . That as they are paid Monthly, they borrow their Money of a Userer once a Week. . . . That the Watch in Westminster is in every Parish under the Direction of a separate Commission:—That Commissioners of the respective Parishes appoint the Beats of their Watchmen without conferring together, which leaves the Frontiers of each Parish in a confused State, for that where one side of a street lies in one Parish, and the other side in another Parish, the Watchmen of one Side cannot lend any Assistance to Persons on the other Side, other than as a private Person, except in Cases of Felony."⁴

James Sayer, Deputy High Steward for Westminster, testified before the Committee. He complained that there was no way to punish watchmen for neglect of duty except by dismissal which "is not a Punishment, for they [parishes] find it difficult to get men to serve in that office."⁵ At the completion of the inquiry, the Committee presented six resolutions. The most important of these were that the constables and watch should be under one general direction; that a new method of appointing and discharging constables be adopted; and that there should be regulations governing the duties of watchmen, constables, and beades. The Report was implemented by the Act of 1773. Both the Report and Act were weak in that the former failed to state a source for central control, and the latter failed to provide for central control. More serious was the fact that the Act applied only to Westminster so that any improvement would be at the expense of surrounding parishes and boroughs. The Act did establish a minimum wage for the night watch, regulate hours of duty, define duties,

¹ PATRICK PRINGLE, *HUE AND CRY*, Museum Press, London: 1955, pp. 80-81.

² *Ibid.*, p. 93.

³ MELVILLE LEE, *A HISTORY OF THE POLICE IN ENGLAND*, Methuen & Co., London: 1901, pp. 157-158.

⁴ JOURNAL OF THE HOUSE OF COMMONS, XXXII, 1770, p. 879.

⁵ *Ibid.*, p. 881.

and prohibit watchmen from frequenting alehouses while on duty. The Act changed nothing nor improved anything, and apathy reigned for another decade.

In 1778 the war in America was going badly. France and Spain seemed likely to support America, and military and naval campaigns seemed to be failures. Prices were rising but not wages. More soldiers were needed, and the Government decided on an attempt to persuade Roman Catholics to enlist. To do this, it was thought necessary to repeal a clause in an anti-Catholic statute which required anyone joining the army to take the attestation oath. Recruiting among Roman Catholics had never been very successful, and it was hoped that the repeal would remedy the matter. The proposed measure was in no sense aimed at Catholic emancipation. Proponents of the proposed Bill saw little possibility of dissent in Parliament to this mild Catholic relief measure. The Opposition would not be a major deterrent as "every good Whig could not but agree to uphold the traditional belief of his party in religious toleration."⁶ It was introduced by Sir George Saville who was known to dislike Catholics. The Bill was accepted as a nonparty measure, passed, and received the Royal Assent.

The international situation worsened, Catholic Spain and France were again England's enemies, old suspicions were rearoused and anti-Catholicism flared up. The activities of Lord George Gordon, an eccentric, and the Protestant Association inflamed mass opinion against Roman Catholics. It should also be taken into account that the bitter frustrations of the unrepresented, miserable lower classes now had an outlet in religious bigotry. Hibbert describes this reaction:

"...The prisons, the Inns of Court, the Bank and the houses of magistrates were all hated and assaulted as symbols of oppression, riches, and dishonest power."⁷ On June 2, 1780 a huge crowd carried a petition protesting the Bill to Whitehall. A week of terror followed. Catholic chapels in several embassies were smashed; homes and shops of Catholics and members of the Government were looted; Newgate, King's Bench, and Fleet prisons were stormed and prisoners liberated. Finally, the troops were called. It had become glaringly and irrefutably apparent that the police system was inadequate,

and that there was no civil force capable of restraining disorder. The proceedings of the Lords debate of June 2, 1780 reveal the temper of the mob.

"...every noble lord who came in, bore about him some marks of the resentment of a mob, then collected to the amount of several thousands, in the old Palace Yard. Lord Mansfield...was very ill-treated; lord [sic] Stormont escaped with difficulty with his life. Lords Hillsborough and Townshend met with very rough treatment, having had their bags pulled off, and their hair...hung dishevelled over their shoulders. The archbishop [sic] of York was very ill-used..."⁸

The significance of the Gordon Riots is that Parliament and property owners were awakened to the ever-present danger of the mob that lay just beneath the surface of life in London. Parliament was shocked into facing the facts of London's non-functioning, obsolete police system. Members of both Houses were critical of the police magistrates for their failure to take preventive action. Advertisements had appeared two days prior to the riots calling for people to join in the protest march of the Protestant Association and protest the passage of the Catholic Relief Bill. Lord Chief Justice Mansfield summoned the Westminster magistrate before the bar. He and another magistrate appeared and were asked "whether they had received any orders to be ready, and why the civil power was not assembled?" Both said that they had never received nor heard any such orders. It turned out that the orders had been issued, but Lord North, the Prime Minister, had neglected to send them! The Westminster magistrate defended himself saying, "...that as yet he has not been able to get more than six constables together, ... [and] it was in vain to expect to do any good in dispersing or quieting so very large and tumultuous a mob...with so small a number of constables."⁹

The Houses of Commons and Lords concurred in condemning the actions of Lord George Gordon and the rioters. They were unanimous in asserting that something should be done to improve the police. There was complete lack of unanimity in the solutions proposed. Lord Shelburne asserted that "the police of Westminster was an imperfect, inadequate, and wretched system; that the

⁶ CHRISTOPHER HIBBERT, *KING MOB*, Longmans-Green, London & New York: 1958, p. 18.

⁷ *Ibid.*, p. 127.

⁸ Parliamentary Debates, XXI, 1780, p. 665.

⁹ *Ibid.*, pp. 669-671.

commission of the peace was filled by men, base to the last degree, and capable of every mean act, derogative and opposite to the justice of the laws. . . .¹⁰ He recommended immediate remodelling of the constables and watchmen on the lines of the French police. Shelburne claimed that this could be done without danger to English liberties if magistrates were elected by the people and not appointed by ministers. Edmund Burke censured the police and use of troops, but offered no alternative. It was suggested that Westminster be made a corporation and be regulated in the same manner as the City. The City Members vehemently vetoed any suggestion of a centralized force because it would lessen the power of aldermen and the ancient independence of the City. They proposed arming citizen-householders who could then be available to the magistrates in time of trouble.¹¹ Eight months later the state of the police was still being debated, but with no action. During Shelburne's Ministry, 1782-1783, he did nothing to promote his ideas for a remodelled police force. Despite legislative inaction, the Gordon Riots left an unforgettable impression on citizens and lawmakers.

In 1785 Pitt the Younger introduced a "Bill for the Further prevention of Crime and for the more speedy Detection and Punishment of Offenders against the Peace. . . ." His Bill proposed to unite the City, London, and Westminster for police purposes into one district. The district was to be divided into divisions with all the police under three Commissioners.¹² The City opposed the Bill on the grounds that it was an infringement of the rights of aldermen. It was also criticized as being too similar to the Paris police system. Ever aware of, and relying on, business and commercial interests of the City, Pitt withdrew the Bill.

Apart from sporadic discussions, the police and crime rates received little attention and less action as memories of the Riots receded. Politics and business absorbed the government, the Establishment, and the middle class. The spirit of laissez faire was abroad in the land. Many held that severe punishment, fearlessly applied, would deter the lower classes. Burke's *Thoughts and*

Details on Scarcity written in 1795 is an expression of the period:

"The State ought to confine itself to what regards the State. . . , namely the exterior establishment of its religion, its magistracy, its revenue; its military force. . . ; the Corporations that owe their existence to its fiat. . . In its preventive police it ought to be sparing of its efforts, and to employ means, rather few, infrequent, and strong. . . ."¹³

Little heed was paid the few who labored in the cause of police and criminal law reform. Among the most important of these was Patrick Colquhoun whose influence would appear later in Peel's police legislation. Colquhoun was a London magistrate, a pioneer in the cause of criminal law reform, and author of *A Treatise on the Police of London*. Even he did not conceive of police as primarily a preventive agency. His object was amelioration of the harsh penal code, and improvement in the organization of the police. He was not a sentimental humanitarian nor a Radical. Throughout his *Treatise* the argument for reform stresses the protection of property.

"The sole intention of the Author. . . is to secure the inhabitants of the Metropolis against the alarming consequences to be dreaded from the existence of such an atrocious and criminal confederation. . . ."

It is by the operation of legal and proper restraints, that the possession of all things valuable in society is secured.

It is by the general influence of good laws and regulations, that the blessings of true liberty, and the undisturbed possession of property is preserved; as far as legislative authority, aided by a well-regulated and energetic police, can prove a security against iniquity and depredation."¹⁴

Concern for property and security of London's inhabitants is easily understood when one sees Colquhoun's figures on crime and criminals in the Metropolis. He estimated that there were 115,000 "who are supposed to support themselves in and near the Metropolis by pursuits either criminal-illegal-or immoral."¹⁵ Two of the twenty-four

¹³ EDMUND BURKE, *THOUGHTS AND DETAILS ON SCARCITY*, London: 1800, XVI, p. 48.

¹⁴ A MAGISTRATE [Patrick Colquhoun], *A TREATISE ON THE POLICE OF LONDON*, Philadelphia: 1798, pp. xi-xii.

¹⁵ *Ibid.*, pp. vi-x.

¹⁰ *Ibid.*, pp. 679-681.

¹¹ CHARLES REITH, *THE POLICE IDEA*, London: 1938, p. 83.

¹² Public Bills, XV, 1785, p. 417.

categories of criminals included in the total figure convey some idea of the situation in London: "Females. . . who support themselves chiefly or wholly by prostitution—50,000; Thieves, Pilferers, and Embezzlers who live partly by depredation and partly by. . . occasional labour—8,000." The total figure, 115,000, tell a startling story when one relates them to London's population of about 999,000. The constables and watch numbered 1,000, and guarded "the lives and properties of the inhabitants residing in near 8,000 streets." These police were under seventy different trusts, employed by and authorized to act only in their own particular ward, parish, or borough.¹⁶ The police themselves were underpaid, often feeble, and frequently in league with the criminals.

" . . . innumerable petty temptations are held out to dishonesty by Receivers of stolen goods, to the watchmen and patrols. . . as well as by thieves and housebreakers in all situations where they contemplate the commission of a burglary.

Money is also received from disorderly persons in the night, to permit them to escape. . . ; while unfortunate females are laid under contribution, for permission to infringe the very laws, which it is thn duty of these. . . Police to put in execution."¹⁷

Colquhoun felt that the lack of security of life and property and the inefficacy of the police in preventing crime had nine causes:

1. Imperfections in the criminal code.
2. Lack "of an active principle, calculated to concentrate and connect the whole Police of the Metropolis and the Nation." He recommended a police under the direction and control of the Home Office.
3. Lack of police magistrates in the dockyards.
4. Lack of a public prosecutor for the Crown in criminal cases.
5. Lack of a regularized system for obtaining pardons.
6. The system of the hulks.
7. Lack of penitentiaries "for . . . punishment and reformation. . . ."
8. Lack of a system for handling convicts sentenced to hard labor or transportation.
9. "The want of a more solemn mode of conducting executions. . . ."¹⁸

¹⁶ Ibid., pp. 161–164.

¹⁷ Ibid., pp. 164–165.

¹⁸ Ibid., pp. 21–22.

An attempt on the life of George III in 1796 and official, upper, and middle class reaction to the excesses of the French Revolution reawakened interest in Colquhoun's *Treatise*. In 1798 the Select Committee on Finance recommended adoption of Colquhoun's proposals. England was at war with France and menaced by possible invasion, which may explain why Pitt took no action. The City's opposition to both the *Treatise* and the Committee's Report is a possible further explanation for Pitt's failure to act. Colquhoun had testified before the Committee, recommended establishment of a Central Board of Police Revenue, and assisted in the drafting of a Bill in 1799. It was never introduced.¹⁹ Colquhoun's work was not entirely fruitless. The West India Planters and Merchants invited him to present a plan to prevent theft from ships in the Port of London. His scheme was accepted and financed by both the Merchants and the Government. A River Police Office was opened with a force of eighty permanent police and eleven hundred and twenty part-time police whose duty was to watch and unload West Indian ships in port. The River Police were so well organized and successful that in 1800 the Government adopted the organization as a separate establishment.

The threat of invasion by Napoleon in 1803 aroused patriotism among all classes; combined with the Government's repressive measures in regard to public gatherings and subversive literature, criticism was effectively silenced. Public disorder decreased. War and economic improvement lessened law enforcement problems for a time. In 1807 the Orders in Council, part of England's blockade of French ports, came into force. Effective as a war measure, the results on the working class were severe unemployment and hunger. A hard winter in 1810, and the failure of the harvest in 1812 added to their misery. The increasing use of machinery in the nineteenth century produced the problem of surplus labor. Machinery became a focus for the frustrations of the working class. In November 1811 the anti-machine Luddite Riots occurred, and by January 1812 the workers throughout the Midlands industrial counties were wrecking stocking-frames, machinery, and factories. The Government rushed through a Bill making the destruction of the frames punishable by death. There was concern that the

¹⁹ Reports from Committees of the House of Commons, XIII, 1798–1803, pp. 344–356.

riots might spread to London. It, therefore, seemed dangerous at this time to advocate criminal law reform, and Parliament resisted Sir Samuel Romilly's plan to reform the Criminal Code; apparently a harsh criminal code was the only deterrent recognized for crime and disorder. Except for a Bill which abolished the death penalty for soldiers and sailors caught begging without a permit, Romilly's attempts at reform failed. The Luddite Riots forced the Government to acknowledge once again its dangerous lack of any civil agency capable of maintaining law and order. However, no Bills for police or law reform resulted. Frame-breaking became punishable by hanging, and the power of magistrates to enroll special constables was stressed.

For the industrial and agricultural interests, the war years were profitable. British agriculture and industry were "protected" by war and lack of foreign competition. In 1815 the war with France ended. The seven years following, 1815-1822, were depression years. Trade languished and unemployment increased as factories and shops closed. The spectre of starvation again threatened the poor. The concept and philosophy of government intervention and the welfare state were unknown. Discharged soldiers and sailors were thrown onto the swollen labor market, the demand for military supplies abruptly ceased, and the unemployed were dependent on the parish Poor Rates. The agricultural interests and landed gentry still possessed the predominant power in Parliament. Fearing a fall in the prices of grain and the decrease of their profits, they rushed through the Corn Laws of 1815. The importation of foreign wheat was prohibited until the domestic price reached eighty-four shillings a quarter. The price of bread, the mainstay of the poor, rose. Property owners and taxpayers demanded immediate demobilization of the army and reduction of taxes. Discharged soldiers contributed to the ranks of the unemployed. The Government repealed the property tax. The taxes most oppressive to the poor were those raised from customs and excise duties on sugar, tea, coffee, spirits, beer, and tobacco, and they were not reduced.²⁰ It was as though the food and sustenance of the poor were taxed. There was a further complication. Medical progress was eradicating the old scourges of plague, smallpox, and scurvy, thus reducing the

mortality rate. Acting together, industrial and medical progress contributed to the unemployment.

The masses were becoming politically conscious, and agitation for reform and economic disorder went together. Opposition to the Corn Laws evidenced itself in petitions to Parliament, disorder, and rioting as starvation, high rents, and low wages plagued the workers. In the cities it was worse; there were only the soup kitchens. The high price of food and workers' demands for higher wages hurt the manufacturers. In the Lords concern was voiced about the increase on the Poor Rates, and the effect on manufacturers "...who would export arts, enterprize, and hands to those countries where sustenance was cheaper, and the wages...corresponded better with the means of life."²¹ England seemed to lie between the Scylla and Charybdis of revolution or reform. Manufacturing interests stood against agricultural interests, the underprivileged against the privileged.

In London the unpopularity of the Corn Laws was revealed by rioting that invoked memories of 1780. Again the troops were called out as rioters assaulted Members of Parliament and attempted to storm the House of Commons. On March 6, 1815 in the House of Commons

"Mr. Fitzgerald said...he saw a most tumultuos [sic] mob by whom members were collared and dragged about...Sir Robert Heron shewed the skirt of his coat, which hung nearly torn from the body...; Sir Frederick Flood declared, that he had been carried...on the shoulders of the mob, just like a mackarel from Billingsgate...and that he thought they meant to quarter him."²²

Another Member complained that on June 5 there were no police outside the entrance to the House, but when he came into the lower lobby "he...found an abundance of them." The Secretary of the Admiralty claimed that the civil power had been guilty of neglect of duty, and summoned the High Bailiff of Westminster to explain. His testimony is self-explanatory of the urgent need for police reform. "...of his 80 constables, about 50 attended today...; he found this force, joined with all the force of the police offices, quite insufficient to restrain the mob...He had no power over any constables but his own." No

²⁰ A. A. W. RAMSAY, SIR ROBERT PEEL, London: 1928, pp. 49-50.

²¹ Parliamentary Debates, XXX, 1815, pp. 60-61.

²² Ibid., pp. 33-34.

rioters were taken into custody!²³ Criticism of the use of troops and the inefficiency of the police did not extend to advocacy of a unified and centrally organized force. It seems as though police failures, riots, and use of troops were taken for granted; however, the main causes were opposition to more taxes and government intervention by the upper classes, and a deep-seated fear by the lower classes that law enforcement was just one more measure to protect the privilege and property of a resented and sometimes hated upper class. The Opposition was opposed, partly to any Tory-introduced measures and, partly because it was convinced that any centralized system of police would inevitably be a copy of the repressive government-sponsored Continental forces designed to keep old ruling class governments in power. Lord Castlereagh defended the use of troops as well as police inaction by saying, "The police had not been negligent; but no police could prevent such attacks from being made in different parts of the town under circumstances like the present."²⁴ Again no action was taken.

The ineptitude of the Government in dealing with civil disorder was to be displayed yet again as the depression worsened. Resentment was increasing, four million were on the parish relief rolls—out of a total population of about 12,000,000—and the parish Poor Rate system and city soup kitchens were staggering under the load. The Government was under attack by the agitators who talked Parliamentary and electoral reform. They found eager listeners among the hungry and unemployed. In the textiles centers the weavers rioted and broke power looms; farm laborers broke reaping machines. A meeting in London culminated in rioting, during which unemployed weavers shot at their masters. In August 1819 a crowd gathered at St. Peter's Field to hear the Radical "Orator" Hunt. All were there to protest the Corn Laws, demand reform, and proclaim their misery. The magistrates, fearing revolution, ordered the reading of the Riot Act. The crowd refused to disperse. With drawn sabers, the mounted yeomanry charged. About eleven of the crowd were killed and four hundred wounded. When the news reached London, a weak Tory party found itself strengthened when the frightened governing

group of England looked to reactionary Toryism for protection. The Government's reaction was the introduction of the Six Acts. The Acts prohibited unauthorized drilling; altered the procedure in treason trials; authorized the seizure of seditious and blasphemous literature, making transportation the penalty for a second offense; authorized the issue of warrants for the search for arms; imposed a stamp duty on pamphlets and leaflets; and restricted the size of public meetings. To workers and Radicals, Peterloo became a battle-cry.

As economic conditions temporarily eased, the disorders which had prompted the passage of the Six Acts began to subside. Demands for police reform also subsided. Once again apathy reigned until events in 1820 shattered the uneasy calm.

George III died in January 1820. The Prince Regent became King George IV. He was illegally married to a Roman Catholic, Mrs. Fitzherbert. He openly alternated between her bed and the beds of his mistresses, having long ago, and just as openly, forsaken that of Queen Caroline to whom he was legally married. Shortly after his coronation, George IV demanded that the Ministry institute divorce proceedings against the Queen. Being politically insecure, the Ministry refused, and the king threatened to dismiss them. Then the Cato Street Conspiracy was discovered. It was an alleged plot to murder the Cabinet. In April a revolt broke out in Scotland. As usual, the troops were called out, and the fear of revolution rallied the privileged classes to reactionary Toryism; in the latter they saw the only hope against a repetition in England of the excesses of the French Revolution which they remembered and feared. The Tories now felt secure. Divorce proceedings were started. The storm broke. Unpopular taxes, suspicions concerning the Duke of Wellington's ambitions, and a licentious and profligate king whose sexual life was a public affront and scandal, roused people of all classes against a Ministry which dared support the trumped-up charges of adultery against the Queen. The Ministry was already hated by the workers and the Radicals because of Peterloo and the Six Acts. To the lower classes, the wronged Queen became an object with whom they could identify as fellow-victims of injustice. To the Radicals, the case was fuel for their political fire.

Every issue of the *Times* (London) in July, August, September, and October 1820 carried

²³ *Ibid.*, pp. 35-37.

²⁴ *Ibid.*, p. 79.

editorials and letters from readers criticizing the king and the Ministry, and announcing protest meetings and presentations of loyal addresses to Caroline. These meetings also represented the middle class. Huge crowds daily greeted the Queen and jeered the Ministers on their way to and from the trial. The case became associated with the suppression of constitutional liberties as the Government's attempts to repress meetings and criticism increased. Placards began to appear mysteriously. Some were so violent in their implications that revolution seemed possible. On October 24, 1820 a meeting was held by "the inhabitant householders" of Southwark in the Town Hall, and was reported in the *Times*. It illustrates the resentment of the middle class who were angry and fearful of the results of the Corn Laws, the unemployment, and the trial of Queen Caroline. At the meeting the opening speech exhorted "the middling classes [to] step forward, and by the strong manifestation of their opinion against the proceedings of his Majesty's ministers obtain their dismissal, and, by a change of measures, avert the fearful storm which was gathering."²⁵

Their fear was well-founded. The inefficient police and the hated troops were unable to prevent either the demonstrations or the appearance of threatening placards. The House of Commons was so concerned that on October 17, 1820 there was a debate on "The Manufacturing of Seditious and Treasonable Placards." Of the three placards read during the debate, one will suffice to reveal Commons' cause for concern:

"Let us, in this mighty crisis, bear in mind that the great are not our only foes. Those middling ranks who make us hew and draw, and dole our pittance to us according to their humour—these are our most grinding enemies. What is the constituent body but the tyrants of the nonrepresentatives? What are the tens of thousands of wretches. . . in Westminster. . . but the oppressors of their non-enfranchised fellow-citizens—content to crawl before the higher orders, that we may continue slaves to both? Alike then, and equal be their common destiny. The brave, though starving outlanders of Manchester [Peterloo], should be avenged in London. Shall we non-represented Britons. . . be scared by the fear of gibbets or bayonets? . . . let us in one heroic day, convince mankind

²⁵ LONDON TIMES, October 25, 1820, p. 3.

that the grievances of non-representation are now become insupportable."²⁶

Following the Queen's exoneration, celebrations and nightly illuminations appeared in London. So unpopular were the king and Ministers that fresh outbreaks of rioting and destruction occurred wherever the mob found a house without illuminations. Troops were necessary to protect the homes of Lord Castlereagh and the Duke of Northumberland.²⁷ The turmoil indicated a deeper unrest. On November 17, 1820 an editorial in the *Times* warned that "...Radicalism is every day most alarmingly and portentously increasing; and will, we predict, continue to increase more and more, till—Without a change of counsels the end is certain." The Government lost its support in the House of Commons. Canning resigned as a protest against the treatment of Queen Caroline.

In August 1821 Queen Caroline died. The funeral procession became a battle between a hostile populace and the troops. When the royal corpse reached Hyde Park, the situation became serious. The *Times* reported that:

"The scene at this moment was most awful—the carnage of Manchester. . . shot across our memory.

Here a contest arose, and here blood was shed. Some stones and mud were thrown at the military, and. . . the soldiers were sanctioned in firing their pistols and carbines at the unarmed crowd. . . the number of shots fired. . . was not less than 40 or 50.²⁸

There was more fighting between people and troops in Kensington Church Street and Tottenham Court Road. The parish police who were there were powerless and useless. Instead of the blame being placed where it properly belonged, on the failure to provide effective police legislation, the chief magistrate at Bow Street was dismissed.

It is probable that revolution was averted because the protest against the Ministers was led by the middle class and Whig gentry. The angry masses had the illusion that they had champions in Parliament. A Government reshuffle was obviously essential. The Grenville party joined the Government. Sir Robert Peel was offered the Home Office and accepted.

Between 1822 and 1825 conditions in England improved. The more objectionable parts of the

²⁶ LONDON TIMES, October 18, 1820, "Parliamentary Intelligence," p. 2.

²⁷ LONDON TIMES, November 13, 1820, p. 2.

²⁸ LONDON TIMES, August 15, 1821, p. 2.

Six Acts were allowed to lapse. Profits and prices were increasing, but low wages were countered by a decrease in the price of wheat to forty shillings a quarter. Taxes were reduced and foreign trade expanded. As unemployment decreased so did the riots and disorder.

At the Home Office, Peel concerned himself with legal reform. He was not the first to advocate reform of the Criminal Law. Jeremy Bentham, Sir Patrick Colquhoun, Sir Samuel Romilly, and Sir James Macintosh preceded him, fighting a valiant and largely unsuccessful battle "until a member of the Government was found ready to take up their work."²⁹ Peel took up their work. In 1823 he consolidated into one statute the laws dealing with theft and destruction of property, and did the same with the laws dealing with offenses against the person. There were 130 statutes concerning larceny which were condensed into one Act. The death penalty was abolished for more than one hundred offenses. A clergyman could escape punishment for a first offense in certain felonies. The Benefit of Clergy was abolished. Peel made it easier for victims of sexual offenses to get justice by abolishing the requirement that certain embarrassing proofs be furnished. He increased the number of judges and instituted a Third Assize to lessen delays in bringing prisoners to trial. Prison discipline laws and transportation laws were each consolidated, and Peel tried to prevent abuses. Ramsay describes Peel's achievements in the cause of criminal law reform: "When he finally left office in 1830 he had reformed and consolidated practically the whole of the Criminal Law of England."³⁰

From 1812 to 1818 Peel had been Secretary for Ireland. The experience influenced his pattern for English police reform. Ireland had been a testing ground, possessing some parallels to the English situation. Ireland was in a chronic state of disorder, there was no efficient police, and troops were used to maintain order. Among his Irish reforms was the "Bill for the Execution of the Laws in Ireland" which Peel had introduced into Parliament in 1814. One of its provisions concerned the appointments of a salaried superintending magistrate and salaried special constables. In recruiting constables, preference was given to discharged non-commissioned army officers with good character certificates. Peel followed this policy after the

passage of the 1829 Act established the Metropolitan Police in London.

Soon after Peel became Home Secretary, it became clear that English police reform dare not be delayed. The prosperity of 1823-1825 had led to financial speculation. When prices fell in the autumn of 1825, panic followed. There was a run on banks. Seven London banks and eighty country banks failed. Wages dropped, factories and mills closed, and unemployment resulted. In the textile counties strikes against wage-cuts erupted, then riots. In London ten thousand Spitalfields weavers were jobless. Machinery was destroyed and troops fought mobs.³¹ Hungry people raided shops for bread.

The political situation was unstable. Lord Liverpool, the Prime Minister, had died in 1827 and Tory political difficulties followed social disorder. Canning became Prime Minister. He was known to favor Catholic Emancipation. As a result Wellington, Peel, and Eldon resigned. Several pro-Catholic appointments widened the split in the Tory party, and seriously weakened Canning's support in Parliament. In 1828 Canning died. Viscount Goderich kissed hands, but, after trying unsuccessfully for three months to form a Ministry, he resigned. The king then asked Wellington to form a Ministry. Peel returned to the Home Office in 1828 with the Wellington Government. The economic situation eased a bit, aided by a new Corn Law, passed in 1828, which allowed the importation of corn when the domestic price reached sixty shillings a quarter.

In London public order and the security of life and property still remained, for the most part solely dependent on troops. Peel's mind turned toward the creation of an adequate police force. Under Peel, the time had come for police reform to be linked with legal reform. Twelve of London's parishes, with a total population of twenty thousand, had no night police. By 1828 one person in every three hundred and eighty-three was a criminal.³²

In October 1828 Peel wrote a letter to Lord Gower about the Irish situation. It is this writer's opinion that Peel there expressed what he believed to be the proper purposes of law enforcement:

"The enforcement of the law compromises no opinion on political questions, and it enables the

²⁹ RAMSAY, p. 69.

³⁰ *Ibid.*, p. 68.

³¹ ANTHONY WOOD, *NINETEENTH CENTURY BRITAIN*, London: 1960, p. 69.

³² RAMSAY, p. 87.

Government to speak with a tone of authority, not only to the party against whose acts the law may be immediately directed, but to other parties, who may be carried beyond due bounds in their preparations for resistance or self defense. It deprives them of the pretext that the law does not afford protection or redress."³³

Peel moved the appointment of a Select Committee to study the police. The 1828 Committee was the fourth such Committee since 1803, and the first to accomplish anything. Their Report was issued on July 27, 1828. The Committee found an increase in crime in London and Middlesex, a reflection of the national increase in committals. It discovered nothing new about the causes of crime. What was new was the Committee's proposed solution: an Office of Police under the Home Secretary, with police responsibility for the whole metropolitan area. The Office of Police would be in charge of appointed magistrates without any bench duties.³⁴

At the time of the Committee's appointment, Peel had expressed his idea of a unified and centralized policy system with St. Paul's as a center and extending to a radius of ten miles. The City refused inclusion in any centralized system, and opposed the Report. There was also opposition because of the practice in many parishes of employing paupers as constables in order to reduce Poor Law Rates. Because they believed a unified police system would introduce another tax, some manufacturing interests opposed the Report. Then there were those who believed that increases in crime and disorder arose from laxity in punishment, not from a defective police.³⁵ For political reasons there was some Whig opposition and Radical opposition because the Report was associated with the Tories. Then there were those who feared that a unified police system would be an instrument of reactionary Tories to keep themselves in power. However, there was also Whig support. Publicly advocating reform, condemning the use of troops, committed to certain positions because they were representative of middle class business and industrial interests, the Whigs could not completely condemn the Report and its proposals. A number of these interests suffered financial and property losses from the riots, and were therefore interested in

measures that would prevent such losses. The influential voice of the Whigs, *The Edinburgh Review*, supported the Report:

"The rich will always entertain doubts, whether there is any need for the existence of those who contribute nothing to their comfort. . . while those who do exist will . . . help themselves to the means of remaining in the world. . . , honestly if possible, but somehow.

. . . while the increase of population outstrips that of employment, the number of offences against property cannot . . . be stationary. But the public authority cannot connive at these irregular proceedings: they must be punished and prevented."³⁶

The *Review* also supported the concept of a centralized police with arguments based on cost and freedom. ". . . such a system would be a great and decided improvement, . . . it might be adopted. . . at a less expense than the [parish-watch], and with no new restraint on the liberty of the subject."³⁷

In April 1829 Peel introduced "A Bill for Improving the Police in and Near the Metropolis." It incorporated his ideas of the chief requisites of an efficient police—unity of design and the responsibility of its agents. The purpose was "to substitute a new and more efficient system of Police in lieu of such establishments of nightly Watch and nightly Police." The Bill set up a new Office of Police in Westminster to be in charge of certain Crown-appointed Justices, later called Commissioners, whose conditions of office and administrative duties were defined in detail.³⁸ The area in charge of the Police Office was to be called the Metropolitan Police District, and included all of Westminster, and parts of Middlesex, Surrey, and Kent. The Bill also contained rules for the duties, powers, and discipline of the paid constables. The section on discipline is interesting because of its implications. No policeman on duty could go into a public house except in the pursuit of duty. A publican or "victualler or keeper of any house, shop, room, or other place for the sale of any liquors, whether spirituous or otherwise" who entertained or sold to a policeman could be fined up to five pounds. The Bill also provided for the appointment of a

³³ THE RT. HON. SIR ROBERT PEEL, PEEL, London: 1857, p. 242.

³⁴ Reports from Committees, VI, 1828, p. 423.

³⁵ Parliamentary Debates, XVIII, 1828, pp. 793-810.

³⁶ THE EDINBURGH REVIEW, XLVIII, 1828, p. 411.

³⁷ Ibid., p. 412.

³⁸ ARRANGEMENT OF THE PAPERS . . . OF THE HOUSE OF COMMONS, I., 1829, pp. 425-426.

salaried Receiver for the Metropolitan Police District whose duty was the handling of "all monies applicable to the purposes of this Act." The Watch Rate was abolished, and provision made to levy a Police Rate on property-holders to the same amount as the Poor Rate. To prevent any irregularities by the parish overseers, the Receiver was to be given a note in writing specifying the amount of Rate paid, and he would render a receipt. In the parishes where there was no Poor Rate, the property-owners' contribution was determined by assessors nominated by the Police Office Justices. The Crown was given power to order any parishes within twelve miles of Charing Cross, excluding those of the City, to form part of the Metropolitan Police District.³⁹ Parts of the Bill were amended in May 1829. The most important provision established that ultimate responsibility for police finances, as well as administration, lay with Parliament. An account of all monies received, rates charged and received by the Police, and an account of all police expenditures was to be presented annually to both Houses of Parliament.⁴⁰

Introducing the Bill, Peel said that Police Committees in preceding years had not produced any improvement in the police; that "It had been clearly ascertained that it was altogether unsafe, and had been for a long period to commit the care of lives and property. . . to the charge of the parochial watch. . ." He said crime had increased 55% in London and Middlesex between 1821 and 1828, as compared to the period 1811-1818, while the population had increased only 19%.⁴¹ He added that he did not believe that the increased crime rate was due to depressed conditions, but, rather, to a lax police system. Peel stressed that he intended a gradual reformation of the police. He intended to put the new police in charge of a certain number of parishes, and then gradually extend their authority until the whole police authority devolved upon them. A day was to be fixed for each parish, and on that day it would surrender its police responsibility to the new establishment of police.

Peel had been forced to resign his Parliamentary seat for Oxford University because of the leading part he had played in securing the passage of the 1829 Catholic Emancipation Act. Now, almost any measure he proposed would be resisted by the

ultra-Tories of the Established Church and of Oxford and Cambridge Universities. There was little he could do about that. But he could try to minimize opposition that would be based on fears of increased taxation, or on possible Radical charges of extravagance. Peel carefully planned the financial costs of the new police, and he emphasized economy. The maximum chargeable Police Rate was fixed at eight pence in the pound on the annual value of property. In 1829 the whole cost of clothing per man came to five pounds, three shillings, and six pence. Each man had a weekly two shilling clothing deduction made from his pay.⁴²

The Duke of Wellington presented the Bill in the House of Lords and repeated most of Peel's arguments. He also, like Peel, stressed the concept of preventive police. The Radicals, Whigs, and humanitarians, generally, had protested the harsh criminal code and had supported its reform. Their support was needed again now. The preventive police idea also may have been stressed in order to allay the fears of the working class and some Radicals that the new police would be a repressive instrument for the benefit of the privileged classes or a vehicle to power for Wellington. Hence his argument that "the best mode of avoiding the infliction of punishment, was to prevent the growth of crime; and the legislature would do away the necessity of frequent punishment by. . . an efficient police in the hands of the magistrate."⁴³

The "Bill for Improving the Police. . ." passed both Houses without serious argument, and received the Royal Assent on June 19, 1829. Mr. Richard Mayne and Colonel Charles Rowan were chosen to command the new Police Office. Both men had served in Ireland, knew Peel and his accomplishments there, and supported his ambitions for the new police.

The passage of the Bill may seem paradoxical in the face of ultra-Tory anti-Catholic hostility toward Peel, the suspicions entertained about Wellington's personal political ambitions, and the allied Whig-Radical political opposition. To the writer, the explanation lies in the contemporary events of the period.

London had been the scene of riots almost every year since 1815. Poor economic conditions and the unemployed and striking Spitalfields weavers aroused the fears of the middle class, the

³⁹ *Ibid.*, pp. 433-449.

⁴⁰ *Ibid.*, p. 463.

⁴¹ *Parliamentary Debates*, XXI, New Series, 1829, p. 871.

⁴² *RAMSAY*, p. 88.

⁴³ *Parliamentary Debates*, XXI, 1829, p. 1750.

manufacturers, and the upper classes. During the debates on Peel's Bill there were outbursts of rioting and frame-breaking. The *Times* daily carried reports of violence, and in editorials demanded Government action. On June 2, 1829 a City Member presented to the Commons a petition asking for measures for "the maintenance and vindication of the law, which is thus openly and systematically violated, and. . .such protection as to the house. . .shall seem most meet."⁴⁴

It had become obvious by 1829 that any attempt by the government to enforce the law would necessitate both the immediate availability of troops and the willingness to risk mob violence. When a weaver had been sentenced to be whipped for the distance of one hundred yards, or about seventy lashes, Peel told the House that "all the civil forces which could be spared" were at the scene. If these proved insufficient, he had authorized the magistrates to call "the military arm of the state to their assistance."⁴⁵ It is the writer's opinion that the trend of events seemed to indicate an approaching crisis. The monarchy was unpopular, republican sentiment was being heard openly, there was fear of revolution, fear of the mob, and apprehension for the security of property. The demand for protection became widespread as business and industrial interests exerted a pressure which transcended party lines, a pressure which Parliament dared not ignore. The Metropolitan Police Act was passed.

The first appearance of the new police on the streets of London was on September 29, 1829. To avoid any suspicion that they were a military police, the police uniform had been carefully chosen. The one thousand men of the new police wore blue suits of civilian cut and top hats. They were unarmed. Their sole distinguishing marks, as policemen, were the brass buttons bearing the word "Police" on their suits.

Popular opposition from the masses to the new police was immediate. Among the epithets hurled at them were "raw lobsters," "Peel's bloody gang," and "Blue Devils." Peel himself was assailed as a dictator and tyrant, and pictured as the robber of the poor. On October 10, 1829 he wrote to his wife, ". . .I did laugh. . .at one [caricature] called 'Peeling a Charley' in which I am represented stripping one of the old watchmen of his great-

coat."⁴⁶ There were also the usual broadsides. A popular broadside-ballad, entitled "The New Police Act," included these verses:

"The Crackman then must take the day their
business to complete sir

For they will find the Charlies then they cannot
keep them sweet sir

For watchmen then no plaver will stand when
the new act's in force sir

And body snatchers sell their tools they'll have
no work of course sir

Oh Mr Peel what have you done with your
police act so grand sir

Twill be the cause I have no doubt of filling
Van Diemen's Land sir

And London now believe me sir is overstocked
with queer Coves

Who wish the Police Act and you were sent to
Jemmy Square toes.

So hear me all you funny blades who delight
in lark so funny

And who whea [sic] in a scrape was got would
circulate your money

You Toms and Jerrys now lament the Charlies
now will queer you

For Mr Peel's new Watchman will be to [sic]
strong to fear you."⁴⁷

The need for adequate and efficiently administered police had been demonstrated, and the 1829 Act provided such a police. Peel's interest did not confine itself to legislative success. It was essential that the police win public acceptance. Therefore, the selection of police personnel was important. Peel felt that retired non-commissioned army officers with good character certificates would be suitable recruits; it was important that the moral character of the police be above suspicion. His pride in the new police and his concern for their success is evidenced in a letter which he wrote to the Commissioners of the Metropolitan Police on December 10, 1829.

"I propose to refer all applications to you, for inquiry into the character and qualifications of the candidates. . .all nominations for employment in the Police, as well as. . .promotions from inferior stations, should depend exclusively upon the character, qualifications, and services of the person selected. . .I am con-

⁴⁴ LONDON TIMES, "Parliamentary Intelligence," June 3, 1829, p. 1.

⁴⁵ Ibid., p. 1.

⁴⁶ GEORGE PEEL (ed.), *THE PRIVATE LETTERS OF SIR ROBERT PEEL*, London: 1920, p. 117.

⁴⁷ Broadside 506, VI, 1829; in the University of London Collection at the Senate House Library.

vinced that on a strict adherence to this principal must entirely depend the efficiency and character of the new Establishment.

When the whole Establishment shall be . . . in full operation; it may not be fit to establish, as a fixed and inviolable rule, that all appointments . . . above that of . . . common constable, shall take place from out of the ranks of the Police. . . .

The experience which you have already had will enable you to determine. . . what is the age, and. . . previous occupation of candidates, which offer the greatest probability that they can be usefully employed in the Police. And a reference to these. . . , combined with a personal examination into their character and habits of life, will enable you to select. . . those best entitled to recommendation.

. . . whenever a vacancy shall occur in the. . . Police, or whenever new appointments shall be necessary. . . you shall submit to me the names. . . to be recommended by you, and that a printed form be prepared. . . specifying whether the person. . . has or has not previously served in the Police, his age, his previous occupation, the name of the persons by whom he is recommended. . . ."⁴⁸

From its inception in 1829, the essential civilian character of the police was stressed; public service, self-control, and the importance of gaining the public's trust were emphasized. The *Instructions* and *Police Orders* for 1829-1830, issued by the Commissioners at Scotland Yard, contain explicit directions for the conduct of the police. The *Instructions* illustrate the basic emphasis on the preventive and protective nature of police work which was Peel's philosophy and design for the new police and which was to be continued by successive Home Secretaries and Commissioners of the force:

"It should be understood, at the outset, that the principal object to be attained is the prevention of crime.

To this end every effort of the Police is to be directed. The security of person and property, the preservation of the public tranquility, and all other objects of a Police Establishment will thus be better effected than by the detection and punishment of the offender, after he has succeeded in committing the crime. This should. . . be kept in mind by every member of the Police force, as a guide to his own conduct. . . .

⁴⁸ Accounts and Papers, XXIII, 1830, p. 408.

The absence of crime will be considered the best proof of the completely efficiency of the Police.

. . . [the constable] must be particularly cautious not to interfere idly or unnecessarily. . . . He must remember that there is no quality more indispensable to a police officer than a perfect command of temper, never suffering himself to be moved. . . by any language or threats. . . ; if he do his duty in a quiet and determined manner, such conduct will probably induce well disposed bystanders to assist him. . . ."⁴⁹

Police Orders for October 17, 1829 warned that "Some instances of rudeness on the part of the Police toward persons asking. . . civil questions has been reported to the Commissioners," and called on the Superintendents to warn and instruct their men. On Guy Fawkes Day, the following month, the Superintendents were ordered to instruct their men "to preserve peace and good order by the mildest possible means." Police corruption had been a glaring defect under the old police system. Every effort was made to avoid it in the new. Precautions were taken against possible charges of corruption as Christmas approached. *Orders* for December 21, 1829 directed that "The Constables are not. . . to ask for a Christmas Box from any of the inhabitants upon their beats; if any money is offered to them. . . they must report the circumstances to their superior officer."⁵⁰

From its beginning, the force was administered according to the intent of its founder. The character and conduct of the police was vigilantly supervised. Between 1829 and 1831, eight thousand men had been enrolled, and over three thousand had been discharged for unfitness, incompetence, or drunkenness. By June 1, 1830, the force consisted of three thousand, three hundred and fourteen (3,314) men, and the Metropolitan Police District covered Whitehall, Westminster, and twelve other boroughs. By the terms of the Act the City was excluded, and remains so to this day. Peel was proud of what had been accomplished, and wrote to his wife in October 1829, "I have been again busy all the morning about my Police. I think it is going very well, the men look smart, and a strong contrast to the old watchmen."⁵¹

The magnitude of Peel's accomplishment, and

⁴⁹ Public Bills, I, 1829, pp. 409-415.

⁵⁰ Ibid., p. 421.

⁵¹ GEORGE PEEL, p. 117.

the potential for law and order, is shown by contrasting the available police protection for 1800 and 1830. In 1800: one thousand (1000) constables and watch under seventy (70) different local trusts. In 1830: three thousand, three hundred and fourteen police under two Commissioners, responsible to Parliament through the Home Office. Within five years (1834) a Select Committee, inquiring into the state of the Police of the Metropolis, was able to report that "The object . . . long sought, viz. an efficient and systematic establishment of Police, has been practically attained." The Committee found that violent offenses had decreased and detection of lighter ones increased, "which is . . . what was to be expected from a good system of preventive Police."⁵²

All the political, social, and labor unrest, the riots, class suspicion, and agitation for reform during this period, together with the traditional English concern for the liberty of the subject, are

factors of vital importance in the development and design of the Metropolitan Police system. These factors shaped its development as a civilian police, and stressed the preventive function of police. It is significant that for almost thirty years there was no plain-clothes detective division. This was due to working class opposition, as well as some political resistance, to any measure which they thought resembled the Continental police-spy system. It took many years before the new police gained the trust and confidence of the people. Economic dislocation, struggles for political and economic reform, and riots would continue to plague England for several decades. However, the real significance of the Metropolitan Police lay in its example to the nation as a model for subsequent national police reform legislation and organization. It proved that an efficient police could greatly decrease the use of troops against civilians; that it could protect life and property; that it could be compatible with the English constitutional concepts of liberty.

⁵² Reports from Committees, XVI, 1834, p. 4.