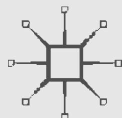
World Histories of Crime, Culture and Violence

A HISTORY OF THE DUBLIN METROPOLITAN POLICE AND ITS COLONIAL LEGACY

Anastasia Dukova



World Histories of Crime, Culture and Violence

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A History of the Dublin Metropolitan Police and its Colonial Legacy

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Anastasia Dukova
Brisbane, Australia

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For my parents Natalia and Yuri,
and all those who never gave up

Endorsement

There is a long-held assumption that the Royal Irish Constabulary provided the model for policing across the British Empire. Dukova confidently and competently challenges this with reference to the towns and cities of the White Dominions. A well-researched and wide-ranging book, this should serve to stimulate more comparative research and to question further the traditional views of police history and development.

– Emeritus Professor Clive Emsley, Department of History, the Open University UK

Dr Dukova is to be congratulated for writing an engaging, thought-provoking and impressively researched book that addresses a salient gap in criminal justice history. It will be essential reading for scholars interested in Irish police history and its colonial legacy.

– Associate Professor David Barrie, Department of History, the University of Western Australia

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Abbreviations

1/c	First Class
2/c	Second Class
BC	*Brisbane Courier*
CIB	Criminal Investigation Branch
CSORP	Chief Secretary's Office, Registered Papers
DMP	Dublin Metropolitan Police
GM	Garda Museum
IRB	Irish Republican Brotherhood
IT	*Irish Times*
JP	Justice of the Peace
MS	Manuscript
NAI	National Archives of Ireland
NLI	National Library of Ireland
NPA	National Photographic Archive
QGG	*Queensland Government Gazette*
QPF	Queensland Police Force
QPG	*Queensland Police Gazette*
QP	Queensland Police Service
QVP	*Queensland Votes and Proceedings*
RDS	Royal Dublin Society
RIC	Royal Irish Constabulary

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PART 1

1780–1880

CHAPTER 1

Police Organisation: Enlightened Thought, Theories and Context

In 1840 James Henry, an Irish writer, published a brief depiction of an organised police and its impact on the order and welfare of a contemporary metropolis, a satirical City of Canton. To better the protection of peace and property, he wrote, Cantoners submitted an imperial legislation requesting new police, which was promptly established. Closely modelled on the metropolitan police of the capital city of Pekin, which had been organised only a short while earlier, the new force took to the streets. As the city folk bid farewell to 'the old watch with their nightcaps and their wooden boxes, in which they used to snore away the night',[1] they welcomed in their place 'a most respectable and efficient body of men, constantly on the watch both day and night … and what is still better, they kept to their duty without any trouble to [them]'.[2] The 'new government' police kept continuous watch over the burghers of the city, but they also carried 'little books' and pencils in their pockets, and 'they wrote down everything they saw and heard, and reported it every night to the superintendant [*sic*], and the superintendant to the chief commissioner, and the chief commissioner to the imperial government at Pekin'.[3]

The first men to walk the beat were initially viewed in equal measure with suspicion and disdain by both the criminal element and the general public. To many the system of 'round-the-clock' policing was evocative of government-endorsed espionage, clandestine surveillance and tyranny. The road to acceptance was rocky and winding, further complicated by political and economic upheavals, which pocked the nineteenth century.

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The men in blue persevered and, as time progressed, became the embodiment of law and order.

According to the dominant theories of police development in England as in Ireland, 'resistance to the idea of a police force was powerful and effective in the first quarter of the nineteenth century and even when the principle won more general support there was considerable debate and experimentation surrounding the precise form and nature of the new police'.[4] The structure of policing that finally came into being 'was a product of compromise, comprising three distinct systems and philosophies which applied to the Metropolitan Police, the borough forces and the county forces'.[5] In the historical scholarship on the development of policing and police forces, according to David Taylor three theoretical perspectives apply. Orthodox theory views the new police as a response to the collapse of law and order,[6] responsible for enforcing the law and maintaining appropriate societal discipline. The revisionist approach, explained by Clive Emsley in *Policing and Its Context, 1750–1870* (1983), examines the details of the social and economic context of historical developments where the new police were seen as agents of social control whose responsibilities transcended the scope limited solely by the basic definition of criminality:

> The mission of the new police was a symptom of both a profound social change and a deep rupture in class relations in the first half of the nineteenth century. By this time, both the actions and the 'language' spoken by the urban masses were, if intelligible at all, deeply frightening …
>
> For these reasons the police received an omnibus mandate: to detect and prevent crime; to maintain a constant unceasing pressure of surveillance upon all facets of life in working-class communities – to report on political opinions and movements, trade-union activities, public house and recreational life.[7]

Finally, the more recent synthetic theory argues that the police had succeeded in finding its niche within the social structure and secured a degree of legitimacy. The police, as Robert Reiner in *The Politics of the Police* (2010) states, gained 'increasing acquiescence from substantial sections of the working class, not only as the result of "soft" service activities, but in their "hard" law enforcement and order maintenance function'.[8]

The case of Irish policing was less straightforward than the English experience. Sources show that though the Dublin Metropolitan Police (DMP) became thoroughly integrated into the social fabric, it never

gained the same degree of 'acquiescence from the working classes' as the London Force did. Orthodox and revisionist theories tend to oversimplify police development. These theories view the establishment and subsequent development of the organisation in general terms: crime and lawlessness were endangering the proper functioning of a given community. Consequently, centralised policing was then introduced as an antidote to the ailing society. The complexity and variance of the public response demonstrated that the introduction of the new element of control into the familiar social hierarchy was not at all simple or straightforward, or even welcome. According to Godfrey, Williams and Lawrence (*History and Crime*, 2007): 'One message from a consideration of the historical evidence, therefore, is that we cannot consider policing as an abstract ideal which can be divorced from the social and, above all, political conditions of the society around it.'[9]

The importance of local cultural, social and political norms is demonstrated in David Barrie's argument, which in essence questions the existence of a certain typology of police as an all-encompassing concept as it injects cultural and civic identities into the discussion thus adding further complexity to the police development theories. Invoking Scotland as an example, he stresses that 'experiences in neighbouring burghs and the country's deep-rooted commitment to the civic tradition and the intellectual discourse that emanated from Enlightenment thought'[10] were integral in shaping the country's police model's specific form, setting it apart from the English experience.[11] Arguably, the growing homogeneity between English and Scottish municipal police throughout the nineteenth century in response to rapid urban expansion obscured the distinct origins and features of the Scottish model. 'Ideals of improvement, civic virtue and the common good were by no means a product of, or exclusive to, the Scottish Enlightenment', Barrie maintains, but 'they were given a Scottish voice and flavour, with Scottish philosophers locating such ideals in civic rather than republican terms'.[12] In the absence of the indigenous context within the vast body of British crime and policing scholarship there is clear tendency to overgeneralise. Lack of independent Irish municipal policing discussion from contemporary historiography is a principal example of this tendency.

Barrie demonstrates that Scotland, unlike England or Ireland, had no clear divide between the old and the new modes of policing. This observation invariably invites a comparison with the French policing experience,

as both the rural *maréchaussée* of 1536 (the date of the Edict of Paris which some see as the founding date of the *maréchaussée*) and the police of Paris (the creation of the Paris Police is usually set as 1667 by Colbert, a minister under Louis XIV, though there is debate about this 'foundation')[13] also remained effectively intact despite the drastic regime changes of the late eighteenth and early nineteenth centuries. The notions of civic duty over factional interests and a man's right to security and liberty, clearly developed from the Enlightenment ideas, were shared principles governing the respective French and Scottish police organisations. Beccaria's treatise *On Crimes and Punishments* (1764) stipulated equitable laws, punishments proportionate to the crime and punishment as a deterrent not retribution, all of which crystallised much of the progressive thinking already developing in France.[14] 'An effective system of police contributed to the certainty of an offender's apprehension and thus to the certainty of punishment; it also ensured respect for the law, thus assisting in the prevention of crime.'[15] Both Barrie and Emsley recognised the evidence of Europe-wide[16] borrowing among the policing organisations.[17] Civic duty, the pursuit of local needs and interests, and the non-political nature of police authority and law enforcement became key principles behind the new nineteenth-century English and Irish police regulations.

After a series of reforms, the regulations outlined in the 1835 Dublin Police Act reflected the principles derived from the concepts of prevention, utilitarianism and morality postulated by Beccaria, Jeremy Bentham and David Hume, as well as Locke's treatises of reciprocal obligations. The terms of Locke's social pact postulated that the citizens agreed to give up some societal freedoms in exchange for protection. In line with this, the new police constable duties were preserving peace, preventing robberies and other felonies, and apprehending offenders against the peace, or, in other words, to enforce the law in return for remuneration footed by the local tax payers, the citizenry. In the early stages of the police organisation, the limitations of authority, a key part of the social contract, was considered to be honoured by few and entirely ignored by many more. Arguably, as time went on, in the minds of a great many, the police continued to walk the thin line between protecting the basic human rights inherent to a civil society, such as the preservation of life, liberty and property, and infringing on them.

The management of crime and the professionalisation of policing in the burgeoning cities of the Atlantic world have been a major theme of nineteenth-century social history. Dublin was one of the largest urban

communities in the British Empire. Naval and particularly railway transportation boomed in the second half of the century, transforming Dublin into a modern metropolis. However, its policing history and the history of crime have attracted little scholarly attention. The existing historiography such as it is has focused primarily on political crime and the social climate of nineteenth-century Ireland, with a heavy emphasis on rural sectarian violence and Fenianism. The extant research predominantly investigates rural crime and political violence, but generally neglects the urban scene. This gives the impression that Ireland was to an overwhelming degree a rural country preoccupied solely with land disputes and religious differences.

The scholarly Irish policing historiography virtually began with Seamus Breathnach's *The Irish Police from the Earliest Times to the Present Day* (1974) and Stanley Palmer's *Police and Protest in England and Ireland, 1780–1850* (1988). Breathnach traces the origins of policing in the British Isles as far as back as the thirteenth century, placing the administrative and organisational developments of the Irish Constabulary within a rich context of the social and political history of nineteenth- and twentieth-century Ireland, enriched with contemporary social commentary. Breathnach introduced Irish policing into a predominantly Anglo-centric historiography. Palmer also recognised that in the period 1780–1850 the new police system was established not only in England but also in British-ruled Ireland.[18] He noted the vital importance of context and comparison for the production of well-rounded historical research work, which all earlier studies of crime and policing lacked. While Palmer's work introduces police in the context of protest and the policed, his main focus remains on the Royal Irish Constabulary (RIC), leaving the urban Irish policing historiography underrepresented.

Dublin, Derry and Belfast were outside of the Constabulary jurisdiction and policed by their own municipal forces. In the second half of the nineteenth century, Derry and Belfast, however, as Brian Griffin accounts in *The Bulkies: Police and Crime in Belfast 1800–1865* (1997),[19] were deemed inadequate in the face of the sectarian violence and alleged partisanship in the riots of 1864 and 1869. This led to the integration of the Belfast and Derry municipal forces into the Irish Constabulary in 1865 and 1870 respectively. Prior to the integration, between 1816 and 1865, the Belfast Police was responsible for preserving peace and order in the parts of the city which paid their rates, and looked after lighting, paving and scavenging. It was also under a single authority, the police board, until 1844 and a police committee after, and, as such, 'supervision of the Belfast

force by elected civilian committees anticipates the mode of supervision later adopted by the "new" professional, supraparochial police established in English boroughs from 1835'.[20]

Palmer placed Irish policing in the modern historical arena, but like many historians after him, he focused his efforts on the political context of Irish policing and hence the RIC. Donal O'Sullivan's *The Irish Constabularies, 1822–1922* (1999) fills in the gaps in the service life of these men by providing the reader with an incredibly detailed, if sometimes chaotic, history of the RIC and Ireland generally on a county by county basis, providing thorough accounts of the activities of the RIC men. *The Irish Constabularies, 1822–1922* is brimming with notable occurrences and facts relating to the evolution of the force and its responses to crisis and political pressures. Elizabeth Malcolm's account of the men who served in the Irish Constabulary, *The Irish Policeman, 1822–1922: A Life* (2006), on the other hand, draws the spotlight from the institution to the men, reminding us that 'the peeler was undoubtedly "a man on the make", [as] a career in the Irish Constabulary offered, among many other things, an avenue for upward social mobility.'[21]

O'Sullivan's and Malcolm's narratives not only provide exhaustive histories of the RIC from its inception to its disbandment in 1922, but humanise the Irishmen who served in the Constabulary. In mapping the history of the RIC, they show that joining the force was for many the best and possibly the only alternative to migration. The force offered a stable pensionable employment and accommodation, and most of the duties were of a mundane police nature. Except in times of political instability their allegiances had to remain with the Crown, and in opposition to those who championed protest or subversion for an Irish or a Catholic cause. Both works are indispensable in familiarising the reader with the rural character of Irish policing, its history which was tightly intertwined with the political developments and the shifting moods of the country.

The character of urban policing in Ireland remains to be explored. How did the lives and service of beat policemen differ from the experiences of the RIC men? In *The Dublin Metropolitan Police: A Short History* (2001) an amateur historian and former Guard, Jim Herlihy, in part answers this question by offering a brief account of the men who served in the force and the conditions of their service. Overall, given the paucity of larger scale studies of the force as a whole, Nigel Cochrane's 'Public Reaction to the Introduction of a New Police Force: Dublin 1838–45' (1987), Colm

Barry's 'The Policeman's Lot is not a Happy One: Duty, Discipline, Pay and Conditions in the DMP, c. 1833–45' (1987) and 'The Police and Protest in Dublin: 1786–1840' (1991), and Brian Griffin's 'Such Vermin: The Dublin Police Force and the Public' (1995) are by far the most detailed accounts of the formative years of Dublin Police history available—its structure, organisation, administration and recruitment. Initially decried as the instrument of 'an embattled and oppressive aristocracy', in step with proliferating Enlightenment ideas within the first decade of its existence, the Dublin Police 'came to be hailed as the prerequisite of a civilised nation'.[22] As David Dickson points out in *Dublin: The Making of A Capital City* (2013), since beginning its operations in 1838 the political reliability of the DMP was never called into question—its efficiency evidenced by relatively low general crime rates for the city in the final decades of the nineteenth century.[23]

By focusing largely on the Detective Division, or G Division, of the DMP, in *Inspector Mallon: Buying Irish Patriotism for a Five-Pound Note* (2009) Donal P. McCracken demonstrates that there was more to police work in Dublin than the beat. McCracken's work highlights the service years of the celebrated Dublin detective John Mallon, 'the Great Irish Detective'. *Inspector Mallon* covers the decades of unrest that characterised the later decades of the nineteenth century and the behind-the-scenes relationships between official Dublin and the force, and of the police and the political activists. McCracken explores the impact the G-men had on undermining the political threats and bringing known Fenians and members of the Invincibles to trial.[24] The main emphasis is placed on Mallon's reports, the official Dublin Castle[25] correspondence, administrative files and, most of all, the detective's contemporary biographer Frederick Moir Bussy's accounts. Mary Scanlon's essay, *The DMP* (1986), continues the history of the force, concentrating on the Detective Division, through the period leading up to the Civil War and the force's amalgamation into the new Civic Guards (later An Garda Síochána) in 1925.[26] Scanlon's focus is administrative and political, with little social or comparative comment. The work concentrates heavily on the later years of the force and the role of the special Detective (G) Division in the 'disturbances' of the early twentieth century. An Garda Síochána, a comparatively young police force, 'was born in the early days of Irish independence, in a country brutally damaged by the War of Independence of 1919–21 and hurtling towards civil war'.[27] Diverging from previous studies of An Garda Síochána, chiefly by Conor Brady (1974), Gregory Allen and Liam McNiffe (1999), Vicky

Conway, in her work *Policing Twentieth Century Ireland: A History of* An *Garda Síochána* (2014), contextualises policing experience in the country by examining its history and development in the context of post-colonialism—its impact and lived experiences. As Ireland achieved independence, she argues, 'time constraints and lack of alternative experience led to retention of many core features of colonial policing',[28] resulting in an organisation ideologically different but practically similar to the Irish forces of the preceding century.

The nineteenth century saw the formation and transformation of policing and legal systems in Ireland, England and in the colonies. In contrast to Irish scholarship, the English criminal historiography is both extensive and rigorous. The leading experts in policing history such as Clive Emsley, Stanley Palmer, V. A. C. Gatrell,[29] David Taylor,[30] Douglas Hay,[31] J. M. Beattie, Peter King[32] and Robert Storch,[33] along with David Jones, Jennifer S. Davis and Francis G. Snyder lending their expertise to the history of police courts and the police as prosecutors,[34] have been the main re-interpreters of the evolution of law enforcement, penal reform and the history of interpersonal violence.[35] Emsley, an authority on English policing, has contributed immeasurably to the scholarly discourse: *Crime and Society in England 1750–1900* (1987), *The English Police: A Political and Social History* (1991), *Police Detectives in History, 1750–1950* (2006) and, finally, *The Great British Bobby: A History of British Policing from the 18th Century to the Present* (2009) to name but a few. 'The traditional story portrays the Bobby as little more than a citizen in uniform',[36] Emsley observes, 'but the policing institution has shifted gradually, and significantly, form having its primary relationship directly with the local community, to becoming an instrument of the state'.[37] In his latest study he estimates that by the turn of the nineteenth century there were over 200 'new police' forces in England and Wales and more than 60 in Scotland. Personnel, both commissioned officers (COs) and non-commissioned officers (NCOs), for these police forces were also drawn from the RIC and, to a lesser extent, the DMP.[38] As early as 1839, Emsley notes, the chief constable of the new Gloucestershire police was recruited from the ex-Constabulary ranks, a former commander of County Wicklow Constabulary. In Staffordshire, three years later, 56 out of 210 were Irish, with 13 ex-DMP men.

The more familiar proactive, or preventative, method of policing that we know today is a product of the earlier reactive method perfected by John and Henry Fieldings of Bow Street fame. By the 1770s, they organised a stable group of half a dozen men (also known as the Bow Street

Runners) whose main mission was to investigate offences and to seek to arrest and prosecute serious offenders. In *The First English Detectives: The Bow Street Runners and the Policing of London, 1750–1840* (2012), John M. Beattie maintains that these men 'were an entirely new element in the policing forces in the metropolis. Their rapid engagement in the effort to apprehend suspected felons distinguished them fundamentally from the existing peace-keeping forces of night watchmen and parish constables who had no such duties'.[39] Elaine Reynolds' sweeping study of the night watch, *Before the Bobbies: The Night Watch and Police Reform in Metropolitan London, 1720–1830* (1998), captures the formation and the reforms of the night watch, while challenging the popular perception of the inefficiency of the system of policing.

London and Dublin saw their populations swell over the course of the nineteenth century. During the latter half of the century, as living conditions became harsher, many Irishmen chose to migrate to the New World. The Great Hunger of the 1840s was followed by evictions, the Land War and further industrial decline. Over a million men and women left Ireland and settled in the colonies. The majority of the Irish migrant population emigrated to the United States, England, Wales and Scotland, with a much smaller fraction arriving in Australia, Canada and New Zealand. According to William J. Smyth in *Toronto, the Belfast of Canada: The Orange Order and the Shaping of Municipal Culture* (2015), by 1851 a quarter of a century of steady immigration from Ireland had made Toronto the most Irish of all cities in North America, with 37 per cent of Torontonians Irish-born and half as many born to Irish parents, more than 50 per cent of them coming from Ulster.[40] Inevitably, the heavy Irish presence shaped municipal organisation of the city and its departments, including the local police.

In 1979, David Bayley remarked that to that day there had been only a glimmer of interest in Canadian police institutions.[41] In the decades since, selected works by Helen Boritch, William Jenkins and Greg Marquis remain key sources on Toronto Police,[42,43] along with William J. Smyth and Mark McGowan on Toronto in the time of rapid urbanisation and industrialisation of the late nineteenth and early twentieth century. During this period Toronto saw its reputation as a Protestant conservative city worthy of the nickname 'Toronto the Good' reinforced. 'Those arriving would have been aware of a common social conservatism in both Toronto and Belfast', Smyth notes, 'there is no denying the potency of the Irish contribution to the stifling moral atmosphere of the city'.[44] In 1859, following a top-to-bottom re-organisation, Toronto City Police adopted the

general structure and organisation of the metropolitan model. However, despite its re-organisation and a significant number of fresh recruits from Ireland, the Toronto Police was unable to shed the yoke of political partisanship (read power and patronage of the Orange Lodge). 'Toronto the Good' was a conservative and puritanical city with an overtly anti-Catholic prejudice held by the police and the judiciary. Municipal by-laws helped support a strong sabbatarian flavour in city life. As late as the mid twentieth century, the ideology of policing maintained its focus on policing a certain class of people rather than preventing and controlling a certain class of criminality.[45] As Smyth astutely observed, an abiding sense of dullness characterised the city.

Immigration to Australia was not as considerable as it was to British North America or the United States; by 1890 the latter 'contained nearly two-thirds of the overseas Irish and one-quarter of the Irish natives'.[46] In 40 years, between 1876 and 1916, approximately 80,000 Irish men and women found their homes in Australia.[47] In contrast to Upper Canada, Queensland, the second youngest Australian colony (established in 1859), saw large migration of Catholic Irish. Fitzpatrick demonstrates that the post-Famine migration tended to be greatest from Connaught, with gradual expansion down the length of the western seaboard. 'The Australian Irish tended to come from south-western and north midland counties,'[48] with 'recognisable local links' emerging between Co. Clare and Australia. Likewise, the Roman Catholic Church actively advertised to and targeted potential Catholic settlers. Increasingly agricultural, Queensland sought Irish immigrants for land cultivation and development work. As Queensland separated from New South Wales in 1859, it began the process of re-organising its infrastructure, including the police. Having had previous experience of service either in the RIC or, in a few cases, the DMP, a significant proportion of Irish applicants were readily enlisted into the new police force.

In 1863, three years after the new Queensland Parliament was established, a separate police act was promulgated which took effect on 1 January 1864; it provided for the organisation of the Queensland Police Force. On 1 January 1864, 26 ordinary constables took to the streets. Ross Johnston's *The Long Blue Line: A History of Queensland Police* (1992) documents the history of the force, its constituents (City Police, Water Police, Mounted Border Police, Native Police and Gold Police), its changes and its challenges and developments. The line of duty of the colonial city-beat policeman was as extensive and as diverse as that of a