

# The Digital Panopticon: Contemporary Investigative Methods in Historical Research

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## 6. The Digital Panopticon: Contemporary Investigative Methods in Historical Research

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*In this contribution, Godfrey highlights the importance of the digital revolution in expanding access to historical documents. Through projects such as the Digital Panopticon, digitisation has not only aided academic research but also enabled citizen investigation. Using a number of life history examples, the author illustrates the value of data democratisation, but also warns of issues that arise when autobiographies contradict official records. Godfrey ends by noting that, whilst invaluable – particularly given the closure of physical archives during the pandemic – digital archives should be an addition, not a substitute, for archival study.*

The archiving of records is an essential part of a liberal democracy but the part it plays is changing with digitisation, as this paper will show, a development which opens up room for historical investigations of many different kinds and alters the investigator's relationship with the archive as well as the methods we can use to interrogate archival materials. Making the records of the institutions that are funded through taxation publicly available (including those institutions through which government is achieved and maintained) facilitates processes of accountability. As new documents are released after a period of closure, there are often media and academic articles revealing what had previously been recorded purely for the purposes of the original compilers. However, few members of the public in the past were able to negotiate access to the records. Public knowledge deriving from historic records has hitherto been heavily mediated and reproduced through an academic lens. Citizen investigation has been limited. However, the twenty-first century has seen a revolution in digital humanities, with the digitisation of large collections of data previously available only in hard copy to people who visited local or national repositories and archives in person. No doubt the original intention of digitisers was to serve a limited group of people – bringing the archive to academics, researchers, and undergraduates so that they would not consume space and the archivist's time with their enquiries. However, the digital revolution has produced data which is now accessible to a new audience. People who would never have previously secured access (not always easy even with the right credentials) to local and national archives – genealogists, family historians, school students, people for whom the archives are not physically accessible, people from non-academic backgrounds, and so on – can now pursue their own investigations. The knowledge they piece together into stories or personal studies will not end up in university libraries, and most likely will not be published at all, but is instead relayed to friends, family, and local studies groups, providing a wealth of information that is personal and important to thousands of people who would not normally access academic research. The democratisation of data, it can readily be argued, is a continuation of the "History from Below" movement, with feedback loops linking the work of academics and wider bodies and publics, each providing materials for the others to make use of in their investigations and vice versa.

In terms of that movement, the publication of Albion's Fatal Tree in 1975, inspired by Thompson's magisterial Making of the English Working Class published ten years previously, marked the start of a huge growth in the number of historians exploring the impact of legal changes on the lives of the working classes. This school of history saw the law as being the tool whereby countryside agricultural labourers and then, later, the industrial proletariat, were forced into new work disciplines and wage-slavery. They drew upon archived legal and criminal records in order to prove their theories, but the focus on archived bureaucracy was accelerated by Foucault's Discipline and Punish: The Origin of the Prison, published in the same year as Albion's Fatal Tree. Foucault focuses on the technologies of power that allowed groups to temporarily control new

disciplines within penal institutional forms; technologies that were not subject to the control of the traditional elites in society, but were instead utilised by the middle classes, the bureaucrats, and the civil servants. Although Foucault was notably light on archival study himself, he did direct the attention of future crime historians to criminal justice records (Godfrey and Lawrence 2014; Emsley 2018).

Without doubt, the latest generation of crime historians have benefited from the digital revolution. A large amount of data on criminals, prisoners, paupers, workhouse inhabitants, and victims of crime, resides behind genealogical companies' paywalls. In 2014, Ancestry had over sixteen billion historical records available to their two million customers worldwide. Historical prison registers, court documents and police records are added on an almost monthly basis. There is a concentration of data generated in the nineteenth century. Early modern data is fragmentary and slight, a lot of twentieth century data cannot yet be accessed because of archival guidelines (the 100-year closure rule), but the nineteenth century is rich. The period which experienced the Victorian compulsion to document, to record, to catalogue, and to bureaucratise also saw a vast expansion in the institutions of criminal justice. Together this created a record of criminal justice, the people who experienced it, and details of regimes and practices, which is expansive. This data extends not just to the UK, but, due to standardised practices which extended across the British Empire, results in a global basis for studying histories of crime and punishment – there are, for example, significant digital records for the Australian convict system – although the case for “completeness” should not be overstated. The online collections are largely un-curated and there are gaps (driven by the pursuit of collections that are name-rich datasets for the genealogical market); and there is still an over-representation of the “Global North.”

In an attempt to further democratise data and to pull back data from beyond the paywalls, the Research Councils have funded major digital humanities projects. Constructed in 2000, the Old Bailey Online contains details of nearly two hundred thousand criminal trials carried out at London's Central Criminal Court between 1674 and 1913. Over a million defendants, victims, and witnesses can be found online, and searches can be carried out to identify specific offences, or particular punishments. From 2017, the Old Bailey data has been connected to a raft of civil and criminal datasets (some existing and some newly digitised) in the [Digital Panopticon](#), which brings together biographical and court-generated data on over 90,000 people prosecuted at the Old Bailey. Data in the Digital Panopticon includes the offending record, including types of punishment imposed, and for many people the convict transportation and prison registers record much which went beyond mere “offence” and “sentence” information. For example, prison inmate documents record biometric and personal details, including “height,” “weight,” “hair” and “eye” colour, “distinguishing markings” and “education levels.” Other records include a kaleidoscope of detailed personal information, from name and address details of victims and next of kin to copies of letters and, after the 1850s, photographs of the prisoner. These data have been juxtaposed with the nineteenth century census records, and also the registers of births, marriages and deaths. Together they provide cradle to grave data for many thousands of normal people caught up in the criminal justice system.

The datasets are linked at nominal level, so that, when a person's name is entered in the site's search engine, an algorithm brings forth data on all people with that name. The viewer can then choose which of the possible options is the person they are looking for (usually this is arrived at by looking at the dates of birth, date of the procedure in court, place of birth and so on) and the data on the selected person is then displayed in chronological sequence, for example, below is an extract of Edward Vidler's life history:

## Edward Vidler

Life archive ID rnc34364  
[Show all records](#)

Born 1868. Place of birth Canterbury. Gender male. Height 5' 6.5". Complexion fair or fresh (*fr*). Hair brown (*br*). Eyes other, grey (*gr*). Build proportionate (*prop*). Distinguishing marks cut, dot, mark (*cut left head, first finger, right hip diseased and leg shorter than left, lame, brown birthmark left hip, dot back forearm*). Has tattoo yes. Tattoo descriptions dot. Tattoo body locations forearm. First recorded 1895.

3 records. [Specific Tattoo Descriptions](#). [Convict Tattoos](#). [Metropolitan Police Register of Habitual Criminals](#).

<b>Born</b> 1868	Place of birth Canterbury.	
Tattoo(s) recorded 1895	Age 27. Tattoo keywords <i>cut left head, first finger, right hip diseased and leg shorter than left, lame, brown birthmark left hip, dot back forearm</i> . Tattoo descriptions dot. Tattoo body locations forearm.	<a href="#">More details</a>
<b>Tried</b> 7th January 1895	Age 27. Marital status S. Place of birth Canterbury.	<a href="#">More details</a>
Sentenced to seven years. Sentence outcome was imprisoned.		
Discharged as habitual criminal 6th August 1895	Age 27. Marital status S. Place of birth Canterbury.	<a href="#">More details</a>

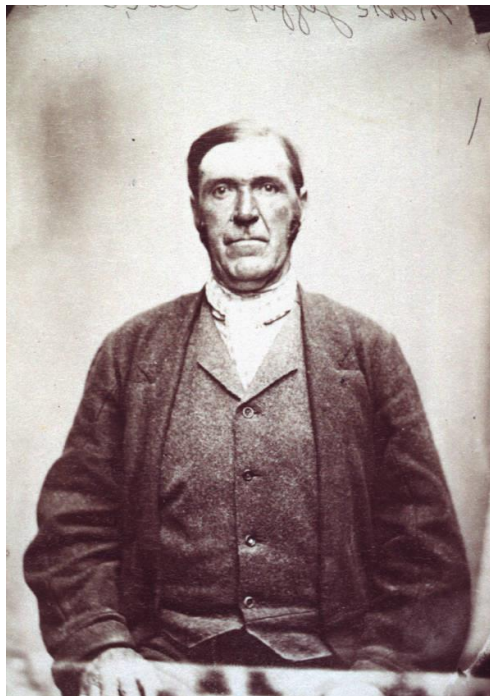
Before digitalisation projects like Old Bailey Online and Digital Panopticon, assembling data with this detail would have been a pain-staking business requiring many hours sifting through archival documents, hoping that every required document ordered was in physically good enough state to be allowed for public use, or otherwise being resolved to scrolling through microfiche and rolls of microfilms. Digitisation has made the search for a convict ancestor much quicker and easier, and additionally the Digital Panopticon has organised the data in a way which makes it relatively simple to storify the chronological data and to produce impressionistic vignettes. Edward Vidler's life was given as an example on the website (below is an extract):

“Edward Vidler was born on 30th August 1820 close to Newgate Prison, an institution that would one day be his temporary home. Edward's parents, John and Rachel Mary Vidler, were coal merchants in London and Edward acted as clerk for their business activities. In the prison records he is described as being able to read and write well, and as ‘very intelligent’, suggesting he enjoyed some level of formal education. In his early 20s, Edward moved out of home and into the city mile of London. He prospered, until he fell foul of business practices, and found himself prosecuted for fraud in 1848. Edward's Old Bailey trial transcript is brief. However, because Edward was convicted of a substantial fraud, forging a document ordering £350 of goods, this ensured a hefty sentence. He was sentenced to penal servitude for ten years in June 1848. He was deposited in the hulk, Defence, moored in the River Thames. Like many others sentenced in the 1850s, although sentenced to be transported to Australia, he never actually embarked on the journey. He served his sentence entirely on the hulks, until released on one of the first tickets-of-leaves issued in the United Kingdom in 1853. Edward had almost half of his sentence remitted, nearly five years, with the condition that he did not consort with thieves and prostitutes, and, of course, did not commit any further offences. However, Edward did not stay out of trouble for long. Within six months of his release he committed a similar offence to his 1848 conviction. On 12th June 1854 he was again indicted at the Old Bailey and convicted of forging a cheque purporting to have been legitimately signed by Lieutenant Colonel Jebb of the Royal Engineers. He received another decade of penal

servitude as punishment, as well as being liable to finish serving his original sentence. It appears that Edward wanted to be transported to Van Diemen's Land. He pleaded with the magistrate who committed him to the Old Bailey from Mansion House Sessions House that, this time, he should be sent their [*sic*] straight away rather than spending more time on the hulks, stating 'I wish you would commit me at once for trial. I wish to go abroad as soon as possible'. Edward Vidler never did make it to Australia. He did not even make it to a hulk. He died very shortly after being sentenced, aged 34, and was buried in Westminster in the autumn of 1854. We do not know why he died, although his 1848 prison records say he was already then suffering from a 'debility'. It is possible he was already prone to illness, and that five years on the hulks, and imprisonment, saw him further deteriorate."

Edward Vidler endured his penal servitude on British soil but could easily have become one of the 168,000 who were transported to Australia. Mark Jeffrey was one such man, whose life history is also [recorded in the Digital Panopticon](#).

Photograph of Mark Jeffrey, from the Digital Panopticon website:



Mark was born in 1825 in Newmarket and grew up with a violent and drunken father. Mark and his brother ran away from home aged fifteen and worked at fairs around Cambridgeshire. He became a relatively successful prize-fighter and put his fighting skills to good use in several altercations with his mother's new partner before fleeing to join a group of burglars operating in and around London. Mark was convicted of burglary and sentenced to convict transportation. Mark, his brother and co-defendants, were all sent to Millbank prison to await an available ship. Whilst at Millbank Mark contracted cholera, which barred him from joining the same ship to Australia that his brother sailed on. Awaiting another ship on the "Warrior" hulk at Woolwich, Mark complained constantly about the amount and quality of the food he was given. He fought constantly with other inmates and when he became enraged at the poor rations, he hit the guard who was doling out the rations with a piece of wood. He was charged with wounding and conveyed to Newgate prison (assaulting two more guards en route) to await trial at the Old Bailey. There he was sentenced to fifteen years transportation, sailing on the Eliza in 1849.



On Norfolk Island he was first employed as a gardener, then a police constable, until his misdemeanours reduced him to labouring on work parties until the Norfolk Island facility was closed and he was transferred to Port Arthur, the prison for repeat offenders in Van Diemen's Land (now Tasmania).

Mark was subsequently released on a ticket-of-leave (a form of conditional release) but not for long. In 1856 as he was returning home after a night's drinking, and after a series of rows with local people, he "playfully" slapped a police magistrate. His ticket-of-leave was revoked, and he was returned to Port Arthur. The Governor of Port Arthur considered that Mark's time would be best spent helping constables in the northern part of Port Arthur territory. For a time, Mark got on well, selling snared kangaroos to locals in partnership with the constables. He was again conditionally released. Over the next decades, although the convict era had come to an end, Mark was found guilty of assaults throughout Tasmania and returned to gaol many times. In 1871 he fought a man in a pub who had insulted him, culminating in the man's death, and Mark's conviction for manslaughter. He was sentenced to life in prison and returned for a third time to Port Arthur.

In order to keep him away from other prisoners, Mark was sent to work as the gravedigger on Port Arthur's "Island of the Dead" where dead convicts were laid to rest. On the Island, Mark claimed to suffer from nightmares, and his health, both mental and physical, was poor. As a result, he was released into the care of Launceston Invalid Station. Rather surprisingly he was a popular patient, and in the 1890s he became the General Controller of the Station. In 1893 he fell into ill-health again; he finally died in 1903 aged 68. The information on his life was written into the criminal and convict records and found in Digital Panopticon, and also in his autobiography which he completed a few years before he died.

The existence of the autobiography greatly added contextual detail to Mark's biography. The descriptions of his life's events obviously range much more widely than the details held in official records. Online newspaper reports of Mark's trials and offences also added detail that was not present in the official court and prison reports that informed the Digital Panopticon outline of Mark's life. Some projects, such as the [Prosecution Project](#) link trial reports directly to an online newspaper report, Digital Panopticon merely provides the data needed (name of defendant, date and place of trial) for a researcher to find a relevant online newspaper report. Autobiographies are extremely rare compared to newspaper reports of offenders and their contact with the criminal justice system, but the availability of all non-official sources raises issues about the accurate recording of a person's life history. Many, perhaps most, researchers have an additive approach. They populate the life history with details wherever they are found – the trial date, offence details, and outcome from official records, with the name of the victim added from a newspaper, some details of the pub, town, city, etc. where the offence took place added in from local history records or books written by historians. The data is not hierarchically ranked where it does not overlap, one does not automatically take precedence over another, but what happens when there is contradictory data? Historians rightly treat autobiographies with some scepticism, and where Mark's story contradicts the official record (the reasons why he would portray events in the way he does is of course very interesting and revealing in and of itself), it is likely that the official record is more accurate. That is not to say that the official record should always "trump" unofficial data, not at all. However, Mark's account of himself and his activities contradict numerous other sources (newspapers, court and other records) in a way that suggest he is presenting a very sympathetic portrait of himself. In other records, the meaning and reason as to why data is missing, or is contradictory, is less clear.

This problem commonly arises with regard to census records. The official criminal justice records may record a different date of birth from census records – indeed it is not unusual for different decile censuses to record different dates and places of birth for the same person. One person, presumably born whilst his father was on overseas military duty, had his place of birth (a town now in modern Pakistan) spelt three different ways in the 1850, 1860, and 1870 censuses, before it is recorded as “York” in 1880 as he had either become fed up of trying to spell it out once again for the census enumerator, or had decided that he now identified as Yorkshire-born in order to “fit in,” or simply because he had a different sense of belonging.

When there is contradictory data, some report “fuzzy data” where, say, the date of birth is recorded as 1838-1840, or c.1839. Others will determine which they see as the most reliable source and ignore contradictory data. Both approaches have their benefits and disadvantages. The key is to make known which approach has been taken. It may be that it is impossible to determine the date of birth – in an age of widespread illiteracy many people did not know their year of birth and rounded up or down to the nearest “0” or “5.” This results in age-heaping in historical big data, where there is an over recording of people aged 20, 25, 30, 35, 40 and so on. Of course, this is only possible to see when lots of [lives \(and data\) is made comparable](#).

Both Edward and Mark’s experiences of the criminal justice system can be compared with others by using visualisation tools on the Digital Panopticon site, together with the series of explanatory webpages which explain how the criminal justice system worked, types of contemporary punishment imposed, prevailing socio-economic conditions in the eighteenth and nineteenth centuries, and so on. These all help to put specific cases into a general context, and also fulfil an educational objective (for example the explanatory pages are well-used by school and university students). They have also been used by programme makers, artists, and digital forensic archaeologists, to develop theatre productions, taking data well beyond its usual boundaries, and using it in ways never imagined by the original collaborators in the Digital Panopticon project. In terms of academic investigation, the Digital Panopticon team of academics from the Universities of Liverpool, Oxford, Sheffield, Sussex, and Tasmania have produced over a hundred publications using this chronological life history data on the epistemological foundations of the data; intergenerational health and social inequalities; digital dark tourism, recidivism and the “effectiveness” of punishment.

The 1853 Penal Servitude Act created a natural experiment when thousands of men like Vidler and Jeffrey could either serve their sentence of penal servitude in Britain or in Australia. Between 1853 and 1868, both in theory and in law, any man convicted of an indictable offence could expect to either set sail for the southern hemisphere, or to spend years in confinement behind British prison walls – a unique moment in the penal landscape when no man in the dock would know where they would serve out their sentence, and an opportunity to use the data contained in the Digital Panopticon to compare the lives and experiences of similar men who were convicted of similar offences but who had received vastly different punishments. Researchers have uncovered startling success stories for individual Australian convicts who made relationships, money, and a good life in their new homeland (Hasluck 1959; Erickson 1983; Maxwell-Stewart and Hood 2001; Hyland 2004). There are, however, very few success stories for British convicts. Australia’s foundational myth insists that, once convicts had left behind class-bound and declining “Old England,” the “Lucky Country” rewarded their energy and ingenuity with bountiful natural resources, a “clean slate,” and a second chance. British narratives of imprisonment, however, seemed to portray a country that was “stuck with” a growing convict population who made no contribution to the economy (rather the convict estate was seen as a significant drain on the Treasury) and whose recidivism was a constant public and media concern. This has not been challenged by historians or criminologists. Little attempt has been made to use prosopographical

methods to analyse groups of convicts and prisoners or to examine how their lives unfolded over time (Godfrey 2011, 2015).

Prosopography has a long history, having begun as a way of studying the connections and networks between elites in the Classical world. It then developed into a technique of comparing groups of people, again usually elites (doctors, scientists, lawyers, and other professionals). Of late, it has been used to examine the lives of the poor. For example, Godfrey et al. (2007, 2010, 2017) examined groups of young and adult convicted men and women in the UK. After constructing life histories of between 300 to 600 people, data was transcribed into a database. Communalities of experience and coincidences were then explored. For example, it was possible to examine general patterns of desistance from crime by analysing the coincidence of structural factors operating at individual level (marriage/relationship formation, employment, birth of children) and subsequent offending/desistance from offending (see Farrall, Godfrey, and Cox 2009).

Whilst Godfrey et al. only analysed a few hundreds of people (and that consumed a great deal of resource, taking over two years in total), resources such as The Digital Panopticon allow a new method, what might be termed “Aggregated Prosopography” or “Big Data Prosopography” or some such, to emerge. This method looks for patterns and coincidence across not hundreds but thousands of people, in an attempt to provide rigorous analysis using quantifiable data resulting in significant statistical data. For example, by aggregating the thousands of individual life-histories in the Digital Panopticon, Godfrey (2019) was for the first time able to answer a long-established historical question (one that Jeremy Bentham originally posed in the eighteenth century), [which was more effective, imprisonment or convict transportation?](#)

Using Digital Panopticon data to compare rates of reoffending amongst Australian and British convicts it became evident that both sets of incarcerated men continued to appear in the courts for both petty and serious offences following their initial punishment. Australian convicts had lower reconviction rates, and were slower to be reconvicted than British convicts, but Godfrey (2019) found that the statistics for both systems are damning. Neither the Australian nor the British convict systems were effective. Neither system achieved one of their main aims of significantly curbing re-offending. Many people who went through “the system” (in the UK and in Australia) were reconvicted. Alongside our analysis of the different rates of reoffending in each system of punishment, we should first note their remarkable efficiency in manufacturing such high rates of recidivism. It would have been impossible to make this assessment without the data contained in the Digital Panopticon, or indeed to answer a range of other important historical questions. As Godfrey stated in 2016:

“Online digitized data has the power to transform crime historical research – liquefying historical research. The scale of digital data, and the speed with which it can be accessed, have engendered new forms of crime history which have the capacity to shift the theory and practice of history with a rapidity hitherto not encountered. Whereas traditional forms of historical enquiry use data for academic research, liquid crime history is also very much concerned with the production of data for the general public. This democratization of data allows all viewers to interpret the data for themselves and re-interpret what the academic experts have posited.”

In servicing the need for non-hierarchical citizen investigation, the Digital Panopticon and other digital data projects are particularly important in correcting imbalances in the preservation and availability of data. Recently the Department of Archives and History for Alabama [published a letter apologising for past policies](#) which hid and destroyed records of African American citizens. The surviving records in Alabama, and other US states, contain vast amounts of data about prisoners (the majority of whom were formerly enslaved people and their descendants; see [this](#)



[article](#)). The data has the power to unlock the lives of some of the poorest and most disadvantaged people, and to power academic and genealogical research. The data could help to quench a thirst for thousands of people who want to know more about their recent ancestors' lives, their experiences and their struggles – and, not least, show how they recovered from disadvantage to rebuild their lives. Schoolchildren, undergraduates, descendants of formerly enslaved people, and historians of all kinds would be able to access data which was never meant to be seen by them, but which is an important part of their individual and collective history. However, the data is still held behind a paywall, and is therefore not fully available to all. Public funding for large digital projects will help to democratise data such as this for all communities, and for all types of scholars, but only when large-scale funding is made available. Until then, online collections of digital data are likely to reproduce biases already detectable in historical archival collection policies.

Of course, it should be remembered that digital archives are not (or should not be) a substitute for archival study. If you can gain everything you need for your historical study from digital sources, your study may be too limited. Websites should allow some research questions to be answered, and some research questions to be formulated, however, it would be very rare for any website to do both. The temporary closure of archives, local studies departments in libraries, and other repositories, due to coronavirus, together with the longer-term decline in public funding for archival work, means that digital sites are invaluable. However, contextualising the information they find online may still involve a visit to the archives. It is the difference between ordering the book you need from Amazon and finding the book you did not even know you needed from browsing the shelves of the local bookshop.

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