

SWEET FANNY ADAMS AND SARAH'S LAW: THE CREATION OF RHETORICAL SHORTHAND IN THE PRINT PRESS

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Abstract

This article considers two cases of female child murder, modern and historical, where the victims have become household names. The framing of these cases in the print press is explored in order to address how similar cases resulted in the divergent use of victims' names and how the names of both victims became emblematic. It is suggested that addressing ideological backdrops, specifically conceptualisations of childhood and how these can be linked to more disparate concerns, is vital in explaining this etymological divergence. More generally, it is suggested that how an episode has been received is reliant upon how these ideological constructs have been exploited by the print press.

Keywords child murder, constructions of childhood, moral panic, Sarah Payne, Fanny Adams, *News of the World*.

Introduction

Fanny Adams *N Brit. sl* 1 (usually preceded by *sweet*) absolutely nothing at all. 2 *Chiefly naut.* (formerly) tinned meat. [C19: from the name of a young murder victim whose body was cut up into small pieces. For sense 1: a euphemism for *fuck all*.]²

Sarah Payne ... the child sex offender disclosure scheme, which enables members of the public to ask the police whether an individual (e.g. a neighbour or family friend) is a convicted sex offender. The scheme is commonly referred to as "Sarah's law" after Sarah Payne, who was abducted and murdered by a man with a previous conviction for abducting and indecently assaulting another young girl.³

Although it is a truism that the names of perpetrators are more often remembered than the names of their victims this has not been the case for Fanny Adams or Sarah Payne, but how these young girls have been remembered differs remarkably. The term 'Fanny Adams' has passed into popular parlance as a pejorative slang term, whereas Sarah Payne has come to be positively associated with greater public

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² J.M. Sinclair (General Consultant) *Collins Concise Dictionary* 4th ed. (Harper Collins, 1999)

³ S. Lipscombe *Sarah's Law: the child sex offender disclosure scheme* (Commons Library, 6 March 2012)

access to the details of sexual offenders by virtue of the Child Sex Offender Disclosure Scheme.⁴ Given the well-established link between Sarah's name and the scheme it is suggested the term 'Sarah's Law' will live on post popular memory of her murder.

First glance suggests very different responses to these 'remembered' victims. The popular use of Fanny's name implies this Victorian child victim of a savage murder was treated as inconsequential, or at worst, taken as a figure of humour. That the name of a child could be used as a euphemism for 'nothing at all' is remarkable, and becomes all the more striking when set against the Sarah Payne case. This article will address how these cases attracted widespread attention and transformed their victims into household names. How the popular usage of the names emerged will be examined by an appraisal of the print press presentations of the murders, touching on moral panic theory but with the emphasis upon the ideological conceptions that underpinned the respective social and criminal justice landscapes.

1 Labelling and the Ideological Underpinnings of Murder

Criminologists typically approach terminologies through the lens of criminal labelling and stereotyping. How or why names or phrases related to legal personalities, victims and perpetrators have become emblematic is rarely considered, despite the names of notorious evildoers such as Dr Crippen and Jack the Ripper passing into popular parlance as names representing archetypal criminality. One may excuse this omission as disregard for the obvious; these are names understood in their true context, as signifiers of the worst excesses of humanity. But it is striking that these names remain widely understood and used as shorthand frames of reference to contextualise modern incidences. For example, Peter Sutcliffe gained the moniker the Yorkshire Ripper in reference to his predecessor Jack and more recently the Suffolk Ripper, Steve Wright, was bestowed with the ripper title - one synonymous with multiple murders of women. Likewise Dr Crippen has become the signifier for the murderous doctor, referenced for example in the Dr Harold Shipman case (despite a number of obvious inconsistencies in their respective crimes). The modern press favours the use of historical echoes to underline and contextualise cases, for example the Mary Bell case was widely drawn upon in the James Bulger case and

⁴ s.327A and s.327B Criminal Justice Act 2003 as amended by the Criminal Justice and Immigration Act 2008.

James Bulger in the Edlington case.⁵ These infamous names quickly reduce criminal incidences and perpetrators into rhetorical shorthand, demonstrating we can easily reach back into history and use such to reinterpret modern incidences. Despite this, few victims have achieved linguistic prominence; they have more often been rendered socially invisible, rarely remembered post the reportage of their cases. The two victims discussed here are then notable in that they are remembered at all.

The fact that both Fanny Adams and Sarah Payne were victims of murder and homicide, particularly of a child, has typically been acknowledged as a criminal event worthy of press attention and the choice of murder victims here speaks to that typicality.⁶ The place of the print press in shaping the popularity of this trope cannot be underestimated. In the Victorian era newspapers were the principle vehicle for the dissemination of crime news to the masses and, although this is somewhat qualified in the modern day by the ready dissemination of information on radio, television and the internet, the primary press channels retain and have perhaps enhanced their presence through these mediums.⁷ Murder is of course an event that attracts media attention and the murder of a child inherently carries sufficient relevance and emotive interest to prompt press interest, particularly when it can be related to other deviant behaviours such as sexual abuse.

Newsworthy issues regarded as threats to the social order have typically been explicated through the lens of moral panic theory.⁸ This model analyses how an issue has been framed in the press and requires someone or something to firstly be defined as a threat to social values or interests. As Thompson (1998) has explained assuming homogeneity within society is important in the process of shaping moral panic as 'it is assumed that any social and cultural divisions are contained within that more fundamental consensus, and that we know how to use these frameworks.'⁹ A

⁵ The Edlington case concerned two brothers, aged 10 and 11 years, who lured two boys, aged 9 and 11 years, away from a park into nearby woods where the brothers forced their victims to strangle, hit with bricks, strip and sexually abuse one another.

⁶ S. M. Chermak *Victims in the News: Crime and the American News Media* (Westview Press, 1995); R. Ericson, P. Baranek and J. Chan *Representing Order: Crime, Law, and Justice in the News Media* (University of Toronto Press, 1991); M. Peelo et al., 'Newspaper Reporting and the Public Construction of Homicide' *The British Journal of Criminology* 44(2) (2004) 256-275; C. Greer *Sex Crime and the Media: Sex Offending and the Press in a Divided Society* (Willan, 2003).

⁷ For further discussion of crime news in the print press see J. Rowbotham, K. Stevenson and S. Pegg *Crime News in Modern Britain: Press Reporting and Responsibility 1820-2010* (Palgrave, forthcoming 2013).

⁸ S. Cohen *Folk Devils and Moral Panics* (Paladin, 1973).

⁹ K. Thompson *Moral Panics* (Routledge, 1998) p.59

threat that becomes a moral panic is then depicted by the use of stereotypes and the creation of folk devils by the media, resulting in rapid build-up of public concern and, when authorities or opinion-makers respond, the panic recedes or results in social change.¹⁰ Cohen's thesis was principally concerned with stereotyping individuals in light of the identification or re-labelling of a condition as 'new', but Kitzinger's thesis advances this by considering the long term influence of social or criminal episodes and suggests approaching new events through the template of similar incidences allows the media to swiftly explain a current event, highlight patterns and/or support the idea of an on-going problem. For example, she submits 'Watergate', 'the Moors murderers' and 'Jamie Bulger' have served as 'rhetorical shorthand, helping both journalists and audiences to contextualise new news stories'.¹¹ Clearly, the press frame criminality and bad behaviour by reference to known precursors and rhetorical shorthand is explicitly employed, as the recurrent use of the 'Ripper' label demonstrates. But while crime stories draw upon known precursors it is the underlying socio-legal context that drives how a case is presented and received, and the resultant rhetorical shorthand only captures a trace of the 'real story'.

Here social and legal conceptualisations of childhood and media motivations will be taken as primary influences on how these victims have been received and remembered, moving the discussion outside the somewhat linear confines of moral panic theory. These are not elements that can be drawn out by simply analysing reportage of the cases. Crime events are time specific - in the sense they are presented in terms contemporary readers will understand – and as such it is impossible to appreciate how a case is reported without an understanding of the ideologies that have fed into this. The following then firstly rehearses the reportage of the Fanny Adams and Sarah Payne murders in order to examine press treatments, but then goes on to locate these in their contemporary settings to fully understand the creation of emblematic child victims.

2 The Murder of Fanny Adams

The Alton Murder, as it came to be known, occurred in August 1867. Fanny, aged eight, her younger sister and a friend were playing in a meadow some 400 yards from the Adams' home in Alton, Hampshire. Sometime between 1 and 2 pm a local

¹⁰ Cohen, *Folk Devils and Moral Panics*.

¹¹ J. Kitzinger 'Media templates: Patterns of association and the (re)construction of meaning over time' *Media, Culture & Society* 22 (2000) 61-84.

man, later to be identified as Frederick Baker, introduced himself to the young girls (having sat on a nearby gate observing them) and enticed the girls to go with him to a neighbouring field to pick blackberries. Baker offered Fanny one-half-penny to accompany him along a path leading to the next village and gave Fanny's friend three-halfpence to take her sister away and leave the pair to their 'walk'. Fanny reportedly declined to go with Baker, but he took her hand and led her away as she cried. Her sister and friend stayed in the general area for a couple of hours waiting for Fanny to return, but went home at five o'clock when Fanny failed to come back. A search party was rapidly assembled and by seven o'clock the Adams' neighbours had begun to search the area in which the girls had been playing.¹²

The first sign of Fanny was her decapitated and mutilated head; recovered resting upon two hop poles in a hop garden that boarded the path Baker and Fanny had taken. A more detailed search was undertaken and further body parts found parted from the trunk, and scattered around the hop garden (known as Flood Meadow). A number of body parts remained unrecovered – the entrails, an arm and a foot and, perhaps notably, the vagina. It was postulated that these missing parts had been thrown into the nearby river and then washed away. The press, local and national, related the discovery of the body in grisly detail:

Towards the centre of the garden, but a few yards from the spot where the head had been left, the child's right leg was found; at some 40 yards distance, the body, *minus* the head and right leg, was discovered; and in the immediate neighbourhood were the intestines. In another direction the right ear and the heart were picked up; in a field separated from the garden by the road, the left foot was found, which in all probability was thrown across the lane by the murderer; and beneath a hedge on the north side of the garden the left arm of the child was found concealed in the grass. It will thus be seen that in no less than seven places were portions of the body of the poor child discovered; and not the least remarkable feature of this horrible story is that the body was cut to pieces, in such a spot and at such a time, without the murderer being seen during any portion of his fearful task.¹³

Fanny's murder was reported at length in both the national and provincial press, headlined in such as the *Hampshire Telegraph and Sussex Chronicle* as 'The Revolting Murder of a Child'¹⁴ referred to as 'horrible and sickening' and dubbed as a murder without parallel.¹⁵ The case was understood as one which threw 'all recent

¹² *The Times*, 6 December 1867.

¹³ *Hampshire Telegraph and Sussex Chronicle*, 28 August 1867.

¹⁴ 28 Aug 1867.

¹⁵ *The Sheffield & Rotherham Independent*, 28 August 1867.

murders into the shade'.¹⁶ Without exception the press expressed outrage and disgust at the murder of this young victim, at a level not dissimilar to the coverage of the murder of James Bulger in 1992.¹⁷

Reports of the murder revealed the grisly aspects of the crime and reduced Fanny, at least notionally, to a collection of body parts rather than a young girl. This said, despite concentration upon this shocking nature of the crime the press did not treat the murder of Fanny any differently than other young murder victims. Given the state of the body those details which may contemporarily be considered gruesome and voyeuristic were rehearsed in significant detail throughout the coverage. However, the state of the corpse was central to Victorian murder cases and vivid descriptions in the press provided an image of these murders around which trials, verdicts and criminal liability could be understood and disseminated. Child victims did not reap lesser or more delicate coverage than adult victims, for example the murder of George Burgess a 2 year-old boy in 1861 was similarly subject to graphic reportage as the press reported:

The back of the head was not in the water, and its buttocks were a little exposed. Its face rested upon a large stone in the brook, and, on being raised out of the water the nose appeared pressed with being upon the stone. It was quite naked with the exception of clogs; and on its back were several stripes, which had evidently been inflicted whilst the body was naked.¹⁸

And in the aftermath of the 1862 murder of the infant Saville Kent by his half-sister Constance the press recited the coroner's report that:

There was a stab on the left side, cutting thorough the cartilage of two ribs. The mouth had a blackened appearance with the tongue protruded between the teeth. I think this was produced by forcible pressure during life, but there was no abrasion of the tongue or lips to show that anything had been pushed into the mouth. The throat was cut from one ear to the other, dividing it all down to the spine. ... The stab in the chest had not penetrated the heart, but had pushed it out of its place, and pierced the diaphragm, and slightly wounded the outer coat of the stomach, on the right side of it.¹⁹

The Victorians found no conflict in the use of such visualised prose and dignity in death. Although descriptive prose captured audience attention it also served as a tool

¹⁶ *The Essex Standard, and General Advertiser for the Eastern Counties*, 28 August 1867. It must be noted that the Victorian press were fond of dubbing cases as without parallel or exceptional.

¹⁷ For further discussion of the reportage and responses to the Bulger case see J. Rowbotham, K. Stevenson and S. Pegg 'Children of Misfortune: Parallels in the Cases of Child Murderers Thompson and Venables, Barratt and Bradley' *The Howard Journal of Criminal Justice* 42(2) (2003) 107-122.

¹⁸ *The Macclesfield Courier and Herald*, 20 April 1861.

¹⁹ *Daily News*, 28 July 1860.

for the dissemination of crimes perpetrated, and ultimately the legal responses and retribution meted out. Such coverage informed the populous that the perpetrators of these horrors were diligently searched for and ensured public engagement and consequent respect for the machinations of the criminal justice system. Although we may contemporarily view these vivid and bloody descriptions of child victims by the Victorian press with distaste they were commonplace. Descriptions of the mutilation only provided ammunition for what was later to become a naval joke; it did not speak to a lack of social conscience.

There was little doubt the offender was Baker. It was evident Frederick had left the area in which the girls were playing accompanied by Fanny. Upon returning home her two young companions had passed a neighbour, Mrs Gardiner, and told her Baker had left with Fanny. When Mrs Gardiner later enquired of Frederick what he had done with the child he had replied 'nothing' and she had answered that she had a good mind to go to the police. Mrs Gardiner was patently suspicious of Baker, more so than perhaps the facts at the time demanded. Interestingly the *Illustrated Police News* provides some context for this reporting Baker had left his previous place of residence, Guilford, under a cloud as he was under suspicion for having led a young girl away to chalk pits for nefarious purposes.²⁰ Once Fanny's body had been discovered the police had quickly proceeded to Baker's workplace where a diary, bearing an entry in his hand, was found that detailed 'Killed a young girl. It was fine and hot'.²¹

The prosecution case rested principally upon Baker being the last known person seen with Fanny, spots of blood on his clothing (his shirt sleeve) and the entry in his diary. The defence case was rather predictably that Baker was insane, a fact to which his father testified, although his testimony extended only to the fact that Frederick had been a sickly child, was prone to attacks of fever as a teenager and depression in young adulthood.²² Further witnesses, including his sister, a bricklayer and a woman with whom he had lodged, gave evidence that Baker had appeared depressed. Insanity was a common plea in the period but it appears unlikely Baker was legally insane,²³ he held down a steady and respectable job as a clerk in a local

²⁰ *Illustrated Police News*, 14 September 1867.

²¹ *The Times*, 6 December 1867.

²² *The Times*, 6, 7 December 1867.

²³ Legal insanity was subject to the same test as today, the M'Naughton rules – rules which demand the defendant is suffering from a disease of the mind which causes a defect of

solicitors firm, appeared calm and collected after the murder – even stopping for a drink at a local pub on the way home - and strenuously denied his guilt, calling witnesses to testify on his behalf. The jury rejected his plea and reached a guilty verdict after 15 minutes of deliberation, a normal period for a Victorian jury. Baker later confessed his crime in a letter to Fanny's father and was hanged outside Winchester Prison on Christmas Eve 1867, his execution was attended by an 'orderly crowd' of 5,000 to 7,000 persons.²⁴

3 Responses to Baker and the Creation of 'sweet Fanny Adams'

Baker, 'the slayer of an innocent and unoffending child',²⁵ was derided in press and verse.²⁶ The local populous were undoubtedly moved by the murder of Fanny, jeering at Baker post arrest,²⁷ collecting funds for a gravestone and attending the burial in significant numbers.²⁸ Baker was quite clearly the subject of public disgust. For example, when removed from his committal hearing the rowdy crowd gathered outside the court were considered so dangerous that two hours passed before it was deemed safe to remove Frederick from the premises and upon his exit the dwindled crowd still sought to upset the cab in which he was being transported.²⁹ The print press rightfully reflected the social outrage felt both locally and nationally, as the *Illustrated Police News* intoned, any suggestion of insanity adduced on behalf of Baker was evidence of misplaced sympathy by the authorities.³⁰

In retrospect it appears likely that Baker was a predatory sexual offender and his actions, and indeed perhaps his depression, was motivated by his disgust or confusion. The suggestion by the *Illustrated Police News* that Baker had previously led a young girl away would support this proposition. It may also be suggested that the removal of the vagina was purposeful, in order to prevent any obvious damage

reason and results in the defendant either not realising the nature and quality of his act or that what he has done is legally wrong.

²⁴ The number is disputed see *Cheshire Observer and Chester, Birkenhead, Crewe and North Wales Times*, 28 December 1867; *The Huddersfield Chronicle and West Yorkshire Advertiser*, 28 December 1867; *The Times*, 27 December 1867.

²⁵ *Illustrated Police News*, 28 December 1867.

²⁶ C. Hindley, *Curiosities of Street Literature* (Reeves and Turner, 1871) p.205.

²⁷ *The Essex Standard, and General Advertiser for the Eastern Counties*, 28 Aug 1867.

²⁸ Inscribed 'Sacred to the memory of Fanny Adams aged 8 years and 4 months who was cruelly murdered. Fear not them which kill the body, but are not able to kill the soul but rather fear Him who is able to kill both body and soul in hell. Matthew 10 v 28.' This stone was erected by voluntary subscription.

²⁹ *Hampshire Telegraph and Sussex Chronicle*, 31 August 1867; *Home News*, 2 September 1867.

³⁰ 28 December 1867.

being noted - although clearly this could only ever be supposition.³¹ In reality, Fanny's injuries were so heinous it would have been difficult, if not impossible, to reveal whether a sexual assault had taken place. Baker himself related a confession in which he attributed his actions to drink.³²

While the Victorian press were happy to present vivid gory details concerning the state of the corpse to the reading public they were reticent when it came to discussing sexual motivations, although the *Illustrated Police News* went so far as to suggest that Baker had indulged in cannibalism. In a very peculiar report they discuss the gastronomic exploits of Baker, said by locals to be something of a champion competitive eater despite his slight frame. The paper concludes that they leave their readership to 'judge the probability, or we might say possibility, of the gastronomic exploits of this young man.'³³ Overall the press coverage signalled that this case was one of national significance, particularly given the horrific nature of the disposal of the body. However, it did not raise any wider issues, any widespread concern or moral panic regarding child safety or child murder.

While the coverage given over to the case was neither unusual in content (cannibalism aside) or in volume, what was unusual was the manner in which the terminology of 'sweet Fanny Adams' then rapidly and enduringly passed into popular speech. The term became popular in England and in Australia (perhaps because of naval links in the period) and the term is understood to be an interchangeable euphemism for something of no significance, something that holds no value, or 'sweet F.A.' It is not clear whether the term was originally used as a more socially acceptable method of expressing distaste than by swearing ('sweet fuck all') or whether it was simply used as a term to mean something of no value. Sweet is of course used in this phrase as an adjective meaning absolutely or completely.

One question that arises when addressing the aptness of the appropriation of this young murder victim's name as a slang term is whether we can truly attribute the term to *this* murder. The phrase is most popularly associated with a delivery of spoiled tinned meat received by the British Royal Navy after the murder. As contemporary concerns regarding the adulteration of foodstuff sparked public

³¹ Baker himself denied committing any other crimes against Fanny see *Cheshire Observer and Chester, Birkenhead, Crewe and North Wales Times*, 28 December 1867.

³² *The Times*, 27 December 1867.

³³ *Illustrated Police News*, 14 September 1867.

concern and panic and new methods of meat preservation were viewed with suspicion³⁴ it is unsurprising the chopped and spoiled appearance of the meat the Navy had received prompted a joke that it was the remains of young Fanny Adams.³⁵ This was not a wholly unusual use of a murder victim's name, a number of sources make reference to Harriet Lane (a similarly dismembered murder victim) being used as the slang term for tinned meat by the Australian naval force.³⁶ Despite this, Fanny Adams was not an unusual Victorian name and a number of sources attribute the naval use of the term to the murder of Fanny Adams in 1812.³⁷ However, no homicide concerning a Fanny Adams can be located in that year and where a narrative is recounted by those seeking to attribute it to this earlier 'case' it remains the same as the 1867 case. Although the tinned meat story is difficult to substantiate the *Pall Mall Gazette* does illustrate and fix the use of the term sweet Fanny Adams to the Navy as early as 1887.³⁸ Although this etymology cannot be conclusively substantiated it is perhaps sufficient to proceed on the basis that the sources cited considered it appropriate to attribute the murder to the terminology, this in itself is an unusual use of a murder victim's name.

4 The Murder of Sarah Payne

As a 2001 editorial in *The Times* highlighted the Sarah Payne case 'began with the innocence of a Famous Five adventure'.³⁹ Sarah was, similarly to young Fanny,

³⁴ For example see S. Morton 'A little of what you fancy does you....Harm!!' in J. Rowbotham and K. Stevenson, *Victorian Crimes, Social Panic and Moral Outrage* (Ohio State University Press, 2005).

³⁵ For example, the term is attributed to the murder in the following texts; M. Morton, *Cupboard Love: A Dictionary of Culinary Curiosities* (Insomniac Press, 2004); M. Robson, *Not enough room to swing a cat: naval slang and its everyday usage* (Conway Maritime Press Ltd, 2008); E. Stanko (ed.) *The meanings of Violence* (Routledge, 2002); S. Griffiths and J. Wallace, *Consuming Passions: food in the age of anxiety* (Manchester University Press, 1998); *Pall Mall Gazette*, 23 July 1887. The *British Medical Journal* also made reference to the term as a slang term for tinned meat in its review of 'Notes on Quarantine Practice for Quarantine Officers' A guide for the Commonwealth of Australia, *The British Medical Journal* v.2 no.3427 11 September 1926, p.495.

³⁶ Harriet Lane is referenced in a number of texts as an Australian alternative for Fanny Adams. This crime possibly occurred in London (Whitechapel) and the term is referenced in a number of texts including; E. Partridge, *A Dictionary of Slang and Unconventional English: Colloquialisms and Catch-phrases, Solecisms and Catachreses, Nicknames, Vulgarisms and Such Americanisms as Have Been Naturalized* 5th ed. (Routledge, 1961) P.R. Wilkinson *Thesaurus of Traditional English Metaphors* (Routledge, 2002) .

Jane Shore (or Shaw) is also mentioned as an interchangeable slang term which arises from a murder victim in E. Partridge and P. Beale *A Dictionary of Slang and Unconventional English* 8th ed. (Routledge, 2002).

³⁷ Among others; B. Gibson, *The Pocket A-Z of Criminal Justice* (Waterside Press, 2009); E. Partridge and J. Simpson, *The Routledge Dictionary of Historical Slang* (Routledge, 1973)

³⁸ *Pall Mall Gazette*, 23 July 1887.

³⁹ *The Times*, 15 Nov 2001

playing with her brothers and sister on 1 July 2000 in a cornfield close to her grandparents' home. Sarah's disappearance was noticed by her brother almost immediately and a search, initially led by her family and later by the police, was swiftly undertaken. As her absence stretched into days press coverage was unrelenting, as newspapers variously sympathised with the Payne family plight, pontificated upon what could have happened to Sarah and reported the search in significant detail. Sarah's dead body was found 17 July 2000 about 15 miles from her grandparents' home, left in woods at the side of the road. The discovery of the body was detailed extensively in the print press, albeit in significantly less gruesome detail than that of Fanny's. The coverage in the *Independent* was typical of the press coverage we expect in a case of child murder in the modern period, muted in grisly detail but alluding to sexual overtones:

Police launched a murder inquiry yesterday after confirming that the body of the young girl discovered in a Sussex field was that of Sarah Payne, a missing schoolgirl. While officers refused to reveal details, they said a post-mortem examination revealed she had been killed in a "physical attack" and not with a weapon. She had also been stripped naked, though police declined to say whether she had been sexually assaulted.

Yesterday morning, as Assistant Chief Constable Nigel Yeo made the announcement at a press conference, he called for a moment's silence in memory of Sarah and out of respect for her parents. "As a result of a post-mortem this is now a murder inquiry," he said. The information is that Sarah was probably placed in that field on the first weekend of July. "She was unclothed; the clothing we have yet to find. That's what we are looking for in the field. The parents have been told everything - well, everything we know."⁴⁰

The response to the murder was unrelenting and can certainly be termed a moral panic. Once Sarah's murderer had been identified as Roy Whiting, a sexual offender already known to the police, the response of the press (and wider media) was fervent, and a campaign spearheaded by the *News of the World* and Sarah's mother, demanded a shift in policy toward public access over privacy in the case of convicted sexual offenders. Various press vehicles took a similar tack deriding the Government for a lack of action.⁴¹ The *Mirror* intoned the 'Police must warn parents of monsters'⁴² and shadow Home Secretary William Hague hit out in the *Sunday Times* at 'the apparent powerlessness of our society to protect an eight year-old girl playing only a few yards from her grandparents' home...'⁴³ The *Mirror* suggested that the only way

⁴⁰ *The Independent*, 19 July 2000.

⁴¹ There were press dissenters in this call for greater public access to the sex offenders register, most notably *The Guardian* and the *Observer*.

⁴² *The Mirror*, 25 July 2000.

⁴³ 13 Aug 2000.

of dealing with 'these evil people' was to jail them for the remainder of their lives⁴⁴ and the *Sun* headlined its 'big issue' as 'Death penalty is only punishment for Sarah's killer'.⁴⁵ Neither call was realistic within the confines of the sentencing provision. Public sentiment also ran high and although a service to remember Sarah's life had been peacefully attended by 800 people a number of protesters on Portsmouth's Paulsgrove estate responded violently when a resident was named as part of the *News of the World* 'Name and Shame' campaign and 50 arrests were made.⁴⁶ Just as Baker had been subject to public vilification so too was Whiting as he was verbally abused by more than 200 people as he appeared for a preliminary hearing.⁴⁷

Although Sarah's killer was apprehended and convicted this did not bring social concern to an end; Whiting was merely held to be representative of a pernicious threat posed by such offenders. As the *Mirror* asked, 'Sarah: latest in line of horror - how can we stop this despicable slaughter of our young children?'⁴⁸ The *News of the World* was the most vigorous in pushing this theme of the murderous paedophile adopting a form of campaigning that would have been familiar to a Victorian readership exposed to W.T. Stead's Maiden Tribute of Modern Babylon, the plight of factory children and the press furore concerning baby farming - by printing photographs and details of known child sexual abusers and posing the question 'Does a monster live near you?'⁴⁹ Drawing upon the American Megan's Law⁵⁰ the *News of the World* asserted the threat posed by paedophiles could only be conquered by greater public access to the whereabouts of sexual offenders, a scheme they termed 'Sarah's Law'.⁵¹ The broadsheet press also related the murder as a continuing indictment of a society failing children. As a *Guardian* headline had claimed in 1993 the Bulger case had been 'The Murder of Innocence' a case which exposed 'once again our society's growing indifference'.⁵²

⁴⁴ 20 July 2000.

⁴⁵ 20 July 2000.

⁴⁶ For further discussion of the moral panic raised see C. Critcher, 'Media, Government and Moral Panic: the politics of paedophilia in Britain 2000-1' *Journalism Studies* 3(4) (2002) 521-535.

⁴⁷ *Guardian*, 8 February 2001.

⁴⁸ 18 July 2000.

⁴⁹ 23 July 2000.

⁵⁰ Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act 1994 (popularly - and in conjunction with other Acts - known as Megan's Law) required States to track sexual offenders and allowed for the release of information concerning their whereabouts. The release of information is handled differently by each State, for example, some notify communities that an offender is in the area and others have searchable websites.

⁵¹ 30 July 2000.

⁵² *Guardian*, 16 February 1993.

Whiting's trial began in November 2001 and prompted a further flurry of coverage which returned the focus once again to the murder of Sarah rather than the more generic themes of murder and paedophilia. News reports did not dwell on the state of the corpse, but were explicit in terms of the sexual motivation of Whiting. It is indisputable that Sarah's murder became totemic because of the manner in which this narrative could harness the child abuse rhetoric that had preceded it. The furore that followed the case principally rested upon the abduction of Sarah by a dangerous stranger and Whiting, like Baker, was quickly relegated to the role of the bogeyman, the 'other'; part of a deviant class reserved for those socially recognised as abnormal. Equally, no excusatory rhetoric concerning insanity could be raised as Whiting was (as Baker was found to be) legally sane. However, unlike Baker, in this case the 'other' had a name well known to the modern audience, the paedophile. Whiting himself was emotively headlined as a 'pervert'⁵³ and later 'Child Sex Fiend'⁵⁴ and, as the figure of the paedophile, held to represent one of the most significant threats to the sanctity of childhood innocence. Sentencing Whiting to a life term Mr Justice Curtis branded him 'every parent's and grandparent's nightmare' and 'an absolute menace to every little girl', phrases repeated in the press reports.

Although the conviction of Whiting brought the Payne case to an end the topic of child safety continued to pervade press reports. Despite pressure from the *News of the World* the Government had initially ruled out public access to a sexual offender database and instead embarked upon a review of the management of sexual offenders in the community. During this review school caretaker Ian Huntley murdered the 10 year-old girls Holly Wells and Jessica Chapman prompting the *News of the World* to headline 'The Evidence is Overwhelming.. We must have Sarah's Law and End the Killing.'⁵⁵ The later well publicised revelations that Ian Huntley had been investigated for numerous sexual offences (including offences against children) buttressed this claim. Although the Sexual Offences Act 2003 had tightened up legislative provision by introducing, for example, Risk of Sexual Harm Orders⁵⁶ moral outrage continued to be directed toward this ostensibly dangerous, although not statistically prolific, group of offenders and the *News of the World*

⁵³ *Mirror*, 13 December 2001.

⁵⁴ *Express*, 22 June 2004.

⁵⁵ 25 August 2002.

⁵⁶ s.123 Sexual Offences Act 2003.

continued to push for a 'Sarah's Law'.⁵⁷ Pilot schemes were then announced in 2007 and these proved successful, with applicants reporting timely and appropriate responses and the police and interested agencies reporting a greater focus on child protection.⁵⁸ The Child Sex Offenders Disclosure Scheme⁵⁹ has consequently been rolled out, albeit in a more moderate form than its American counterpart, with a controlled release of information to interested parties who make an application. Despite the years that have passed since the murder of Sarah Payne it continues to be popularly termed Sarah's Law.

It is worth restating at this point that the Sarah Payne murder raised a moral panic while the Fanny Adams murder did not. Despite this there is little evidence that emblematic names stem from periods of moral panic. For example, the Ripper murders of the 1880s, 1970s and 2006 are not typically related as moral panics, nor are the murders perpetrated by the body snatchers Burke and Hare that coined the phrase 'Burking'⁶⁰. While moral panic theory is then a useful device for examining press treatment of a case the emblematic use of a name cannot be based upon its ability to successfully raise a moral panic. To understand how the press respond to these cases and how they are popularly received there needs to be a closer examination of contemporary ideological frameworks.

5 Child Victims, Moral Panics and Ideological Underpinnings

It is widely accepted that social concerns and panics are more commonly raised when threats are posed to children or the state of childhood. In the modern period children have typically been constructed as innocent and any threat against the conceptual space of childhood has been newsworthy. In recent history the Colwell Inquiry of 1974 highlighted the potential danger to children at the hands of a caregiver and the Cleveland affair of 1987, regarding allegations of incest, moved the child into the emotive sexual abuse narrative. Concerns about the innocence of childhood were revisited throughout the 1990s via numerous paedophilia panics, emphasising the threat posed to the child by the predatory stranger. As Jenkins has

⁵⁷ 26 June 2005; 3 July 2005; 18 September 2005; 13 November 2005; 5 February 2006; 18 June 2006; 25 June 2006; 12 November 2006.

⁵⁸ H. Kemshall and J. Wood et al., *Child Sex Offender Review (CSOR) Public Disclosure Pilots: a process evaluation 2nd ed.* (Home Office, 2010).

⁵⁹ ss.327A and 327B Criminal Justice Act 2003 as amended by the Criminal Justice and Immigration Act 2008.

⁶⁰ To murder by suffocation, from William Burke who committed the crime with his partner William Hare in Edinburgh to supply bodies for dissection. Moral panics were raised regarding criminal episodes in the Victorian period, the most notable examples being the garroting panic of 1862 and the baby farming panics of the early 1870s.

outlined crime stories detailing children being abducted, abused and murdered by predatory child molesters had, by the late 1990s, brought murder narratives into convergence with concerns already evidenced regarding the paedophile and, in response to this lucidity, 'stranger danger' became a dominant modern trope.⁶¹ This trope was heightened in the James Bulger murder case, a case which became rhetorical shorthand for the violence that may be exercised by children against children. The name of James (or Jamie) Bulger continues to provide immediate context; the connotation and point of reference against which criminal acts or actors can be judged.⁶² This murder was, as Hay has (1995) expressed, 'a point of condensation and connotive resonance for a variety of wider social anxieties' pulling contemporary concerns within the murder narrative.⁶³ Although Hay's thesis concerned the recruitment of subjects to moral panic his emphasis upon how this case was oriented through existing social anxieties is relevant to more than just an understanding of moral panic theory. The explicit use of rhetorical shorthand, such as victims' names and narratives of childhood innocence and danger are devices commonly used by the press to 'explain' child murder. As media attention increasingly turned to highlighting children in danger of sexual violence at the hands of strangers and ideas of vulnerability and victimisation began to find greater purchase in press reports and criminal justice policy, the White Paper *Justice for All* pledged to realign the criminal justice system in favour of the victim. It was these narratives of social anxiety that the press drew upon in orienting the murder of Sarah Payne.

Of course, it is how (or whether) the media pursues and positions a case that impacts on how wider society understands and responds to an incident. The media draws upon the ideological backdrop to contextualise a case, but choices are made (as moral panic so vividly illustrates) that can transform a case into a *cause celebre*. It is now common knowledge, courtesy of the Leveson Inquiry, that the overt manipulation of cases to attract or retain readership has been customary practice for some sections of the press.⁶⁴ This Inquiry into the culture, practice and ethics of the press was initiated by the revelation that a phone belonging to the murdered

⁶¹ P. Jenkins *Intimate Enemies Moral panics in Contemporary Great Britain* (Aldine de Gruyter, 1992) p.90.

⁶² A. James and C. Jenks 'Public Perceptions of Childhood Criminality' *British Journal of Sociology* 47(2) (1996) 315-333; C. Hay 'Mobilisation through Interpellation: James Bulger, Juvenile Crime and the Construction of a Moral Panic' *Social & Legal Studies* 4(2) (1995) 197-223.

⁶³ *Ibid.*

⁶⁴ Leveson Inquiry into the culture, practice and ethics of the press 2011/2012.

teenager Milly Dowler had been hacked by an investigator working for the *News of the World* in furtherance of a story. The hacking was the first indication that the creation of crusading news stories was perhaps not as altruistic as the newspaper had claimed. As counsel for victims at the Inquiry, David Shebourne, asserted⁶⁵ victims were targeted 'to sell newspapers. Not to detect crime or to expose wrongdoing, not to protect society or for the public good.'⁶⁶ This has typically not been a factor imported into considerations of why particular cases achieve social prominence. Although adopting a cause with a call for legal change has been a common theme in the print press,⁶⁷ with the added benefit that this would sell newspapers, the overt manipulation of a case for economic and political gain has rarely been a matter for consideration by criminologists.

The moral panic orchestrated in the Payne case then takes on a new dimension. Sarah represented more than a case of child murder, more even than the threat posed by the paedophile. The figure of this child was manipulated by the newspaper that 'claimed' the case and used as emblematic of governmental failures. The onslaught began with general criticism of the law as the *News of the World* outlined 'it has been obvious that the laws curbing perverts are too weak'⁶⁸ and subsequently identified more specific failings; the influence of the Human Rights Act in protecting 'perverts', the failure of joined up policing, lack of co-operation between forces and in computer systems and the supervision of sexual offenders in the community. The Home Office came in for particular criticism for failing to fund initiatives as the *News of World* intoned 'we're losing war against paedophiles'.⁶⁹ The operation of the criminal justice system also came under scrutiny as Judge Gabriel Hutton was accused of handing down 'a pathetic four years' to a scoutmaster convicted of offences against schoolgirls⁷⁰ and Judge Paul Clark 'a lightweight 2-year sentence' for an 'attack' on a four-year-old girl.⁷¹ Two years after the murder, the Labour government had responded to the calls for change, but not to the satisfaction of the *News of the World* who reiterated it was the 'establishment's failure to deal with this

⁶⁵ In response to the news that the phone given to Sara Payne (mother of Sarah) by the *News of the World* had similarly been hacked.

⁶⁶ Evidence to the Leveson Inquiry. Wednesday 16 November 2011.

⁶⁷ For example, knives had raised concern in the late 1950s and a *Mirror* campaign to 'Hand 'em in' had swiftly led to the Restriction of Offensive Weapons Act 1959.

⁶⁸ *News of the World*, 17 September 2000.

⁶⁹ 17 September 2000.

⁷⁰ 6 January 2002.

⁷¹ 17 November 2002.

sickness in society that has driven us to return to the campaign'.⁷² The murder had become an issue around which political critique coalesced, pushing the popular punitivism agenda of the *News of the World* and refocusing the criminal justice system toward victims' rights. This murder was used not just as a call for child safety, but as indicative of a failure of law and order, a symbol of the failure of the incumbent Labour government to respond to an agenda set by the print press. It is worth noting that recent events have once again directed public attention toward sexual threats posed to children as the full extent of the crimes perpetrated by James 'Jimmy' Savile are revealed. The Savile revelations have not only brought 'stranger danger' into the media spotlight once again but also question the benign nature of respectable institutions.⁷³ Providing further grist to the mill the Savile case raises the prospect of celebrity assailants above the law - a very modern expression of a trope that had already found purchase through Catholic sexual abuse scandals of the twentieth century and earlier, in beliefs in a monarchical or aristocratic assailant in the Jack the Ripper case.

Is the use of Sarah's name and the resultant legislative response indicative of a more respectful view of children and child murder in the modern period? It is suggested here that it is not, it is illustrative of a press simplistically (re)presenting fears, drawing upon existing concerns and utilising easily recognisable stereotypes. Here, perpetrators are swiftly redacted into recognisable stereotypes and child victims gain emblematic victim status. Although the *News of the World* manipulated these concerns to forward its own politicised agenda there is undoubtedly a greater reverence for victims in the modern period, with victimhood at the centre of criminal justice debates and victims' names harnessed to criminal justice initiatives. The terminology of Sarah's Law has become readily accessible and is used in news reports in place of the legislative terminology.⁷⁴ In the modern criminal justice system, one that considers itself victim centred, this is not an unusual phenomenon and Sarah is not the only victim whose name has become inextricably linked with calls for improvements to the criminal justice system. For example, The Stephen Lawrence Inquiry and the Damilola Taylor Murder Investigation Review Report have firmly embedded these names in the social and legal realm.

⁷² 25 August 2002.

⁷³ In this case principally the British Broadcasting Corporation.

⁷⁴ For example; *The Sun*, 30 September 2011; *Daily Mail*, 31 July 2011; *Daily Star*, 11 March 2010; *Mirror*, 3 March 2010.

6 Contextualising Victorian Victims and Offenders

This was not a reorientation of concerns that would have appealed to a Victorian readership. Private victimisation was not a prevalent narrative theme in the Victorian period. The ideological underpinnings and press discourses drawn upon by the press did not readily situate children as a class under threat from society, nor was there appetite for ready critique of criminal justice policies. The modern ideal of childhood has been a creation of the upper and middle classes, where children could be safeguarded within the home or education, protected and constrained as a dependant. Victorian children (like Fanny) outside of these influences were widely considered unregulated and unruly, socially considered, as Hendrick has highlighted outside of the period of childhood by way of their poverty or criminality.⁷⁵ This is not to suggest there was no sense that these lower class children were victimised, but victimisation more commonly came about by way of social inequality and deficit in a social provision. Public victimisation posed a greater threat to these children than interpersonal victimisation. The plight of the employed child had scandalised Victorian society, with commissions established to conditions of working children, particularly within the factories. Legislative regulation of children followed this paradigm of public victimisation as the print press debate supported the maltreatment of the young by presenting stereotypical visions of pitiful child workers and a media template of the employed child as a victim of social inequality was established. Violence against children did raise social concern when it presented a heightened and emotive exemplar that challenged social norms, such as murder of infants by those termed baby farmers. Here the offenders were usually women who had belied their femininity and the offender was a threat not only to the child but to the feminine state. Likewise, while it was recognised the child could be a victim of sexual abuse such concerns were articulated with regard to the moral effects upon society, particularly in the field of prostitution, and it was here the law saw fit to intervene.⁷⁶ Private physical abuse of children was not fully recognised until the end of the century with the enactment of The Prevention of Cruelty to Children Act 1889 which allowed the state to intervene between parent and child in cases of wilful cruelty.

⁷⁵ H. Hendrick, 'Constructions and Reconstructions of British Childhood' in A. Prout and A. James (eds.) *Constructing and Reconstructing Childhood* 2nd ed. (Falmer Press, 1997) p.43.
⁷⁶ Social disquiet regarding children as young as 13 engaging in prostitution was harnessed by W.T. Stead, the editor of the *Pall Mall Gazette*, who published his own research regarding child prostitution in a number of articles in 1885. Public interest and social panic stirred up by Stead's articles resulted in the age of consent raised to age 16 by virtue of the Criminal Law Amendment Act 1885. For further discussion of Stead's campaign see A. Brown and D. Barrett *Knowledge of evil: child prostitution and child sexual abuse in twentieth-century England* (Willan, 2003).

Despite this, cases of child murder were treated with a similar amount of revulsion by wider society and with a similar amount of reverence by the criminal justice system as we find in the modern day.

In terms of press coverage the term 'murder' was enthusiastically and often erroneously employed by the press as a descriptive term for the death of young children. While the term murder was used in headlines as a tool to draw in the reader these reports commonly concluded the child had been declared 'found dead' or the offender was convicted of a lesser crime. Although the murder of children could be considered desensitising by its prevalence this preoccupation principally centred upon infants killed by destitute mothers. The crime of infanticide, an offence which clearly defined female perpetrators, was so prevalent in the period it was often only afforded a few lines in the press, unless the child was killed in a particularly horrific or unusual way. While such cases readily attracted press attention they were headlined in a manner which made it difficult to distinguish between individual incidences and, although a significant coverage was given over to infant murders few arrests were made, leaving little opportunity for public vilification. When prosecutions did occur public sympathy was often felt for these offenders.⁷⁷ Unmarried female offenders were understood to be in challenging social and economic situations and it was difficult in many cases to establish whether children had died as a result of the mother's intent or accidentally. Moreover, many female perpetrators successfully pleaded insanity.⁷⁸ Infanticide was then well understood by the Victorian populous, featuring in novels of the day, poetry and medico-legal debates.⁷⁹ However, older children were not commonly dispensed with due to the poverty or insanity of their parents, and the motivations of these offenders (be they strangers or relations) occupied the minds of the Victorian public with no less curiosity and revulsion than modern cases have garnered. These offenders were pursued, prosecuted and

⁷⁷ J. Archer et al., 'Violence in the North West with Special Reference to Liverpool and Manchester 1850-1914' Violence Research Project Summary Findings (ESRC, 2002).

⁷⁸ S. Pegg, 'Madness is a Woman: Constance Kent and Victorian Constructions of Female Insanity' *Liverpool Law Review* 30(3) (2009) 207-223.

⁷⁹ A. Higginbotham, "Sin of the Age" Infanticide and Illegitimacy in Victorian London' *Victorian Studies* 32(3) (1989) 319-337; L. Rose *The Massacre of the Innocents: Infanticide in Britain 1800-1939* (Routledge and Kegan Paul, 1986); C. Dyhouse 'Working-Class Mothers and Infant Mortality in England, 1895-1914' *Journal of Social History* 12(2) (1978) 248-267; J. McDonagh, 'Child-Murder Narratives in George Eliot's "Adam Bede": Embedded Histories and Fictional Representation' *Nineteenth-Century Literature* 56(2) (2001) 228-259.

(where appropriate) vilified in the print press. The press headlined these cases as terrifying, shocking, outrageous or extraordinary and expressed the same amount of indignation as the modern press. Sensation sold newspapers and, although the Victorian press was not competing with other media platforms they were vying amongst themselves for the readership. In contrast to the modern press political rhetoric was not commonly employed to critique the criminal justice system. Such an approach would have served no purpose. The Victorian populous enthusiastically engaged with the criminal justice system, not only by serving as jurors but by attending cases at summary courts in great numbers. There was also widespread belief in the efficacy of the criminal justice system to apprehend, convict and punish offenders and, in no small way, the print press contributed to this. Cases were reported in some detail in court reports and general news, and legislative change was explained clearly and concisely. When criminality or criminal episodes were contentious there was an opportunity to respond via the letters page, and discussions and debates in such as *The Times* and *The Telegraph* were often lengthy. News features also had the potential to mitigate the fear of crime. For example, the growth and success of industrial schooling for young semi-criminals and reformatories for criminal children was widely considered effective in stemming a criminal career – and widely reported as successful.⁸⁰ Criminal statistics remained relatively stable, a reassurance to the public, if not entirely reliable⁸¹ and law and order debates centred upon the ‘criminal class’, a class of hardened irredeemable criminals who were heavily policed in order to prevent crime.⁸² The rhetorical framework here was not amenable to orienting wider social concerns toward a case of child murder, particularly raising a moral panic concerning the murder of Fanny Adams. Fanny had been murdered at a point when broader concerns could not be mobilised to present her case as anything more than the unfortunate murder of a young girl.

⁸⁰ S. Pegg, ‘Juvenile Criminality and Semi-Criminality: Learning from Victorian Perceptions and Responses’ *Liverpool Law Review* 28(3) (2007) 425-48.

⁸¹ As Howard Taylor has argued this realistically may have had more to do with funding for prosecutions. Equally many crimes will have gone unreported and others enthusiastically prosecuted in order to garner support for legislative change. H. Taylor ‘Rationing Crime: the Political Economy of Criminal Statistics Since the 1850s’ *Economic History Review* 3 (1998) 569-590.

⁸² D. Taylor, *The new police in nineteenth-century England: crime, conflict and control* (Manchester University Press, 1997); D. Taylor *Beyond the Bounds of Respectable Society: The “Dangerous Classes” in Victorian and Edwardian England* in J. Rowbotham and K. Stevenson, *Criminal Conversations* 3-22.

Conclusion

Child murder is a particularly emotive subject that provokes press interest, social vilification and prompts calls for apt legal responses, and this holds true for the two periods addressed here. The origins of the phrase 'sweet Fanny Adams' may have been forgotten but this is a particularly interesting form of social amnesia given our modern obsession with the victimisation of youth. References to criminal history are regularly employed to draw readers into a familiar narrative. However, the murder of Fanny Adams has rarely (if ever) been used as a comparator for cases of extreme violence. Although Fanny's name has held a lasting etymological resonance what is unusual is it no longer resonates for the 'right' reasons. If the phrase can be rightfully ascribed to a Navy joke it demonstrates dark humour, but the Navy were removed from the ordinary horrors of life by virtue of their employ and this discourteous attitude was certainly not indicative of social attitudes toward offences of this nature. Child murder was treated with no less reverence in the nineteenth century than in the modern period. Victorian concerns were principally focussed upon public abuses of childhood, by way of privation and early and unsuitable employment and child murder did not utilise this rhetoric. Consequently, Fanny Adams was laid to rest as a media 'personality', no wider rhetoric was engaged and Fanny, unlike Sarah, was excoriated as a social spectre. Fanny is only then remembered as 'nothing'.

Drawing on prevailing societal/political concern Sarah's case came to represent more than the murder of an innocent young girl. Despite the case being legally resolved it was consistently revisited in the press, held up as emblematic of state failures. By highlighting failures (real or imagined) in the criminal justice system and using the case to campaign for victims' rights sections of the press have been able to position themselves as moral guardians, with Sarah held up as representative of their success. Despite the use of Sarah's name as a political football it has come to represent something positive; Sarah Payne is not remembered as a victim but as a catalyst for legal rights.

The divergence between these cases is more complex than might be revealed at first glance. While a case may come to be held as symbolic it is not always that its eponym is a true reflection of the contemporary reception of the case. Locating cases into their socio-historical and legal context with an appreciation of the rhetorical shorthand upon which episodes draw offers a more complete understanding of their roots.