

**‘CRIME? NO, IT WASN’T REALLY CRIME’:  
USING ORAL HISTORY AND MEMOIRS TO TEACH  
CRIME HISTORY**

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**Abstract**

This article suggests that oral interviews, autobiographies and memoirs provide a new perspective on the teaching of crime history. Oral testimony can augment the traditional sources which are generally used for this purpose, giving fresh insights into popular attitudes to criminal activities and behaviour. Through the use of interviews, either student-generated or culled from existing oral history archives, the words and opinions of the perpetrators, victims and the general public will allow students and lecturers to supplement existing evidence in a way which will enhance both their critical understanding of behavioural patterns and developments within society. Student motivation may be increased by a closer involvement with the direct evidence of those who have been in some way affected by criminal behaviour and the individuals who have played an active role within the justice system. Comparative studies and the co-operation between students of law, criminology, history or social science can only be enhanced by an interchange of skills, ideas and resources. This article will utilise the evidence from author’s personal investigations as a case study in order to demonstrate some of the memories of crime, and attitudes to criminal behaviour within Black Country communities in the twentieth century.

**Keywords:** Oral testimony, teaching crime history, cross-curricular cooperation, enhanced skills base, new sources and fresh evidence, case study, perceptions of crime, theft from the workplace.

**Introduction**

As circumstances have changed within British society since the beginning of the twentieth century, so have attitudes and opinions concerning petty crime and criminal activity within both the community and the workplace. From involvement in the Black Market, during two World Wars and their aftermath, to a variety of crimes within the workplace, public views have rarely coincided with those of the government or the judicial system. Current knowledge of crime and criminal activity has been frequently dependent upon the statistical evidence gleaned from court reports and crime figures. However, data concerning the black, or indeed the grey, market economy is notoriously difficult to discern and quantify, often relying upon reports of court cases.<sup>2</sup>

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<sup>2</sup> H Silcock, *The Increase in Crimes of Theft, 1938-1949* (University Press of Liverpool, 1949), p.4; Edward Smithies, *The Black Economy in England since 1914* (Gill and Macmillan Humanities Press, 1984), p.5.

For a variety of reasons offences, particularly of theft, were almost inevitably clandestine in nature, their discovery did not necessarily result in a court appearance and they were open to differing interpretations by the perpetrator, the victims and the authorities. Consequently, the extrapolation of statistical evidence produces only a partial record of criminal behaviour and provides scant evidence of the motives and consequences of these acts.<sup>3</sup> Morris drew attention to the fact that 'of all social statistics, those relating to crime are probably among the most inaccurate', reliant as they are upon 'reporting of events by members of the public' and evidence provided by the police. He also drew attention to the occasions where dishonesty remains hidden unless the perpetrator is apprehended.<sup>4</sup>

The problems which are raised by the use of statistical evidence have also been highlighted by Hennessey who indicated that 'of all the social arithmetic historians attend to for their analyses, crime figures are the most skimmed and unreliable.'<sup>5</sup> Clearly, then the activities of the black or grey market economy cannot be adequately measured by official documents or crime statistics alone. However, oral interviews<sup>6</sup> can throw some light on a wide range of unlawful activities including the prevalence of petty crime within the workplace and local communities, and can help disclose popular attitudes towards the perpetrators, as well as indicate the scale of involvement within the distribution networks in post-war Britain. They provide a counter-balance to statistical evidence and conventional sources.

Although not a lecturer in the fields of law or criminal justice, as an oral historian<sup>7</sup> I would suggest that the use of oral interviews might prove to be a useful additional source in engaging student interest and provide fresh insights into criminal activity. This paper does not provide conclusive evidence of the efficacy of oral evidence in the teaching of criminal justice, more a suggestion that the introduction of such testimony may enhance the learning and teaching experience, neither does it evaluate the use of oral evidence in teaching. It is, however, a suggestion that the use of oral evidence can be utilised to augment what Thompson calls the 'gaps and

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<sup>3</sup> Smithies, *The Black Economy in England*, p.5.

<sup>4</sup> Terence Morris, *Crime and Criminal Justice since 1945* (Basil Blackwell Ltd., 1989), p.4.

<sup>5</sup> Peter Hennessey, *Having It so Good: Britain in the Fifties* (Allen Lane, 2006), p 83.

<sup>6</sup> From my own research, a series of over 90 interviews, conducted by the author between 1996 and 2013, on a wide range of topics which have been utilised for an MA and PhD, for conference papers, and for teaching purposes and the oral testimony collected by others and discussed below.

<sup>7</sup> Lecturer in history and politics.

weaknesses in the [existing] documents<sup>8</sup>. The partial evidence provided by crime figures are, as Roodhouse has recently indicated, more an indication of contemporary policing methods and court proceedings than criminal activity and patterns of behaviour.<sup>9</sup> Furthermore, 'criminologists regularly criticize politicians and social commentators who use crime figures as an indicator of the level of crime';<sup>10</sup> surely, then, a similar criticism may be levelled at an over-reliance on these statistics in a learning environment when additional sources are available to augment existing information? The case study is intended to demonstrate how the use of oral testimony can reveal that attitudes to crime are not necessarily clear-cut and opinions as to what might constitute criminal behaviour are dependent upon a number of variables, which range from the type of crime, when it was committed and by whom, the motives and justification for breaking the law, and the fluctuating perceptions within society as to the definition of 'illegal' activities. Reading (in transcripts) or hearing (on recordings) the explanations and experiences of the perpetrators, victims, witnesses, and the people responsible for enforcing the law has the potential to engage student interest in different aspects of crime and the legal system.

## 1 Case Study: Theft from the Workplace

It has been argued that the nineteenth century transition from outworking to the factory system was a partially a response to workplace crime but, as Emsley indicated, this type of behaviour can be traced back to earlier times. For example, in the Tudor period outworkers were likely to face prosecution if they were found to be 'detaining' waste products from their work.<sup>11</sup> The retaining of waste materials from the production process was perceived by many workers as perquisite, or perk, of their employment, which was enshrined in custom and tradition.<sup>12</sup> The scale of this activity is, inevitably, problematic to discern and precision in these instances is impossible to achieve; but there is evidence to suggest that theft of this nature escalated over the centuries<sup>13</sup> and the policies concerning the policing of these crimes changed accordingly. Assessing the increase is challenging as: 'we shall never be really clear

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<sup>8</sup> Paul Thompson, *The Voice of the Past* (3<sup>rd</sup> Edition, Oxford University Press, 2000), p.4

<sup>9</sup> Mark Roodhouse, *Black Market Britain, 1939-1955* (Oxford University Press, 2013), p.33.

<sup>10</sup> Roodhouse, *Black Market Britain*, p. 33.

<sup>11</sup> Clive Emsley, *Crime and Society in England, 1750-1900* (Pearson Education, 2005), p.158. For a discussion of theft in the Worsted industry see Barry Godfrey and David Cox, *Policing the Factory: Theft, Private Policing and the Law in Modern England 1777-1968* (Bloomsbury Academic, 2013).

<sup>12</sup> Barry Godfrey, Paul Lawrence and Chris Williams, *History and Crime* (Sage Publications, 2007), p.130.

<sup>13</sup> For a detailed analysis of the Worsted Acts of the 1770s, the impact of the Worsted Inspectorate and a detailed examination of workplace appropriation between 1777 and 1968 see Godfrey and Cox, *Policing the Factory*.

how much of the recorded increase...reflected a "real" increase, and how much was the product merely of administrative and attitudinal change'.<sup>14</sup> Nevertheless, it is safe to assume, along with Smithies, that 'theft from the employer had been a problem in British industry from the time of the First World War, if not long before'.<sup>15</sup> Wartime restrictions, the problems of importing sufficient supplies and the unfair distribution of food, until rationing was introduced in 1917, encouraged those with access to the supply chain to circumvent the system and hundreds, if not thousands, of citizens to take advantage of obtaining provisions via small-scale transactions on the Black Market. The poverty and unemployment in interwar Britain did nothing to curb those in work from appropriating small amount of resalable goods from their employers, or other illicit sources, and then offering them in pubs, markets and within the community to make a small profit.<sup>16</sup> Clearly, the majority of these transactions based on petty pilfering remained undetected and, consequently, outside official crime figures.

Therefore, the utilisation of additional sources of information, oral testimony, memoirs and autobiographies can reveal to the students fresh insights into the methods, the motives and the justifications of those people who have been involved in any way with unlawful or criminal activities. This is particularly relevant to more recent history relating to the Second World War and the subsequent years as it is still possible to engage directly with those groups and individuals who have experiences of this period, in the light of the fact that petty theft and small-scale transactions of the black (or grey) economy increased, particularly during the ensuing period of austerity.<sup>17</sup>

### ***Theft in the Post-War Period***

For the duration of the Second World War rationing and deprivation were largely accepted by the British population as inevitable by-products of the prolonged conflict. They may have circumvented the system in minor ways in order to supplement their diet or incomes, perceiving this as 'compensation for the many personal sacrifices they made at central government's behest',<sup>18</sup> but they generally expressed disapproval of large-scale criminal activity, or gangs of offenders, who were deemed

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<sup>14</sup> Victor Gatrell, *Crime and the Law* (1980), p.240 cited in Smithies, *The Black Economy in England*, p.5

<sup>15</sup> Smithies, *The Black Economy in England*, p.112

<sup>16</sup> Oral testimony obtained by the author between 1996-2013.

<sup>17</sup> Smithies, *The Black Economy in England*.

<sup>18</sup> Mark Roodhouse, 'Popular Morality and the Black Market in Britain, 1939-1955,' in Frank Trentman and Fleming Just (eds.), *Food and Conflict in Europe in the Age of the Two World Wars* (Palgrave MacMillan, 2006), p.244.

immoral and unpatriotic by respondents.<sup>19</sup> It was, however, the subsequent period of austerity and longevity of restrictions, which increased public resentment and intensified criminal behavioural patterns. In 1949 Silcock found that 'theft has increased greatly during the past few years, and is still increasing'.<sup>20</sup> In his estimation this was due to a 'growing element in the population that is willing to purchase through illegal channels without enquiring too closely into the vendor's title to the goods he offers for sale'.<sup>21</sup> Those who had accepted wartime restrictions were disillusioned by their continuation, and by 1950 public patience appeared to be exhausted - people 'were not prepared to tolerate this kind of economic strait-jacket in peacetime'<sup>22</sup>. Therefore, previously unacceptable behaviour, which had been censured in the past, was now, according to Roodhouse, legitimated in the eyes of the British population.<sup>23</sup> Oral testimony has revealed the ambivalent attitudes to crime in the period of shortages when the *Dudley Herald* observed that 'shortages of many things - food, fuel, houses and materials...seem to be clogging industry and affecting the whole life of the community'.<sup>24</sup> Consequently, it was increasingly tempting for goods manufactured locally to be redistributed by the workforce. Respondents explained that they saw this as little more than a minor infraction of petty rules, not crime: 'At that particular time there was still rationing going on and *everybody* – most people – got what they could, and if they were able to get a little bit more by wheeling and dealing, anything other than stealing'.<sup>25</sup> John Petty's autobiography explained the changing attitudes to minor infringements of the law: 'Years of war and shortages turned so many honest decent people into scroungers and "fiddlers" and made many other tolerant of the dubious'.<sup>26</sup>

Through listening to direct interviews students would be able to build a more detailed picture of attitudes to this type of behaviour and assess how attitudes might change. Respondents explained how they obtained illicit items and the prevalence of such activities, demonstrating a tolerance in respectable members of the community who condoned this behaviour, concealed the perpetrators from the authorities and

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<sup>19</sup> Mr SR Sedgley; Miss VH Wolverhampton.

<sup>20</sup> Silcock, *Increase in Crimes*, p.10.

<sup>21</sup> *Ibid.*

<sup>22</sup> Smithies, *The Black Economy in England*, p.111.

<sup>23</sup> Roodhouse, 'Popular Morality', p.260. This is corroborated by interviews from the author's own research.

<sup>24</sup> *Dudley Herald*, 18 January 1947, p.12

<sup>25</sup> Mr MC Sedgley.

<sup>26</sup> John Petty, *Five Fags a Day: The Last Year of a Scrap Picker* (Martin Secker and Warburg Ltd., 1956), p.48. Petty was, by his own definition, a 'scrap picker' who out of work as a result of ill-health, supported himself on the proceeds of the illegal scavenging of waste metal from a 'tip' or 'dump' in Walsall during the 1940s and 1950s.

engaged in dubious activities with increasing regularity. Mr JB was a Magistrate, during this period, but his opinion typified the views of others: 'if you want[ed] anything just go into a pub and ask...it's a close-knit community and no-one would shop you, good luck to you...everyone made a bit on the side'.<sup>27</sup> Others confirmed this: 'You could always get stuff on the black market. There was always somebody who knew somebody'; 'After the war there was still rationing and actually people got things off... - people in the know'.<sup>28</sup> Mr JW described his uncle with great fondness and amusement as:

a character...He was one of those blokes; he had a string of watches on his arms. He day (sic) work... he'd sell everything. He'd got a great big yard and he'd got all sorts...He never worked like, and the one time he come back with a [live] monkey...he played the piano...lived on his wits...he was a bit shady.<sup>29</sup>

Criminal activity and attempts to circumvent the system became more common, according to Roodhouse, with the redefining of the term 'black market', as this allowed 'respondents to overcome their inhibitions to illicit deals and maintain a non-deviant self-image'.<sup>30</sup> This was reflected in the terms which respondents used to describe their personal actions and the actions of others. They remembered apparently illegal actions as the 'norm', whilst maintaining that no criminal activities took place, speaking of: wheeling and dealing, bits on the side, obliging, perks, knocking off, evasions, fiddles as part of the customary fabric of their day-to-day lives. Mr KD claimed that 'there was no crime': 'really going back to the fifties, sixties and seventies...when you say crime it was all petty crime...nick this and nick that'.<sup>31</sup> Crime and criminals were also redefined as the oral history indicated the contentious post-war relationship between employers and employees within the workplace changed perceptions of acceptable behavioural standards, with the labour shortage giving workers a greater share of power.<sup>32</sup>

### ***Justifying Criminal Behaviour***

Todd's analysis of young women in the workplace in the first half of the twentieth century concluded that resentment towards owners and the management of large companies led to the 'lifting' of goods from the place of employment being perceived

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<sup>27</sup> Mr JB Tipton.

<sup>28</sup> Mr BJ Pensnett; Mr JC Tipton.

<sup>29</sup> Mr JW Tipton.

<sup>30</sup> Roodhouse, 'Popular Morality', p.256.

<sup>31</sup> Mr KD Pensnett.

<sup>32</sup> Newspaper reports in the *Dudley Herald* between 1945 and 1970 indicate that employers were to some extent more accepting of petty theft, particularly when they wanted to retain skilled workers. Author's interviews 1996-2013.

as a legitimate activity.<sup>33</sup> The oral testimony corroborates this view and sheds light upon the motives for petty theft. Students reading transcripts or listening to taped interviews would have an opportunity to analyse attitudes towards crime and criminal behaviour. For example, when questioned concerning crime within the workplace Mrs JW replied: 'Crime? No, no malicious [crime]'.<sup>34</sup> Her husband interjected: 'It wasn't classed as crime like, 'cos (sic)...they're criminals anyway these bloody works...the lorry drivers used to have all the perks...they were only making some'at (sic) out of rubbish...it wasn't like stealing if you had it from a company'.<sup>35</sup> This clearly demonstrates that, for some individuals, the culture of theft from the workplace was such that goods taken from the place of employment were classed as fringe benefits of employment, particularly for delivery drivers and the unskilled as 'wages were terrible in factories if you hadn't got the skills'.<sup>36</sup> Customary patterns of behaviour were accepted as social norms and as Mr HT recalled 'folk who worked *anywhere* brought stuff home with them...if there was anything you wanted you could get it if you was in the know'.<sup>37</sup> One respondent's husband was imprisoned as a result of stealing batteries from his employer and as his wife recounted the story she clearly implied that the workers felt a sense of entitlement to goods owned by their employers.<sup>38</sup> This type of pilfering was, to some extent, a reflection of an employee's assessment of his or her own worth, jobs frequently warranted a degree of payment in kind, even if the owner was unaware of this'.<sup>39</sup> Mr KD described attitudes amongst his contemporaries: 'They [employers] can afford to miss it, they've got plenty! I b think...it was part of the job to be honest. It was the done thing'.<sup>40</sup> The sentiments of Mr JB of Tipton were widely endorsed: 'The bosses, they are ogres, if you can get anything over them it's good'.<sup>41</sup>

Although profits from such thefts were often negligible, as metal prices rose in the 1950s, 'everyone had become acutely metal-conscious. There were any amount of chaps (in the factories) who had become to regard pilfering as in the natural order of

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<sup>33</sup> Selina Todd, *Young Women, Work and Family in England, 1918-1950* (OUP, 2005), p.163.

<sup>34</sup> Mrs VW Tipton.

<sup>35</sup> Mr JW Tipton.

<sup>36</sup> Mr JW Tipton. Mr JW's remarks are indicative of attitudes of some employees in the Tipton area in the post-war period and were corroborated by other respondents. However, Mr SR expressed the opinion that his employer was 'a good, caring bloke'.

<sup>37</sup> Mr HT Tipton.

<sup>38</sup> Mrs BW Pensnett (off tape)

<sup>39</sup> Samantha Badger, 'Household Consumption, Food and the Working-Class: The Black Country and Coventry, 1930-1970', (University of Wolverhampton PhD thesis, 2004) p.136.

<sup>40</sup> Mr KD Pensnett.

<sup>41</sup> Mr JB Tipton.

things'.<sup>42</sup> Respondents confirmed that 'no-one... [saw] it as a crime or anything abnormal'.<sup>43</sup> Incongruously, in his memoir Petty writes of the 'honest working chaps' who rode through the streets with haversacks containing metal appropriated from their place of work.<sup>44</sup> Other commodities were pilfered on a regular basis, including coal from narrow-boats moored at Tipton coal wharf, and the actions were deemed justifiable 'if it was to keep the kids warm...which wasn't a crime'.<sup>45</sup> Mrs KD's mother was compelled, through high fuel prices and the need to support a sick husband, to join residents of Pensnett stealing coal from the local steelworks: 'every night the people from round here used to help themselves to coal, and mom was one that (sic) did it...The people would watch and they would go in the dark...and they knew exactly when the security...would come round'.<sup>46</sup> Coal not needed for the family's immediate use was sold or bartered.<sup>47</sup> Justification for theft centred upon ill-health or the needs of children and the elderly. Again, these insights into the psyche of those involved in criminal activity can be used to develop student understanding of the motives and justifications for theft. They also indicate that careful consideration needs to be given to both perceptions and classifications of criminal behaviour, as to define crime in terms of a violation of criminal law does not necessarily coincide with public definitions.

### **Receiving Stolen Goods**

Although goods were sometimes stolen for personal consumption, such as the workers at Tate and Lyle's factory who hid small amounts of sugar in their trouser turn-ups and the rabbi called in to bless the sugar who did so with his pockets full of sugar,<sup>48</sup> or the thefts of pies and sausages from Palethorpe's sausage factory, witnessed by several respondents,<sup>49</sup> other interviewees mentioned the practice of stealing to order. They recalled the ability to make enquiries concerning a specific commodity, which would be duly delivered. Some workers had a waiting list of clients. In one community, where the residents were described as 'rough but honest', it was possible to ask around for specific items and somebody would turn up with

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<sup>42</sup> Petty, *Five Fags*, p.50.

<sup>43</sup> Mr F C Tipton; Mr JW Tipton; Mr NR Pensnett.

<sup>44</sup> Petty, *Five Fags*, p.49. Petty, who made his living from selling scrap metal, claimed that 20lb. of brass could be sold for 30 shillings.

<sup>45</sup> Mrs LL Tipton.

<sup>46</sup> Mr KD Pensnett.

<sup>47</sup> Mr SB Pensnett.

<sup>48</sup> Duncan Barrett and Nuala Calvi, *The Sugar Girls: Tales of Hardship, Love and Happiness in Tate & Lyle's East End* (Harper Collins, 2012), pp.242-243.

<sup>49</sup> Mr HT Tipton, Mrs VW Tipton, Mr MJ Tipton.



one'.<sup>50</sup> Mr JW, in his reminiscences of the Vono works in Tipton explained the ways in which larger items, including beds and sofas, were stolen to order from Black Country factories. 'People from the Vono used to put their vans outside the factory fences and someone would pass the stuff over'. He recalled his upright, Christian mother and a church-going aunt who 'had a gas-fire from the Cannon over the wall. And she also had a cooker from the Cannon over the wall, and me (sic) auntie'.<sup>51</sup>

Some individuals, who had been specifically employed to deter theft and protect the interests of employers were also sometimes complicit in illegal transactions. When the Crestwood Estate was under construction 'one of the lads was a security guard...so basically you could get anything for the house you wanted...when the stainless steel sinks came out we had one straight away...you could have whatever you wanted when they was (sic) building the new houses'.<sup>52</sup> The profits accrued by some of the guards were such that one of Palethorpe's guards 'ended up with bloody caravans all the way down the coast' of Wales, which had been financed by bribes to ignore the racketeering within the company.<sup>53</sup> Another security man at the company 'kept an eye on delivery drivers' so that he could intimidate them into paying him from the profits of their illicit sales. One driver delivered food to a shop but when he came out the guard said: 'you haven't charged him for that ham,...give me half [of the profit]. All these chaps was on the fiddle and they was (sic) frightened to say no'.<sup>54</sup> Similarly, members of the police force would receive stolen goods or encourage workers to bend the rules; in 1960s Pensnett the local 'copper [was] as bent as they come', sometimes receiving stolen items and at other encouraging minor acts of crime.<sup>55</sup>

## **2 Conclusions of the Research**

The interviews raised a number of interesting issues concerning attitudes to petty theft and, in particular, workplace crime, which will have the potential to engage the interest of criminal justice students, in addition to law, sociology and history students. It revealed evidence to suggest reasons for the increase in crime in the post-war period and corroborated assertions that following the period of post-war austerity, the

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<sup>50</sup> Mr SB Pensnett.

<sup>51</sup> Mr JW Tipton.

<sup>52</sup> Mr SB Pensnett. The Crestwood Estate was a large housing development constructed in the Pensnett area of Dudley in the 1960s.

<sup>53</sup> Mr HT Tipton. Palethorpes were major meat processors and sausage makers with Factories in the Midlands.

<sup>54</sup> Mr HT Tipton.

<sup>55</sup> Mr SB Pensnett.

affluence of the late 1950s and 1960s heralded an age in which aspirations towards the ownership of consumer durables were higher, advertisements encouraged ambitions and merchandising patterns increased opportunities for criminal activity.<sup>56</sup> It corroborated arguments that receiving goods from dubious sources did not necessarily preclude respondents defining themselves as 'ethical consumers' and also confirmed Smithies' view that '[t]heft from the employer was thus a feature of British industrial life whatever the general economic circumstances'. Evidently high wages and full employment were no barrier against workplace theft, as it was during the period 1955 to 1970 that respondents reported the highest incidents of 'redistribution' of goods and 'workplace appropriation'.<sup>57</sup>

The availability of goods and the burgeoning consumer society served to exacerbate the problems – why go on a waiting list or order new consumer durables when they can be readily accessed 'off the back of a lorry and at a favourable price? The manufacture of specific items gave some workers a feeling of entitlement – to have involvement in the manufacturing process resulted in feelings of, at least part, ownership. One respondent recalled the attitude of his workmates: 'It was part of the work, so I'm entitled to it although it was against the law'. He continued his explanation with some reference to class-based antagonism between employer and employee, as an explanation for theft: 'I remember a bloke...he was light fingered and he built himself a garage and everything that went in that garage was from Round Oak. He didn't see that as nicking. "The Earl of Dudley's got plenty, he ain't gonna miss it"'.<sup>58</sup> Inevitably, as manufacturing companies expanded the close paternal relationship, which existed between some employers and their workers, dissipated and the more remote/impersonal the Managing Director appeared to be then the less he was owed loyalty, at least in the eyes of some.<sup>59</sup> Respondents often explained actions by stating: 'well it wasn't like in the old days, when they [employers] knew your name; we didn't know him and he had no idea who we were'.<sup>60</sup> Those involved in these activities made clear distinctions between acceptable and unacceptable behaviour within the community. Fiddling, or cheating the employer, the company and anonymous entities was explained by many as a perk of the job, whilst theft from the neighbourhoods was perceived as a crime. The perpetrators of such acts were

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<sup>56</sup> Morris, *Crime*, pp.97-8.

<sup>57</sup> Roodhouse, 'Popular Morality', p.244; Smithies, *The Black Economy in England*, p.115; Godfrey et al, *History and Crime*, p.132.

<sup>58</sup> Mr KD Pensnett. Round Oak Steelworks was founded by the Earl of Dudley in 1857 and employed at its peak in the 1950s-60s around 3,000 workers.

<sup>59</sup> MR SR Wolverhampton; Mr NS Sedgley

<sup>60</sup> Mr RB Tipton; Mr DT Sedgley.

loyally sheltered and tolerated, even encouraged, as long as the crimes were committed against impersonal institutions or the authorities. Criminal activities were judged acceptable when they were embarked upon to supplement the family income, to oblige friends and family and were directed against the wealthy members of society, 'who could easily afford to lose it' or 'would never really miss it'.<sup>61</sup>

The oral testimony also provides some potential explanations for the concealment of crime, which may widen student understanding of the complexity of issues surrounding our understanding of 'criminal' activities and society norms. Behaviour which is officially classified as illegal may be, at certain points in time, redefined and considered as acceptable within some communities. Firstly crimes of this nature were more easily concealed by members of close-knit, traditional working-class communities. Mr JB confirmed that 'we still have a coal mining attitude...old fashioned, roots...everyone makes a bit on the side...we are very parochial – we stick together'.<sup>62</sup> Secondly, the inextricably linked elements of loyalty within the neighbourhood and the possibility of intimidation resulted in individuals being reluctant to inform on members of their community.<sup>63</sup> Thirdly, the practice of engaging employees by recommendation both condoned and facilitated workplace theft, in areas where sizeable numbers of workers were found employment by relatives or friends. Family members, neighbours and friends were deemed more likely to conceal illicit behaviour than outsiders. Fourthly, these individuals were also likely to be the beneficiaries of illegal activities. To steal items to oblige friends or family was seen as a legitimate practice – 'doing them a favour' and when the occasion arose this behaviour was likely to be reciprocated.<sup>64</sup> It was more acceptable to take and sell a commodity in this manner, making only a nominal profit, than to steal in order to sell at a higher price – solely for profit.<sup>65</sup> All of which confirm Smithies' assertions that in the provinces 'the local network of business, political and social relationships, especially... [amongst] friends, or colleagues,' neighbours and work-mates contributed to shifting perceptions and definitions of crime and criminal behaviour.<sup>66</sup>

Extracts from the testimony from this sample have served to shed some light on the complex motivations, explanations and the justifications for theft from the workplace;

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<sup>61</sup> Mr TD Tipton; Mr FG Sedgley; Mr TB Sedgley.

<sup>62</sup> Mr JB Tipton.

<sup>63</sup> Mrs BT Tipton; Mrs IT Sedgley; Mr DM Pensnett.

<sup>64</sup> Mr SG Pensnett; Mr NR Pensnett;

<sup>65</sup> Mr SB Pensnett; Mr NS Sedgley; Mrs MA Tipton; Roodhouse, 'Popular Morality', p.258.

<sup>66</sup> Smithies, *The Black Economy in England*, p.30.

they demonstrate the complexity of the issue and supplement the existing statistics and, as such, should augment and enhance the students' engagement with the sources in general if they can make clear connections between substantive and subjective evidence.

### 3 Oral Testimony Beyond Working-class Crime and Workplace Theft

Although the evidence for this article has focused on working-class theft and pilfering from the workplace, there is a great deal of potential to study other areas of illegal activity. Clearly white-collar workers are not exempt from breaking the law. Some middle-class respondents have spoken of their own experiences of work-place theft, from the stealing of stationery to petty cash from the office. Workers of both classes appropriated time from their employers and used work-place resources to manufacture 'foreigners' in the form of furniture, toys or metal goods, which they subsequently sold; seamstresses and tailors have utilised employers time and materials to manufacture garments for sale and architects and draughtsmen have done the same to draw up plans for buildings and extensions.<sup>67</sup>

Oral testimony can reveal attitudes to crime, which would be difficult to glean from other sources - to shoplifting or the transition from corner shop to supermarkets. It could be used to address questions raised by Morris who, writing in 1989, indicated that: 'By the 1960s thefts from shops had become an established feature of retailing, although not a great deal was known about the shoplifters themselves'.<sup>68</sup> Respondents often felt that shoplifting was acceptable in order to feed the family and excused this behaviour. Mrs L, for example, claimed that taking food could not be construed as crime 'because them kids never had apples' and a Justice of the Peace explained that shops had to bear some responsibility for shoplifting as they 'made it easy for people to do it. It [the goods] was there exposed right in front of you – see?'<sup>69</sup> The views of those with responsibility for enforcing the law are also of interest; from former police officers, custom officials, magistrates and J.P.s it is possible to gain insights into the multiplicity of attitudes to crime and criminal behaviour.

Interviews can be used to supplement statistical data upon the circumvention of the rationing system and black market offences because 'due to the problem of the dark

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<sup>67</sup> Mr RA Pensnett; MR JC Tipton; B. Ghent, 'Lead Cowboys made in a Tipton Foundry', *The Black Country Bugle* 15 December 2011, p.15

<sup>68</sup> Morris, *Crime*, p.98.

<sup>69</sup> Mrs LL Tipton; Mr ?C Tipton.

figure of unrecorded crime...[enforcement figures] are a better reflection of enforcement activity than the extent of illegal dealing'.<sup>70</sup> Oral testimony can help students to a deeper understanding of the motives of previously law-abiding citizens with their forays into the black market, bartering and coupon fraud. Their justifications for what can only be described as criminal behaviour are interesting; from those who argued that 'it wasn't classed as crime' to Mrs IT's explanation that: 'Well, everyone was fed up of going without so we did what we could to help ourselves'.<sup>71</sup>

Questions concerning the sourcing of meat have, for example, brought forth evidence to suggest that the traditional, but illegal, method of supplementing food supplies and income through poaching continued much later into the post-war than it has been assumed. As respondents confirmed in the interviews: 'there were lots of rabbits about; you never knew where they came from' and 'if you wanted a cheap meal it was best not to enquire too deeply into the source'.<sup>72</sup> The respondents cited in Badger's thesis confirmed the continuation of this practice, and Mr SB recalled poaching with his friends often on the Earl of Dudley's land, anywhere from Pensnett to Kinver.<sup>73</sup>

Evidently, use of the oral interview has the potential to be utilised as a teaching aid to expose events, views and incidents with reference to crime and criminal activity, which might otherwise remain concealed. These interviews can then be used in conjunction with traditional sources and statistics to enhance the study of crime history and elucidate the existing sources.

#### **4 Oral History: Pitfalls and Critiques**

Oral interviews are frequently used to counterbalance social surveys, statistical evidence and official reports and can provide both a supplement and a challenge to existing beliefs and theories. They are not a new source for the historian or social scientist; but they have received criticism in the past as being inherently unreliable. Whilst it would be inappropriate to proffer a prolonged defence of the use of oral history here, it is necessary to briefly consider the criticisms and methodological

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<sup>70</sup> Roodhouse, 'Popular Morality', p.249.

<sup>71</sup> Miss YB Pensnett; Mrs IT Sedgley.

<sup>72</sup> Mr JB Tipton; Mr MJ Tipton; Mrs OH Sedgley.

<sup>73</sup> S Badger, 'Household Consumption, Food and the Working-Class: The Black Country and Coventry, 1930-1970', (University of Wolverhampton PhD Thesis, 2004), p.136-40; Mr SB Pensnett.

difficulties.<sup>74</sup> Nevertheless, they *are* evidence and, as Elton argued in 1967, it is important to study all the relevant material – ‘the physical survivals from the events to be studied’, and of course there can be little doubt that the people who share their experiences and memories in this way form a major part of Elton’s ‘physical survivals’.<sup>75</sup> The early exponents of interviews encountered accusations concerning the fundamental issues of the fallibility of memory, factual reliability and subjectivity. These have largely been addressed by Paul Thompson, one of the pioneers of oral history. In his opinion there is minimal qualitative difference between oral testimony and other traditional sources; Thompson’s solution was that interviews should be subject to the customary cross-checks placed upon any source as ‘all [sources] are fallible and subject to bias’.<sup>76</sup> It is the addition of oral testimony that, whenever possible, will aid a ‘more realistic and fair construction of the past, a challenge to the established account’<sup>77</sup> and in this way will enhance the teaching of crime history.

The vexed question of the fallibility of memory is addressed by Thompson’s view that ‘all information is retrospective and the only extra problem that we have in historical interviews is that the time span is longer’.<sup>78</sup> Nevertheless, it is necessary that we consider criticisms concerning the selectivity of memory, the potential for lapses in memory over a prolonged period of time and the deterioration of memory. Lummis has dealt with this in some detail, so suffice it to say that many individuals have the capacity to recall the past with a good deal of clarity and the long-term memory functions of the aging are often retained when their short-term memory functions are impaired.<sup>79</sup> If, as Lummis argued, ‘time and distance from a situation weaken the power to dissemble’, respondents may become more candid and self-confident with maturity.<sup>80</sup>

It is also accurate to claim that the immediacy of interviews, unlike memoirs and letters, does not facilitate prolonged introspection, or provide time to fabricate or unduly enhance the individual’s narrative of their experiences. But caution is still necessary, because as Summerfield has demonstrated it is inevitable that past

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<sup>74</sup> See also, David Dunaway, ‘Method and Theory in the Oral Biography’, *Oral History*, 20 (1992), pp.40-44.

<sup>75</sup> Geoffrey Elton, *The Study and Practice of History* (Fontana Press, 1967), pp.87-113. In this section Elton discusses ‘The Sources’ and ‘Evidence and Criticism’.

<sup>76</sup> Thompson, *The Voice of the Past*, p.152. In Chapter 4 he provides a detailed discussion of the pitfalls and benefits of specific sources

<sup>77</sup> Thompson, *Voice*, p.7.

<sup>78</sup> Paul Thompson, ‘Problems of Method in Oral History’ *Oral History*, 1(4) (1971), p.4.

<sup>79</sup> Trevor Lummis, *Listening to History* (Hutchinson, 1987), p.117.

<sup>80</sup> Lummis, *Listening*, p.117.

occurrences are reassessed in the light of subsequent knowledge and experience and memories cannot be independent of cultural influences when 'discursive constructions of the past...overlay...[memory] with later accounts and interpretations'.<sup>81</sup> As individuals, when recalling past incidents, automatically make sense of them through an interpretation of the dominant culture, the difficulties of utilising oral narratives as sources are similar to the use of written accounts of individual lives for, as Schlesinger has perceptively indicated, 'autobiography in the end is an interrogation of the past by the present'.<sup>82</sup>

Consequently, given the inherent bias in any source, the consistency and accuracy of memory may be verified in the same manner as other sources - questioning 'how does it "fit" in with what we know about the subject?'<sup>83</sup> Triangulation in the form of checking facts with other sources (including newspapers and other respondents), clarifying dates and facts with the respondent can help confirm and validate the revelations of informants; with these precautions, the criticisms can be addressed.

## 5 How to Incorporate Oral Interviews into Teaching Crime History?

Having discussed the implications of oral evidence it is then necessary to consider where and how could students access the oral testimony? At this juncture it is important to note that this paper is *not* suggesting that students engage in direct interviews with the criminal fraternity, as their personal safety is of paramount importance see discussion below.<sup>84</sup> However, students have access to two potential sources, either of which will provide fresh insights for their research: interviews conducted by students and interviews in existing oral history archives.

### ***Conducting Interviews - Oral History Training***<sup>85</sup>

Undertaking the training of students to enable them to conduct their own interviews is an ideal opportunity for cross-curricula co-operation between schools, departments

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<sup>81</sup> Penny Summerfield, 'Culture and Composure: Creating Narratives of the Gendered Self in Oral History Interviews', *Cultural and Social History*, 1 (2004), p.66.

<sup>82</sup> Arthur Schlesinger, *A Life in the Twentieth Century: Innocent Beginnings, 1917-1950*, (Houghton Mifflin, 2000), p.xiii.

<sup>83</sup> Sherna Gluck, 'What's So Special About Women? : Women's Oral History' in David Dunaway and Willa Baum (eds.), *Oral History: An Interdisciplinary Anthology* 2<sup>nd</sup> Edition (Sage Publications, 1996), p.218.

<sup>84</sup> My own information used in this case study was a result of an investigation into working-class communities and not a quest to research.

<sup>85</sup> Student safety is of prime importance and the ethical guidelines of individual universities must be stringently observed. This will involve adherence to risk assessment policies, health and safety guidelines and, proposal forms for such projects undergo rigorous scrutiny before they are authorised by Ethics Committees.

and faculties. There is a good deal of information available to assist with the delivery of such courses. The first port of call for those wishing to incorporate oral testimony into the teaching of law and criminal justice would be the website for the Oral History Society, which contains comprehensive details of the procedures, advice, resources and the ethical guidelines for the conducting of interviews, transcribing and the subsequent storage of information.<sup>86</sup> The society conducts training sessions and seminars at national and local levels, for experienced interviewers or novices and provides technical advice on all aspects of oral history and the *Oral History Journal*, since it was first published by the Oral History Society in 1971 provides current idea, advice and news.

Further guidelines and advice are also available from the 'Making History' section of the Institute of Historical Research website, which contains articles, resources, information concerning existing research projects and suggestions as to further reading.<sup>87</sup> There are countless other national and international oral history journals, a small selection of which includes: *The Oral History Review*, a journal for the 'theory and practice of oral history' published in the U.S.,<sup>88</sup> *Words and Silences*, which is the online journal for the International History Association,<sup>89</sup> and the *Oral Tradition Journal*.<sup>90</sup> They provide invaluable advice and guidance, suggestions for new research methods and new ideas from around the world.

For novices in this field there are difficulties to overcome, including the supervision of students in the field, but these are not generally insurmountable. Students would, inevitably require training and practice in order to undertake this type of research, but the techniques acquired are transferable skills which will have utility in their studies and in future careers. They will need guidance in how to acquire skills in formulating and shaping interviews, what type of questioning techniques to use, and even more important the maturity and tact to deal with sensitive or emotional issues arising from the recall of specific events and, most importantly, their impact upon the respondents; but there is plentiful advice in printed form and online.

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<sup>86</sup> The Oral History Society, <http://www.ohs.org.uk/>

<sup>87</sup> [www.history.ac.uk/makinghistory/](http://www.history.ac.uk/makinghistory/) . See, for example, Graham Smith, 'The Making of Oral History' (2008) on this website at [http://www.history.ac.uk/makinghistory/resources/articles/oral\\_history.html](http://www.history.ac.uk/makinghistory/resources/articles/oral_history.html) ,

<sup>88</sup> *The Oral History Review* <http://www.oralhistory.org/publications/oral-history-review/>

<sup>89</sup> *Words and Silences* <http://iohanet.org/journal/index.html>

<sup>90</sup> *Oral Tradition Journal* <http://journal.oraltradition.org/>



Of course, the ethical guidelines of the oral interview must be the major consideration as the interviewee must have total confidence that the legal and ethical framework, under which the interview takes place, will provide for the protection of their interests. The way in which the interviews are explained, conducted, stored and utilised are of vital importance, particularly with reference to confidentiality and copyright law. Again, advice and clear guidelines framing these factors may be accessed from the Oral History Society.<sup>91</sup> Again, it is vital to reiterate that student safety is of paramount importance and there is no suggestion that they should be exposed to difficult or dangerous situations – (see footnote 85). Undergraduates would need ethical clearance for their research proposals and are usually allowed only to interview people that are known to them or to university staff.

Technical training is also a vital part of the process as the students would also have to learn how to use recording devices correctly so that the interviewee is clearly audible and need training to download and then transcribe the interviews. With the use of video recorders there are even more potential pitfalls regarding the additional technical challenges, as well as ambiance, clarity and tape quality. Again, some information regarding specific areas of oral history, including the many practical challenges, is available in books and journals. From Thompson's seminal work to theoretical or practical guides such as *Oral History Theory* and *Doing Oral History: A Practical Guide*<sup>92</sup> assistance is accessible for teachers and lecturers. Yow's second edition of *Recording Oral History: A Guide for the Humanities and Social Science*, covers the entire gamut of the technicalities and the advantages of oral history; she includes new material upon the use of the internet, discussions of the complex interplay between oral history and memory, as well as considerations for interpreting the information provided by the respondents<sup>93</sup>. K'Meyer's 'Blueprint for Teaching Oral History' provides an overview of strategies employed within American universities and colleges for teaching oral history and incorporates suggestions for planning courses.<sup>94</sup> More recently, Sloan's work on oral pedagogy considers the experiences of the narrators of oral testimony. With students involved as both interviewers and narrators it examines the experiences of participants in interviews and discusses the 'power inequalities that are often inherent in oral history fieldwork' and provides an

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<sup>91</sup> The Oral History Society <http://www.ohs.org.uk/ethics.php>

<sup>92</sup> Thompson, *Voice*; Lynn Abrams, *Oral History Theory* (Routledge, 2010); Donald A. Ritchie, *Doing Oral History: A Practical Guide* 2<sup>nd</sup> Edition (Oxford University Press, 2003).

<sup>93</sup> Valerie R. Yow, *Recording Oral History: A Guide for the Humanities and Social Sciences* 2<sup>nd</sup> Edition (Altamera Press, 2005)

<sup>94</sup> Tracey E. K'Meyer, "'It's Not Just Common Sense": A Blueprint for Teaching Oral History' in *Oral History Review*, 25(1) (1998), pp.35-56.

insight into the thoughts and feelings of the respondents.<sup>95</sup> This is particularly relevant to aid student reflection, as once the interviews have been conducted and transcribed, the final steps are interpretation and analysis of the revelations and their contribution to student understanding must be assessed.

### **Oral History Archives**

Clearly, the undertaking of interviews, their subsequent transcription and analysis can be extremely protracted and, consequently, an alternative suggestion would be the use of existing oral history archives. Interviews are to be retrieved and studied from a wide variety of organisations, archives and websites, some of which are more readily accessed than others. For students wishing to access information and memories of crime this can sometimes be problematic, dependent upon the manner in which interviews are catalogued. The initial broad categorisation on many of the websites and archives does not necessarily include the category of crime, but a deeper search may well lead students to areas of interest. For example, the oral history section of the British Library contains an extensive collection of early oral history interviews and 'deposited collections covering a wide range of subject areas.'<sup>96</sup> There is no section categorised as crime on the initial headings but when the word 'crime' is inserted into their Sound and Moving Image Catalogue, then 3,881 references may be found; inevitably the sifting of archives requires effort but can be rewarding for the diligent researcher and would be certainly less labour-intensive than organising an oral history project.<sup>97</sup> A number of potentially relevant interviews, each of which had a transcript content summary and relevant track numbers, copies of which can be obtained, subject to copyright. Various universities, community groups, public libraries, county councils, local authorities and individuals have their own oral history archives and their websites usually contain a search engine via which initial information may be obtained - from Ambleside Oral History Group to Somerset Voices, or the Scottish Oral History Centre based at the University of Strathclyde. A basic search of the East Midlands Oral History Association Catalogue using the keyword 'crime' revealed a number of interviews and projects, some of which are available online and could be of potential use; an advanced search

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<sup>95</sup> Stephen Sloan, 'On the Other Foot: Oral History Students as Narrators', *The Oral History Review*, 39(2) (2012), pp.298-311.

<sup>96</sup> The British Library <http://www.bl.uk/oralhistory>

<sup>97</sup> The British Library, Sound and Moving Image Catalogue <http://cadensa.bl.uk/uhtbin/cgisirsi/?ps=aK5QXxkudz/WORKS-FILE/76060095/123> [Accessed on 4 November 2013].

revealed additional sources.<sup>98</sup> But a useful point of commencement for research would be the National Archives Website, which provides general lists of oral history interviews and transcriptions relating to a wide variety of topic and with judicious use of advanced searches and key words will doubtless reveal additional potential sources, from private collections to those deposited within archives and record offices.<sup>99</sup> In addition to archives and collections of oral testimony within the British Isles there are numerous international archives which are also accessible for research.

Searching for memories of wartime and/or rationing within oral history archives will frequently result in revelations of the circumvention of the rationing system, poaching and other aspects of attitudes to criminal behaviour from systems of barter to workplace theft. Just one example from Brighton and Hove could allow students immediate access to recordings which detail attitudes black market transactions.<sup>100</sup> With technological advances blogs allow people to record their memories anonymously, a blog which was subsequently printed in the *Caernarfon Herald* revealed ambiguity with regards to the black market: it was recollected that 'My grandparents were honest chapel going people who wouldn't have dreamt of doing anyone a bad turn...Yet they, and many people like them were prepared to participate in the Black Market'.<sup>101</sup>

Inevitably, given the nature of criminal activity and crime-related reminiscences, researching this topic through oral history archives can be time-consuming and complex. However, listening to a limited number of tapes, or reading a few transcripts, will supplement existing sources available to students and help them to approach their studies from new perspectives and engage with their research in new ways. It is particularly useful for teaching when collaborative ventures with other departments are impractical or when time constraints preclude students from conducting interviews themselves. Perhaps for their first foray into the use of oral

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<sup>98</sup> East Midlands Oral History Association Catalogue <http://www.le.ac.uk/emoha/catalogue/subject.html> [Accessed on 4 November 2013]. Interviews range from those from a retired prison governor to past members of the police force.

<sup>99</sup> The National Archives <http://www.nationalarchives.gov.uk/a2a/results.aspx?tab=2&Page=1&ContainAllWords=oral+interviews>

<sup>100</sup> Brighton and Hove <http://www.brighton-hove-rpml.org.uk/discoveryandlearning/heritagelearning/resources/Pages/BrightonduringWorldWarIIMedia.aspx>

<sup>101</sup> *Caernarfon Herald* <http://blogs.caernarfonherald.co.uk/hywelroberts/2011/09/no-64-the-black-market-in-ww2.html> [accessed on 29 September 2013]

testimony perhaps students could be provided with a limited number of recordings or transcripts which could be assessed as to their utility for the understanding of crime and criminal behaviour - the potential uses are considerable.

## Conclusion

As stated at the outset, this article is not a blueprint for the use of oral history in the field of law and criminal justice, rather it is a suggestion, from a historian and practitioner of oral history, that for students listening to the words of those involved, or reading interview transcripts may be an informative experience. Inevitably, for those practitioners who may be unfamiliar with the incorporation of oral testimony into their teaching, or those with limited experience in the field, this may be a daunting venture. These difficulties are not, however, insurmountable as there is ample scope for cross-curricular/cross faculty co-operation and the benefits for students who have access to first-hand accounts from the individuals who have been involved, in some way, in criminal activities are endless. Potentially students have access to the experiences of the perpetrators, the victims, witnesses and those involved in dispensing justice. This could then be used as an aid to the understanding of crime, to explain the perceptions of crime and criminal activities in a variety of situations, and to explore contemporaneous reactions amongst members of the community.

Oral testimony has the potential to enhance the quantitative and qualitative evidence, assist with the interpretation of the documents and statistics and the legalities of crime. Oral history has been successfully incorporated into the teaching programme for students studying for a Master's Degree in Criminology and Criminal Justice at Keele University<sup>102</sup> and in a number of American and Australian institutions of Higher Education.<sup>103</sup> Perhaps, then, some of these techniques may be used in order that the student experience can be enhanced by access to oral interviews. They may help to illuminate the moral and ethical questions concerning criminal activity, providing at least partial explanations as to why specific crimes are committed, the circumstances under which certain types of criminal behaviour have been condoned and why the

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<sup>102</sup> <http://www.keele.ac.uk/media/keeleuniversity/fachumsocsci/sclsocrim/criminology/Glossy%20leaflet-MA%20CCJ-April%202013%20update.pdf>

<sup>103</sup> For example, J.C. Kunselman and K.A. Johnson, 'Using the Case Study Method to Facilitate Learning', *College Teaching*, 52(3) (2004), pp. 87-92; [www.princeton.edu/.../content/data/oral\\_history/](http://www.princeton.edu/.../content/data/oral_history/); <http://tarltonguides.law.utexas.edu/content.php?pid=101468&sid=763468>; Mark Israel, 'Teaching Criminology through Interview-Based Assignments', *Legal and Educational Review* 141 (1997), Department of Legal Studies, Flinders University of South Australia, [www.ler.edu.au/Vol%208\\_2/Israel.pdf](http://www.ler.edu.au/Vol%208_2/Israel.pdf).

perpetrators may be sheltered within their neighbourhood or social circle. The memories of the respondents may, in some ways, help students to interpret the evidence, contextualise behavioural patterns, power relationships, perceptions of the law, and, importantly, to engage with existing sources in new ways, as the traditional sources are augmented with personal experiences.