Radical Changes: Decolonizing, not just Diversifying, Digital Crime Archives

Katherine Roscoe*

As I write this, we are in the midst of a global pandemic that has limited historians’ ability to travel to and access physical archives. It has intensified our reliance, decades in the making, on digital repositories for researching and teaching the long nineteenth century. Meanwhile, the global resurgence of Black Lives Matter (BLM) protests after the killing of George Floyd has spotlighted the institutional racism endemic in the criminal justice system in the US, Europe and across much of the world. The toppling of slave-trader Edward Colston’s statue in Bristol by BLM protestors has brought to public attention a long-overdue reckoning with Britain’s imperial past. Since 2015, student activist campaigns, including Rhodes Must Fall (Cape Town/University of Oxford) and ‘Why is My Curriculum so White’ (UCL), have demanded universities confront their colonial past and decolonize their curriculums. This essay reflects on how digital resources about Victorian crime and punishment – a well-represented sub-field digitally – can be decolonized, and my own challenges creating such a digital resource about a colonial-era Australian prison.

This is not the first time JVC’s digital forum has considered how digital collections have transformed research on Victorian crime and punishment, nor the lack of representation of British imperialism in digitized literary collections. It is, however, the first time the forum has examined the representation of colonialism within digital crime collections specifically. This is surprising considering that the digitization of the Old Bailey’s trial records was foundational to the development of digital humanities in the UK, and Old Bailey Online (OBO) remains widely used as a research and teaching tool. The nineteenth century heralded mass

* University of Liverpool, UK, E-mail: karoscoe@liverpool.ac.uk


data collection about metropolitan and colonial populations, and convicts transported to Australia were ‘at the forefront of that revolution’. That being the case, this piece considers the potential for Australian digital crime history resources to be reformed and put in dialogue with other digital resources, thus reforming their purpose from colonial archive to decolonizing tool.

In the early 2000s, the creation of a text-searchable corpus of almost 200,000 trial records from the Old Bailey demonstrated the possibilities of digitized criminal data for analysing London’s working classes in the long nineteenth century. In 2016, a major digital crime history project created a vast dataset about Britain’s metropolitan criminal population that was mobilized across empire. The Digital Panopticon traces the lives of 90,000 people convicted in London and transported to Australia using millions of records from 50 datasets. The Digital Panopticon allows users to search for convicts, using ‘name’ and ‘ship’ by default, but with additional search criteria including ‘complexion’. The website generates ‘life archives’ for many convicts, contextualizing their journey through the criminal justice system within the course of their life. Barry Godfrey argues that these ‘new liquid forms of digital history’ enable the ‘recovery of the lives of the dispossessed and powerless’ at scale. However, on arrival in the Australian colonies these convicts went from being the dispossessed to the dispossessors – becoming agents through which the British state displaced Indigenous people from their lands. How can we use or extend these digitized transportation records which span British and imperial contexts to tell the stories – not just of poor White Europeans – but of Indigenous people whose lives and liberties were ‘lost and stolen through systematic global racialisation’?

The onus for these reflections came while I was creating a database of prisoners incarcerated on Sydney’s colonial prison, Cockatoo Island. Though established as a prison in 1839, just one year before convict transportation to New South Wales ceased, its inmates included Aboriginal, African American, African Caribbean, Black British, Chinese and Southeast Asian migrants and sailors, alongside White convicts and their descendants. As a UNESCO World Heritage ‘convict site’, the public narrative of Cockatoo Island centres on White British and Irish men being subjected to hard labour in the colony. The original records from the State Archives of New South Wales, which formed the basis for my dataset, were also UNESCO World Heritage listed because:

The convicts’ lives were minutely documented by a dedicated bureaucracy, generating a body of records of 19th century working class people, from their British roots to their Australian fates. These records contain information relating to all aspects of convicts’ lives, including physical appearance, literacy, level, trade or calling, crime and sentence, behaviour in incarceration, further punishment, pardon, ticket of leave and marriage.

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6 Barry Godfrey et al., *The Digital Panopticon: Tracing London Convicts in Britain and Australia, 1780–1925* [www.digitalpanopticon.org] [accessed 17 September 2020].
9 Cockatoo Island Convicts <https://cockatooconvicts.wordpress.com/> [accessed 17 September 2020].
In this rationale, Britishness is the framing context, with race and gender subsumed in the seemingly neutral category of ‘physical appearance’. In addition, the ‘minuteness’ of the documentation – cited as the recordset’s chief value – is nowhere near as granular or detailed for prisoners of colour within the Cockatoo Island dataset. The varied misspelling or nicknaming of Indigenous, Indian, Chinese and African names, coupled with patchy recording of either their birthplace or ship, makes positively identifying one individual across record sets difficult. Large-scale projects will replicate, or even exacerbate, these racialized gaps in the records of people of colour, due to limitations of keyword searches or Optical Character Recognition for variant spellings of non-Anglophone names, whose lives span transnational archives. The Convict Voyages website, which enumerates and maps convict flows globally (including non-White convicts transported between British colonies) could not include individuated life archives at scale because record-keeping practices varied too much across borders. Since creating life-archives relies on consistency within and across archival datasets, many people of colour slip between the gaps of digital record-linkage, becoming further marginalized in public history.

In my website, Cockatoo’s Convicts, I feature ‘convict lives’ to showcase the diversity of prisoners, but the dataset itself is unchanged, replicating the racialized gaps within the original historical record. Analytics show users accessed the Cockatoo Island dataset directly in far greater numbers than the featured (contextualized and diverse) convict lives. Therefore, to decolonize the island’s history requires a more fundamental ‘re-forming’ of the digital archive itself. Public history narratives of convict transportation – much of it now interfaced via digital platforms – are usually implicitly ‘White’, especially in the Australian context as a nationalist founding mythology. As Ann Curthoys argues: ‘Many non-Indigenous Australians have difficulty in seeing themselves as the beneficiaries of the colonisation process because they . . . see themselves as victims, not oppressors’ [original emphasis]. At the heart of this collective victimhood is the ‘exodus’ of convict ancestors from their home. If the Whiteness at the core of public convict history goes unchallenged it has the potential to validate existing biases. When family historians research their convict ancestors, they are likely presented with the success stories. Since marrying and having dependents were (and remain) factors in desistance: their ancestor is less likely to have been a persistent recidivist, and (all but the most violent) historic crimes are viewed through rose-tinted glasses. The practice of family history should

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14 The short-term nature of the Economic and Social Research Council postdoctoral fellowship that funded this digitization project means further work ‘re-forming’ the archive to address these gaps has been paused. This reflects issues in funding landscape of short-term grants (especially for Early Career Researchers) and difficulty attracting funding for projects that maintain or update existing datasets, rather than create new ones. This short-term thinking can make digital output less ‘durable’ than traditional published ones, despite the fact that the former is more accessible and engaging for wider audiences.


17 Barry Godfrey, ‘Prison Versus Western Australia: Which worked best, the Australian penal colony or the English convict system’, The British Journal of Criminology, 59 (2019), 1139–60.
confront the multi-generational accrual of White privilege which began when convicts were transplanted to the settler-colony. Otherwise we risk creating hostility towards ex-offenders today who are not able to ‘turn their lives around’. This is particularly problematic in Australia where Indigenous people continue to be over-represented in custody: in 2015 Indigenous people were 15.5 times more likely to be incarcerated than non-Indigenous people.¹⁸

Digital interfaces offer the opportunity to engage public audiences of family historians with colonial histories and its neo-colonial legacies in new and disruptive ways. As Miriam Posner argues, it is not enough to call for an interrogation of ‘race, gender and other structures of power’ which ‘while necessary and justified do not go far enough’.¹⁹ The truly radical next steps in digital humanities ‘require the dismantling and rebuilding of much of the organizing logic that underlies our work’.²⁰ The very epistemological basis of these archival data collections are colonial, racist and classed.²¹ The digital criminal archive often replicates the structures and silences in the original archives, and can even exacerbate them as non-specialist users adopt keyword searches that decontextualize archives from the politics of their production. Digital users tend to view information they see on screen as ‘accurate’,²² making it all the more problematic when users are engaging with datasets that are biased in favour of White westerners.²³ As Joanna Radin has argued, the recognition that data collection has (re)produced patterns of settler-colonialism can provide ‘inspiration for intervening in the creation and management of new digital tools of representation’.²⁴ Transforming the form and function of digital colonial archives requires the involvement of Indigenous scholars and ontologies. As Linda Tuhuiwai-Smith exhorted us in 1999 we must ‘decolonise our minds’ by recognizing the imperialist and extractive logics of academic research and replace it with an ethos of co-producing and sharing knowledge.²⁵ We can only reform digital crime history if we reform the colonial archival foundations they are built from.

So, what might a decolonizing digital crime history resource look like? For digital histories of convict Australia, it would include not just an overt but integrated recognition of Indigenous Country. If dual-naming was used in every life archive of a transported convict it would read ‘Sent to New South Wales, country of the Cammeraygal and Gadigal people’, highlighting how the forced migration of White convicts enabled the dispossession of Indigenous communities.²⁶ This could link to digital maps displaying Indigenous placenames and territories, since Western

²⁰ Posner, Gold, and Klein (eds), Debates, p. 32
mapping and re-naming practices were a key tool in colonizing Indigenous lands. Muru View, for example, uses Google Maps API but overlays it with Indigenous placenames, using data taken from historical documents. The geographical data embedded in colonial- and convict-datasets, including ticket-of-leave and land grants, can be used to map both European settlement and Indigenous patterns of land use. Digital humanities presents further opportunities for presenting Indigenous geographies in ways that are non-Cartesian, for example using Qualitative Spatial Representation (QSR) to represent relational geographies.

The Colonial Frontier Massacres, Australia project demonstrates the radical potential for digital mapping as a tool for re-forming colonial archives to represent state violence enacted against Indigenous people. It maps the location of known massacres, detailing the numbers of Indigenous and European victims, linking both to academic references and the freely available digital newspaper archive Trove. The transparency and accessibility of evidence in The Colonial Frontier Massacres map is a powerful corrective to the ‘History Wars’, during which right-wing commentators used spurious statistics on casualty rates to deny the genocide of Aboriginal people during the Tasmanian War (1828–1832). If each of the White convict life archives locations were located not just onto maps marking Indigenous territory but to resources like The Colonial Frontier Massacres Map, it would disrupt linear research of an individual and highlight instead the state’s privileging of White lives over Indigenous ones. It is bridging this gap between individuality and structures that differentiates ‘diversifying’ from ‘decolonizing’ approaches.

In the field of Australian criminal history, The Prosecution Project offers the opportunity to unpack the diverse range of defendants brought under colonial jurisdiction. It has digitized court calendars of criminal trials in the higher courts of six Australian jurisdictions in the nineteenth and twentieth centuries. It has the transformative potential of OBO by bridging the convict era to the colonial system that developed on the ground. Its large corpus of data features defendants who are Indigenous, European and from other migrant populations. This comparative framework has allowed the project’s researchers to analyse how the racialization of different groups affected sentencing outcomes, though as of September 2020 users cannot automatically generate graphs of trial statistics using race as a category on the website. As this dataset is expanded to include lower courts – like quarter sessions and magistrates’ courts
– it will further reflect how most defendants, including Indigenous ones, were prosecuted in the colonial period.

Crowdsourcing is a powerful strategy in digital Australian crime history, reflecting the popularity of convict history among family historians and genealogists and leveraging their expertise as transcribers and researchers. After all, as Tanya Evans has argued, ‘family historians can be both new social historians as well as protectors of privilege and prestige’, committed to telling marginalized histories through their exploration of poor Whites and people of mixed racial ancestry. Founders and Survivors, which digitized and linked records of Tasmanian convicts and their descendants, first modelled this approach. More recently, volunteers transcribed the records of prisoners in Victoria, 1855–1942, for the Criminal Characters digital project using the Zooniverse platform. Project lead, Alana Piper, describes volunteers acting in the capacity of ‘citizen scientists’, interacting via digital forums and reflecting on how social categories (including nationality and ethnicity) shaped people’s lives in and outside the criminal justice system. The public-facing and collaborative nature of large digital crime history projects, which often incorporate multiple university and heritage partners, is a strong basis for co-production with Indigenous communities, activists and scholars. If properly supported, these collaborations would involve Aboriginal and Torres Strait Islander communities and scholars in creating digital archives, rather than relegating them as dehumanized ‘subjects’ of colonial archives. This co-production has the greatest potential to reform and decolonize histories of crime and punishment and restore Indigenous histories to the widest possible audience. However, this relies on financial support from a government that, as of 2018, vetoed arts and humanities projects totalling $4.2 million of Australian Research Council funding and which, in 2020, announced it would more than double fees for history courses at university.

Decolonizing digital crime history is challenging because the changes have to be structural, not surface level. My own project was originally titled, “Criminals incapable of reform”?: Re-assessing the prisoners of Cockatoo Island Prison (Sydney), 1839–69. The central research question I sought to answer was about the presumed criminality of this population and featuring a diverse set of convict lives was an add-on. The final website reflects this. I realise now to reform public convict history requires the harnessing of digital tools to ‘re-form’ the shape of the historical archive, itself a tool of racialized oppression. As long as we replicate the colonial archives in their current form – papering over gaps with explanatory notes – we can

37 Alana Piper et al., Criminal Characters: Investigating the lives of historical offenders in Australia <https://criminalcharacters.com> [accessed 17 September 2020].
41 Cockatoo Island Convicts <https://cockatooconvicts.wordpress.com/>.
only exacerbate racialized silences. To re-shape digital crime archives will mean disrupting the ‘liquid’ flow of research by renaming places and re-orienting perspectives. It will disrupt narratives and potentially upset some who want to view their criminal ancestor as protagonist in both senses of the word – as subject and sympathetic. There are opportunities to leverage academic networks and funding to co-produce digital crime histories that include Indigenous scholars and community groups and their knowledge of deep-time histories and Country, and the expertise of family historians, who specialize in convict recordsets and local histories. These colonial-convict histories are entangled: many Australians have both convict and Indigenous ancestors in their family tree. Let us reflect that in our digital histories.

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Notes on Contributor

Katherine Roscoe is a Leverhulme Trust Early Career Fellow based in the Sociology, Social Policy and Criminology department at the University of Liverpool. She received her PhD in history from the University of Leicester in 2017, working as part of the global history of penal colonies project, The Carceral Archipelago (European Research Council). Her PhD thesis on the incarceration of Indigenous, European and other migrant groups on Australia’s offshore island won her a Boydell and Brewer prize for best doctoral thesis in maritime history. She has since held fellowships at the Institute of Historical Research (University of London), the Caird Library (National Maritime Museum) and an ESRC Postdoctoral Fellowship at the University Liverpool. Her current Leverhulme Trust project explores the role of unfree labour in creating imperial maritime infrastructure in the transition to steam technology.