

The inglorious 12th

Harry Roberts shot two London policemen dead fifty years ago today: Messrs DC David Wombwell and DS Christopher Head. His accomplice shot their driver PC Geoffrey Fox. The case still resonates today for various reasons, not least of which is Harry Roberts is out on parole, and living in Peterborough, Cambs, according to the Mirror newspaper.

I remember hearing that he was being paroled a year or two ago and thought then of Ronnie Biggs, the great train robber. He was in Belmarsh prison, pretty much on life support, at the same time as former SRA member Bob Kleasen. Bob died in custody in 2003, resisting extradition to the USA. The Catholic clergyman who gave Bob a lot of his time in the final days also had dealings with Ronnie Biggs and said that he thought they'd let Ronnie out when he was too debilitated to get out of bed. The Home Office did not want him turning up on daytime television chat shows doing his worn out lovable rogue routine.

So it came as a surprise this morning to read of Harry Roberts being seen jogging in Peterborough. I'd assumed he was at death's door when released, as successive Home Secretaries said that police murderers would never be let out. One could understand the practical reasons for releasing a bed-bound prisoner flowered up as 'humanitarian' grounds, but not this.

Harry Roberts has never expressed any remorse for his crimes and in the mid 1980s we had a prison warden client (FAC appeal) who said he'd intercepted a handgun Harry was reeling into his cell on a fishing line. He wanted the gun, says our informant, to prove that he could still do it. So what's changed?

Fortunately, our government had the foresight to prohibit persons who were sentenced to three years or more in prison from possessing firearms, so you can sleep tonight, safe in the knowledge that Harry Roberts isn't allowed to have a gun and thus can't prove that he can still do it. The prohibition kicks in on release, so it didn't affect his (nearly) having a gun in prison.

That change actually came the year before the murders. A general election in 1964 ended what the new PM Harold Wilson called 'thirteen years of Tory misrule' and with a tiny majority and Roy Jenkins as Home Secretary, he set about the business of being a Labour government. In 1965 Roy Jenkins abolished the death penalty for a five-year experimental period. The last executions had taken place in 1964 when two men were hanged for murdering John Alan West in the course of robbing him.

Murder in the course of a robbery was one of just a handful of remaining capital offences in 1965. The others were murder using a firearm or explosive, the murder of a policeman or prison officer and a second murder of any description; and therein clues about why Harry Roberts is still famous.

There are a small group of people who gained notoriety in 1966/7 in the media: The Kray twins, Ronnie and Reggie, the moors murderers Mira Hindley and Ian Brady and Harry Roberts. What they all have in common is that their crimes should have led to the rope, but for Roy Jenkins' 'temporary' abolition of the death penalty. These names were rammed into the public consciousness by a concerted media campaign to bring the death penalty back.

Harry Roberts would have qualified for the drop on three grounds: two murders, policemen and firearm. Brady and Hindley, more than one murder: Ronnie Kray shot George Cornell and held Jack McVitie while Reggie stabbed him.

These people became famous for not hanging. You'll have to look up the names of the last two men to hang in the UK and you won't have heard of them before. That's the power of the media.

According to the Mirror newspaper, the Harry Roberts legacy was the formation of an armed policing squad in London and the Police Dependents' Trust, kicked off by a £250,000 donation from Billy Butlin. That may be, but it's not the legacy we remember. The Gun Licensing Act 1870 was repealed by a clause in the Local Government Act 1966. The 1870 Act created a tax that was largely ignored and in deciding to abolish it, The Home Office had looked at an alternative system for licensing gun owners before concluding it wasn't worth it.

However, once Harry Roberts let go with his Luger in the middle of the silly season, Roy Jenkins needed something to throw into the Fleet Street shark pool for them to feast on, and the plan not to bother with shot gun certificates was near the top of the Home Office litter bin. It got dusted off and served up as clauses in the Criminal Justice bill 1967. Whether it placated the media or not in 1967, we don't remember, but calls for restoration of the death penalty dwindled and by 1987 the whole idea was history.

And that's Harry Roberts' legacy, still with us today – as is he. Shot gun certificates came out of the need to feed the media something to divert them from calling for restoration of the death penalty. If they'd succeeded, you'd not now remember the names of the people who escaped the noose.