**De Aston**

**English Department**

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**Year 13: Unseen Crime**

**Academic Excellence Booklet**

**Activity 1 – The Suspicions of Mr Whicher**

Kate Summerscale’s “The Suspicions of Mr Whicher” explores the emergence of the first modern detective force in Victorian England. Detective Inspector Jonathan 'Jack' Whicher was one of the original eight members of the newly formed Detective Branch which was established at Scotland Yard in 1842. The book follows his investigation of the bizarre case of a murder committed at Road Hill House.

* If you can get hold of a copy, read the book. Alternatively, there was a film adaptation which you may be able to view on youtube.
* Read the interview with Kate Summerscale, reproduced for you at the end of this pack.
* In this interview, Summerscale explores how this real-life evolution of the crime detective was mirrored in the fiction of the time; she claims “It seemed to me that the case was very influential in terms of the beginnings of detective fiction”. To what extent do you agree this is the case? Do your own research into novels that were inspired by this real-life case. Here are some suggestions to get your started:
	+ “Bleak House” by Charles Dickens
	+ “The Moonstone” by Wilkie Collins
	+ “Lady Audley’s Secret” by Mary Elizabeth Braddon

**Activity 2 – The ‘real’ Sherlock Holmes**

Sir Arthur Conan Doyle openly acknowledged his debt to Professor Joseph Bell as the inspiration for the character of Sherlock Holmes.

* Do some research into Professor Joseph Bell and explore the similarities and differences between him and his fictional counter-part, Sherlock Holmes.
* The original stories have become classics, and there have been many spin-offs and adaptations, including BBC’s Sherlock and CBS’s Elementary. Why do you think the character of Sherlock Holmes continues to be so popular?
* In what ways do you think the detectives of Victorian fiction, including Sherlock Holmes, have had an influence on more recent detectives and investigators in the crime writing you’ve read. Be specific – refer to specific detectives, methods, characters traits, etc.

**Activity 3 – The CSI Effect**

The CSI effect, also known as the CSI syndrome and the CSI infection, is any of several ways in which the exaggerated portrayal of forensic science on crime television shows such as CSI: Crime Scene Investigation influences public perception.

* Read the two articles explaining “The CSI Effect” included at the end of this pack.
* Think about this in relation to your reading of crime fiction and your viewing of contemporary crime drama. How do you think it affects your views of writing about crime?

**Activity 4 – Dual Narrative**

Tzvetan Todorov, in The Poetics of Prose, argues that the classic detective story has a dual structure: It ‘*contains not one but two stories: the story of the crime and the story of the investigation. In their purest form, these two stories have no point in common . . . . The first story, that of the crime, ends before the second begins. But what happens to the second? Not much. The characters of the second story, the story of the investigation, do not act, they learn. Nothing can happen to them: a rule of the genre postulates the detective's immunity. We cannot imagine Hercule Poirot or Philo Vance threatened by some danger, attacked, wounded, even killed. The hundred and fifty pages which separate the discovery of the crime from the revelation of the killer are devoted to a slow apprenticeship: we examine clue after clue, lead after lead. The whodunit thus tends toward a purely geometric architecture. . . .*

*‘This second story, the story of the investigation, . . . is often told by a friend of the detective, who explicitly acknowledges that he is writing a book; the second story consists, in fact, in explaining how this very book came to be written . . . . The first [story] -- the story of the crime -- tells 'what really happened,' whereas the second -- the story of the investigation -- explains 'how the reader (or the narrator) has come to know about it….*

*‘The first, that of the crime, is in fact the story of an absence: its [salient] characteristic is that it cannot be immediately present in the book. In other words, the narrator cannot transmit directly the conversations of the characters who are implicated, nor describe their actions: to do so, he must necessarily employ the intermediary of another (or the same) character who will report, in the second story, the words heard or the actions observed. The status of the second story . . . [consists in being] a story which has no importance in itself, which serves only as a mediator between the reader and the story of the crime . . . . We are concerned then in the whodunit with two stories of which one is absent but real, the other present but insignificant.’*

* Consider how this relates to:
	+ classic detective stories you’ve read or watched
	+ your reading of contemporary detective fiction
	+ your viewing of contemporary crime drama

**Activity 5 – Twenty rules for writing detective stories**

S. S. Van Dine is the pseudonym used by American art critic Willard Huntington Wright when he wrote detective novels. Wright was an important figure in avant-garde cultural circles in pre-World War I New York, and under the pseudonym (which he originally used to conceal his identity) he created the once immensely popular fictional detective Philo Vance, a sleuth and aesthete who first appeared in books in the 1920s, then in movies and on the radio.

In addition to his success as a writer of fiction, Wright's lengthy introduction and notes to the anthology The World's Great Detective Stories (1928) are important in the history of the critical study of detective fiction. Although dated by the passage of time, this essay is still a core around which many other such commentaries have been constructed. He also wrote an article, "Twenty Rules for Writing Detective Stories", which is reproduced at the end of this pack.

* Read “Twenty rules for writing detective stories” included at the end of this pack.
* Evaluate each rule. Do any seem appropriate? Are others outdated or simply ridiculous?
* To what extent do these rules apply to classic or contemporary crime writing you have read?

**Wider reading**

You need not read these texts from cover to cover; use the contents page to determine which sections may be relevant or of interest and read selectively. You could also look at the reference pages of these texts for suggestions for further reading:

* W.H. Auden (1948) “The Guilty Vicarage: Notes on the detective story, by an addict.” In this article, author Auden explores his understanding of the detective story form.
* T.S. Eliot (1932) “Wilkies Collins and Dickens.” Short essay exploring literary crime novels, particularly the Victorian sensation novel.
* P.D. James (2010) “Talking about Detective Fiction.” One of the most respected contemporary crime writers, P.D. James, explores her own methods of writing about crime.
* J. Scaggs (2005) “Crime fiction.” Available to read in full for free as a .pdf online. Comprehensive but highly readable.

**1. An Interview with Kate Summerscale**

On the morning of 30 June 1860, the residents of Road Hill House, near Trowbridge, awakened to discover that Saville Kent, the three-year-old baby of the family, was missing. A few hours later, his slashed body was found in the privy. There were as many suspects in the murder as there were residents in the home -- more, even, after accounting for village residents who might or might not be sleeping with various Road Hill servants. The innocence of the victim and the moral certainty that the murderer lived within the household, shocked the Victorians, leading to widespread demands for a thorough investigation.

Fortunately, in 1842, London had created something very un-English: a detective force, charged with solving crimes using everything short of domestic spying, staffed by expert lawmen. Charles Dickens, Wilkie Collins, and others lionized these men, awed by their feats of inductive reasoning, and recognizing a comparable knowledge of human psychology. One of these men, Jonathan Whicher, was dispatched to Trowbridge to solve the Road Hill House murder. The maelstrom around the case was so powerful, however, that solving it turned out to be Whicher’s ruin.

This is the story that Kate Summerscale recounts in *The Suspicions of Mr. Whicher*, and she succeeds so admirably that the book has won the 2008 BBC4 Samuel Johnson nonfiction prize. Summerscale’s chief insight is that this detective, and this crime, were unusually influential in shaping early detective fiction and crime reportage, which in turn set expectations for subsequent crimes and detectives. *The Suspicions* *of Mr. Whicher* is organized as a detective novel itself, in many ways, and in addition to a briskly paced plot offers many details about life in Victorian England.

In the interview below, Summerscale discusses the mutually constitutive relationship between life and art, the need to make the Victorians strange again, the Victorian home as a site of sanctity and anxiety, and many other topics. We spoke by phone in early August.

**There are lots of famous crimes in the nineteenth century. What's distinctive about the Road Hill murder?**

It was the fact that it was such a dark family story, and it was about the dark side of Victorian domesticity. [The Victorian home was so sanctified, and this was the antithesis to that, really](http://jbj.tumblr.com/post/47551325/a-murder-like-this-could-reveal-what-had-been). And it made sense of what detection was. Detection was, in a way, an investigation of the Victorian home. That's where it started.

Also, the fact that it was a closed circle of suspects seemed to make it an influential crime in terms of detective fiction -- and made detection an investigation not only of the domestic interior but also of the psychological interior. The detective in this case had a group of suspects and had to work out what their secrets were, as opposed to chasing after a fleeing criminal who had to be tracked down in a geographical sense. All of that made it very intriguing to me.

**And those things also turned out to make the public very ambivalent about detection, right? On the one hand, it's easy to admire a cop who chases down a criminal, but, at the same time, someone who goes rooting around through your privy is a different story.**

In that sense it became clear to me that this was a story about class, and the way in which detectives were from the lower classes and there was something extremely exciting to the public and also threatening when they turned their attention to the middle classes, rather than the working classes that they had originally been formed to police.

**It does seem as though the story was calculated to raise every conceivable Victorian hackle about class -- there's the fact that the villagers hate Samuel Kent, Kent and his servants, the rumors he's having trouble paying his bills for schools, whether he can really afford such a big house, Jonathan Whicher's rise from the working classes...**

Yes, and the fact that there are these adulterous and insane elements in the family's past -- it's almost a hyper-real middle-class family with secrets, and so intent on attaining respectability that there's a lot of covering-up going on. Including, as you say, a certain amount of covering up about finances, the suggestion of him living beyond his means, and the hostility due a huge turnover of servants. There was the combination of suspecting him of having sex with his servants and of treating them badly so that they were constantly leaving his employ. Everything was very heightened in terms of the relations between the classes, and the secrets the middle-class home could be imagined as containing.

**One of the things that struck me about the story is that there's an interesting tension between the modern aspects of the case (all the press coverage, allegations of coverups and conspiracies, the false confession by the working man, and so forth), but also legacies of older ways (detectives are still new, there's still an expectation of privacy that may seem odd today when there are cameras on every corner and Patriot Acts and things of that nature). So it really seemed to be a switch-point between old ways and new ways of thinking about crime.**

What I found very absorbing about the story was the way that a lot of the aspects of crime reporting and thinking about crime and the way it's processed and experienced by us had their origins then. So that we have a great concern about surveillance now, it's much more widespread and common than it was then, but it's the same kind of anxieties, just in an earlier form. And the fact that they're in an original form makes it easier to look at them and to think about them. Similarly with detectives and detective fiction, and what we’re drawn to in that: it seemed to me that by looking at the origins of it, you could get a handle on it more. And I found that fascinating. Including the etymology! You know, the words we use, such as hunch and lead and detective itself -- it had never crossed my mind to wonder where these words came from, and I found it very enlightening to find that out.

**Absolutely -- what was it? The link between** [**clue and the legend of the labyrinth**](http://jbj.tumblr.com/post/47550498/the-word-clue-derives-from-clew-meaning-a)**?**

Yes, and all the imagery of thread which came from that. The word clue was originally a ball which would lead one out of the labyrinth. And also the very words such as unravel, and lead, and all this, much of it is traceable to that kind of imagery, of fabric and threads. You realize when you're reading the Victorian novels or articles about crime that these associations or images were still present in their minds in a way that they aren't now to us. They've just become words to us, but then they really were metaphors.

**And metaphors that pointed to the ambivalence about the whole scene. On the one hand, you want to unravel the crime, but at the same time, there is the sense of an unraveling of security, of safety, of the sanctity of the home.**

I use that word, the unraveling, for the final section of the book, because it did seem to have that ambivalence to it. The finding of a solution, you unravel the mystery, being a good thing, but also entails the unraveling of individual lives, a collapse and disintegration, and, yes, even the fabric of society as it was conceived to hold strong. Once you pick it apart, you see it can come apart.

**And one of the things that is interesting here is how -- without giving away too much -- the explanation can't really account for all the details that came to light when the crime was first committed. The explanation seems both true and inadequate to the violence of the deed.**

Which leaves the case sort of endlessly open, though I do reach my own conclusion, as the detective did. I think that's necessary, to come to a kind of solution. But there is something endlessly open, which is partly to do with the absolute horror of the crime itself. However much you can rationally work out what the likeliest explanation and motive and so on was, nothing quite seems equal to what happened. Nothing seems to be able to make sense of that. And so that's one of the reasons why you're left still open-mouthed and not quite grasping it in the end, because of how horrible the crime was. There's also something about the accumulation of details. The case was so poured over at the time, and as I've tried to do in the book, if you try to gather every detail from the scene of the crime, from the lives of the family, the surrounding village, and the mass of information starts to complicate the picture. There's this idea that by gathering more and more evidence you come closer to a solution, but I think that at the time it was certainly felt that, no, the more we're getting the more confusing the picture becomes. There's something of that, too: Once you get enough evidence you can tell any number of stories. It's just what order you choose to put the evidence in.

Having said all that, like the detective in the story, I do feel that I know, more or less, what happened.

**Of course -- I didn't mean to suggest that there was an actual lingering mystery. You raise in the book the point that,** [**when the crime is unsolved, every single thing seems freighted with meaning**](http://jbj.tumblr.com/post/47550756/while-a-murder-went-unsolved-everything-was)**, but then afterwards you are left with this welter of material that turns out to have been unrelated but you still want an explanation for it.**

I was fascinated by that, by the way all these banal domestic things seemed to shudder with significance at the time, for as long as the crime went unsolved. To me, this was a great benefit -- it is one of the interesting things about writing about historical crime. You get a wealth of domestic detail that you otherwise wouldn't have any access to. And so all of the details that have, in effect, returned to banality once it turns out they were red herrings, they don't really have anything to do with a solution to the case, to the modern reader, or to me, they still are of great interest, because they are clues to how people felt, thought, lived. So the details that are relevant to the crime, and the details that are relevant to history are different, but they still have a fascination as historical details.

**On the one hand, your book wears its research very lightly, it doesn't feel bogged down by detail; on the other, it's meticulously researched, with details about the weather, specific details about the family life -- it must have been a blast to go through the archives for this.**

Yes, it was fantastically enjoyable to try to do. In a way, that came out of my decision to try to recreate Whicher's investigation as much as I could, day by day. To make that work, I tried to research, in detail, the environment, the weather, rail timetables, so it was in a way mimicking the work of a detective reconstructing a crime scene. But I wasn't just reconstructing the scene of the crime I was also reconstructing the scene of the investigation, because in a way I was investigating his investigation. That was, in a sense, my model, and that was the demand I placed on myself, by making it chronologically minute, day by day. That drove me to looking in local papers for crop reports so I would see whether the harvest was in by that point in the year.

**There's reported speech in the book, but it's all from contemporary transcripts, right?**

All the speech is either from reports in the newspapers or in the court (whether trial transcripts or magistrate's hearings) or Inspector Whicher's own reports, where he described in some detail what had happened while he was there.

**Like Dickens and Wilkie Collins, you seem impressed by Jonathan Whicher. What's so compelling about Detective-Inspector Whicher?**

It's partly the irony and the poignancy of his story, which is that he worked on this extraordinary case, and, in essence, got the solution right, but was ruined by getting it right, by seeing the truth. That's what seemed compelling about him to me in the first place. And then as I tried to find out more and more about him, I did see him as a model for all the police detective heroes since -- sort of laconic, and wry, seeming ordinary but being rather brilliant and imaginative. As a model, he was fascinating, and as a man, he was moving. There remains something mysterious about how he worked, which I think is part of the fantasy and magic of the detective figure, in that in the end, although he came up with ingenious and imaginative scenarios and hypotheses about what had happened, in the end he went on hunches, on gut instinct, on observations about people. And so there's something inexplicable about how he arrived at the conclusions he did -- but he did. And he was usually right, but not always, importantly. I think the fact that he was fallible made him a more interesting figure than some fantasy detective like Sherlock Holmes.

**His foils here -- the Kents are not -- I mean, obviously one feels great sympathy for them because of their loss, but at the same time the Kents are not an appealing family: You have the arriviste second wife, and all the rest.**

No, they are a terrible, damaged family, and just about holding themselves together. For a long time, many people wanted to pin the blame for this boy's death on his father, and I think there's some kind of moral weight to that, in that I think the way that the father lived and brought up his family was a case of his sins being visited on his children and on himself. The family just sort of goes from bad to worse. It's a very messy, unattractive family in many ways, but also you can't help but feel a lot of pity for certainly the children of the family.

**Especially around the father, if you're going to take Victorian family ideology seriously, with the patriarchal Victorian authority figure -- that has a cost as well. When things go badly in your family, it redounds on you to a certain extent.**

I suspect that he knew what had happened and how his son had been murdered, and that he assumed the role of the patriarch in protecting his family from the consequences of it, but with even greater damage inflicted on them from within as a result of that.

**One of the most striking elements of the case is the amount of speculation it provoked, what you, borrowing from Collins, call "detective fever," and how much that fever had to do with sex, and the conviction that what HAD to have happened was the nursemaid was having sex, and the child saw it, so she killed him. It's fascinating how quickly the Victorians seemed to leap to that conclusion.**

I was struck by that, and by how easily they thought that [two people surprised in bed having sex would naturally leap to murder a child](http://jbj.tumblr.com/post/47550033/the-scenario-that-had-shaped-itself-out-in-their) who witnessed it. That seemed a completely believable scenario in the newspapers, and to me it seemed completely unbelievable. I don't know how to decipher that exactly -- also, they were quite prepared to believe that the father might easily have killed his son, if surprised in bed with the nursemaid, and that that would have been a logical outcome of that scenario. Again, I don't know how to decipher it, but it gives you that vivid sense of strangeness. Although a lot of what interested me in the book was tracing the beginnings of how we read about and think about terrible crimes now, there are ways in which it just seemed so foreign, so alien.

**It seemed to me that the speculation seemed to speak to English fantasies about servants, and especially anxieties about live-in servants. The woman in the house is simultaneously necessary and a threat to family integrity.**

And the fact that in this family there was living proof of that danger, since the father's wife was the previous live-in servant governess, who had usurped the position of the first wife, first of all, in practice, and then in total after the first wife's death, she became the second. So the murdered boy's mother *was* a servant, who had managed to rise above herself by having an affair with the father of the house. So perhaps this does account for the way in which the scenario with the nursemaid being again a sort of corrupting force within the household was so easily adopted.

**There's something interesting about the public reaction to Jonathan Whicher -- how dare** [**that grubby detective root around in the family home**](http://jbj.tumblr.com/post/47551732/jack-whichers-investigation-had-let-light-into) **-- and all that ribald speculation. We don't want HIM going through our stuff, but, at the same time, we know what's really going on in there. I'm not sure if it's hypocrisy, or closing ranks around the middle class, or what...**

It was fascinating how much the public played detective, and the rise in crime reporting made that possible, because the newspapers provided so many details about the circumstances about the murder, and the witnesses, the different sorts of clues that the detective, too, gathered. And so everyone played detective, and my feeling about when they turned on Whicher after he failed to prove his case, my feeling is that there was a certain amount of self-disgust there, as well, that was put onto the detective, or contained in him. If he failed to bring a firm solution, then he was rejected, and it was to do with an unease about what was going on in the newspapers, and in the public mind, and in the pubs and drawing rooms in England, that was in a way split in half, and by punishing him, and expressing disgust at him, people were protecting themselves from the worst implications of their own voyeurism and speculation.

**In addition to crime reporting, of course, one of the structural claims of the book is that there's a correlation between this case and the almost exactly coincidental in time efflorescence of detective fiction.**

It was coincident -- detective fiction started shortly before this case, pretty much at the moment that the detective force was founded in England in 1842, and Whicher was one of the original eight detectives in that force. And so his career was entirely coincident with the rise of detective fiction. He and his colleagues were interviewed by, and partly idolized by, Charles Dickens, who created the first fictional detective in an English novel in Inspector Bucket, soon after meeting him. And then the case itself, the Road Hill case, fed pretty directly into Wilkie Collins's *The Moonstone*, and Sergeant Cuff was partly modeled on Whicher. It was as if the fact and fiction were feeding in and out of each other. The public's way of reading what went on at Road Hill was partly informed by images of detectives that they'd received through fiction, and then the real-life investigation at Road Hill and the downfall of Whicher in turn fed into detective fiction as a genre. I found that very interesting, the weaving in and out of the real and the fictional detectives, and the ways in which the real crime seeped into fiction, particularly in the years when it was unsolved and therefore partly unspeakable in the press. There was a limit to how much speculation -- once the police investigation had definitively collapsed, it wasn't really legitimate to carry on bandying about these accusations in the five years between the murder and the confession of the murder, which came in 1865. It seemed to me that the case was very influential in terms of the beginnings of detective fiction -- and not just detective fiction, but the psychological thriller as well. Sensation fiction began in that period, with characters who can't tell if they've unraveled a great mystery or if they're going insane.

**Sensation novels do give you the jolt of the crime, but they don't really fold it back into a safe moral universe at the end, or if they do, it's so implausible, that it doesn't work.**

Yes, it is a much less comforting genre, and thus psychological thrillers are less comforting than detective stories. The detective is a great buffer and a guide through a novel. I found that with this book, as well, I experienced it firsthand, not just as a reader but as a writer: The detective protected me from the worst horrors of the case, and by seeing it through his eyes, and following his investigation, it could remain a legitimate investigation, rather than wallowing in horror, madness, and all the rest of it, and I realized that that was part of the role of the detective, and part of the containing and comforting thing about detective fiction. The moral purpose that goes through the whole thing -- without the detective, you may not have it.

**One of the things that's funny about the rise of the detective novel is that there had been another kind of crime novel popular early in the century -- *Oliver Twist* is a perfectly good example of it -- the Newgate novel that celebrates the criminal. So you go, in really just a few years from novels that valorize criminals such as the Artful Dodger or Jack Sheppard to these novels where the detective really is the hero. The Victorians came to love their lawmen, but also to repudiate them, as you say.**

With the detective novel, and the figure of the detective, you can have it both ways. The detective, in order to be effective, has to think like a criminal, to imagine himself the murderer, and what he'd do, and so forth. It's still satisfying the same sort of pleasures of getting close to a criminal, whether it's a criminal underworld, which would be a sort of class thrill, of getting close to something dirty and dangerous, or a criminal mindset, something more psychologically dark. The detective fiction is a way of getting close to that while remaining safe, so I don't think any of those pleasures of the Newgate novel were lost.

**You organize the book as a crime novel -- the knowledge of the murderer is deferred until fairly late in the book -- and so we do have to depend on the Inspector. Why did you decide to organize the book this way?**

Because a lot of the interest of the story was how it helped form detective fiction, and the figure of the fictional detective, I thought it would be a useful way of bringing out all the reflections on that that I could, to organize it in the shape of the books that it would partly inspire. That would be a way of investigating what the comforts and excitements of those kinds of stories were. And to keep it close to those stories in the pleasures it offers the reader. Insofar as I couldn't keep it exactly like a detective novel, that would also help illuminate for me what the gaps were between a real crime and a real detective and a real murder investigation, and the fantasy, fictional one that we're accustomed to. It was a way of illuminating that gap eventually as the book goes on. It can't deliver all the same satisfactions, but it does some of them, and some of the ways in which it departs from detective fiction in its shape are especially interesting and especially poignant.

There's a footnote in the book about *The Turn of the Screw*, and I feel that that story has a lot of the atmosphere of this case. And it seemed to me that that novella, which was published at the same sort of time as the Sherlock Holmes stories, was a sort of anti-detective story, in that it undoes all those comforts, the certainty. You become less and less sure about what really happened, instead of more and more sure. I felt that my book went toward that sort of unsettled, creepy ambiguity, as well as toward the pleasurable closures of detective fiction... It is certainly very exciting to go back and make [the Victorian era] strange again. There's a false familiarity that we have with that period, that the period itself has a comforting, this-is-Englishness feeling to it, which is very interesting to unravel. To make it strange, and to make it more alive again, instead of closed.

**3.a. Television dramas that rely on forensic science to solve crimes are affecting the administration of justice**

OPENING a new training centre in forensic science (pictured above) at the University of Glamorgan in South Wales recently, Bernard Knight, formerly one of Britain's chief pathologists, said that because of television crime dramas, jurors today expect more categorical proof than forensic science is capable of delivering. And when it comes to the gulf between reality and fiction, Dr Knight knows what he is talking about: besides 43 years' experience of attending crime scenes, he has also written dozens of crime novels.

The upshot of this is that a new phrase has entered the criminological lexicon: the “CSI effect” after shows such as “CSI: Crime Scene Investigation”. In 2008 Monica Robbers, an American criminologist, defined it as “the phenomenon in which jurors hold unrealistic expectations of forensic evidence and investigation techniques, and have an increased interest in the discipline of forensic science.”

Now another American researcher has demonstrated that the “CSI effect” is indeed real. Evan Durnal of the University of Central Missouri's Criminal Justice Department has collected evidence from a number of studies to show that exposure to television drama series that focus on forensic science has altered the American legal system in complex and far-reaching ways. His conclusions have just been published in Forensic Science International.

The most obvious symptom of the CSI effect is that jurors think they have a thorough understanding of science they have seen presented on television, when they do not. Mr Durnal cites one case of jurors in a murder trial who, having noticed that a bloody coat introduced as evidence had not been tested for DNA, brought this fact to the judge's attention. Since the defendant had admitted being present at the murder scene, such tests would have thrown no light on the identity of the true culprit. The judge observed that, thanks to television, jurors knew what DNA tests could do, but not when it was appropriate to use them.

Cops and robbers

The task of keeping jurors' feet on the ground falls to lawyers and judges. In one study, carried out by Dr Robbers in 2008, 62% of defence lawyers and 69% of judges agreed that jurors had unrealistic expectations of forensic evidence. Around half of respondents in each category also felt that jury selection was taking longer than it used to, because they had to be sure that prospective jurors were not judging scientific evidence by television standards.

According to Mr Durnal, prosecutors in the United States are now spending much more time explaining to juries why certain kinds of evidence are not relevant. Prosecutors have even introduced a new kind of witness—a “negative evidence” witness—to explain that investigators often fail to find evidence at a crime scene.

Defence lawyers, too, are finding that their lives have become more complicated. On the positive side, they can benefit from jurors' misguided notion that science solves crimes, and hence that the absence of crime-solving scientific evidence constitutes a reasonable doubt and grounds for acquittal. On the other hand they also find themselves at pains to explain that one of television's fictional devices—an unequivocal match between a trace of a substance found at a crime scene and an exemplar stored in a database, whether it be fingerprints, DNA or some other kind of evidence—is indeed generally just fiction.

In reality, scientists do not deal in certainty but in probabilities, and the way they calculate these probabilities is complex. For example, when testifying in court, a fingerprint expert may say that there is a 90% chance of obtaining a match if the defendant left the mark, and a one in several billion chance of a match if someone else left it. In general DNA provides information of a higher quality or “individualising potential” than other kinds of evidence, so that experts may be more confident of linking it to a specific individual. But DNA experts still deal in probabilities and not certainties. As a result of all this reality checking, trials are getting longer and more cases that might previously have resulted in quick convictions are now ending in acquittals.

Criminals watch television too, and there is evidence they are also changing their behaviour. Most of the techniques used in crime shows are, after all, at least grounded in truth. Bleach, which destroys DNA, is now more likely to be used by murderers to cover their tracks. The wearing of gloves is more common, as is the taping shut—rather than the DNA-laden licking—of envelopes. Investigators comb crime scenes ever more finely for new kinds of evidence, which is creating problems with the tracking and storage of evidence, so that even as the criminals leave fewer traces of themselves behind, a backlog of cold-case evidence is building up.

The CSI effect can also be positive, however. In one case in Virginia jurors asked the judge if a cigarette butt had been tested for possible DNA matches to the defendant in a murder trial. It had, but the defence lawyers had failed to introduce the DNA test results as evidence. When they did, those results exonerated the defendant, who was acquitted.

Mr Durnal does not blame the makers of the television shows for the phenomenon, because they have never claimed their shows are completely accurate. (Forensic scientists do not usually wield guns or arrest people, for one thing, and tests that take minutes on television may take weeks to process in real life.) He argues that the CSI effect is born of a longing to believe that desirable, clever and morally unimpeachable individuals are fighting to clear the names of the innocent and put the bad guys behind bars. In that respect, unfortunately, life does not always imitate art.

**3.b. The CSI Effect: 6 Reasons Why TV Crime Shows are Patently Absurd**

So, you think you can be a one-person, crime-fighting, uniformed crusader do you? Single-handedly blowing the case wide open and putting those cops that initially attended the scene to shame? Not so fast. While forensic investigation can certainly make or break the case, all the Grissoms in the world couldn’t handle a single murder on their own. The truth is a serious offence is often the subject of a long, complex investigation which requires the cops, forensic experts and intelligence management to be a success.

In a standard, high profile investigation, an SIO (Senior Investigating Officer) is appointed by the police. They will almost certainly be a detective, and usually a Sergeant or higher. Their job is to take an overview of the case and delegate the actions that officers and forensics experts will be conducting. This is going to be a harsh reality check for you, Horatio. Think you can get your DNA “fast tracked” through the lab and back in fifteen minutes? Think again.

There’s plenty of difference between TV crime shows and real life, and we’re going to show you which ones we think are the most absurd (we’ve also taken the initiative to tell you even more about this here).

1. “Enhance.”

This refers to the seemingly endless ability of TV forensics to take the blurriest piece of CCTV and expand it to reveal licence plates, written data, or the reflection of a killer in a shop window holding a smoking gun (!). This just can’t happen in real life. Whilst there is a facility to enhance an image within police imaging units, this function is very limited and cannot exceed the capability of the camera that captured the image in the first place. What we’re saying here is if your camera is a 340×480 VGA, no amount of post-processing is going to make the already captured data any clearer.

2. “High Level Science, Low Level Crime.”

What we’re talking about here is the increasing tendency of juries to expect detailed forensic analysis for basic offences. Let’s take the case of a minor assault — where the suspect is known to the victim. Ordinarily, no forensic analysis will be done here as it’s unnecessary and too costly. Still, a recent NPR study has shown that more American jurors are expecting precisely this sort of thing in minor cases, where previously it wouldn’t have even been considered. Another 2008 study showed that 69 percent of judges thought that the jurors had unrealistic expectations of forensic evidence. In the era of cutbacks we’re living in, as a forensic scientist, don’t expect to be assigned to everything that comes through the door.

3. Unnecessary science.

TV makes us think that every possible line of analysis ought to be followed; in actual fact, it’s often unnecessary. A recent example was a homicide trial in which the defendant’s bloody coat had been found at the crime scene. The defendant had admitted his presence at the scene. The jury asked the judge why a DNA comparison test had not been carried out, even though it wasn’t relevant – the DNA would have done nothing more than confirmed the defendant’s presence, a fact which he already admitted. Such an examination would be pretty expensive too.

4. Science is certain.

Few things in life are, and DNA in blood is a prime example of this. According to recent police reports, there is roughly a 1:1 billion chance of your blood DNA profile matching someone else’s. For trace DNA recovered at a scene, the chance of it being similar increases. Although a compelling case could be made that blood found at a crime scene with a similar profile to your own is indeed yours, nothing can be taken with certainty. Forensics works on probability — but the TV doesn’t always show this.

5. Fingerprints are everywhere.

In almost every CSI episode, some compelling fingerprint evidence is found on something, and matched to a felon using sophisticated computer comparison almost instantly. Whilst fingerprint searching is much faster in real life now (taking hours instead of days), its never as fast as depicted on a TV show. Furthermore, almost all criminals are aware of the potential for fingerprint evidence and even in the most rudimentary of crimes will wear at least wooly gloves, which virtually prevents finger marks being lifted from crime scenes. In real life, relatively few fingerprints are recovered from scenes.

6. CSI back fire.

It may shock you to learn that criminals watch TV too, and will take every opportunity to destroy evidence that may lead back to them. For them, CSI is a veritable fountain of inspiration. From the wearing of surgical caps (to prevent hairs being left) to the usage of DNA-destroying bleach at a crime scene, criminals exploit the increased awareness of forensics to their own advantage – in effect, putting us on the back foot. Thanks a lot, TV!

7. The fallacy of the “quick turnaround.”

TV shows have the remarkable power to instill in us the belief that all forensic issues can be turned around within a 60-minute episode. Not true. Real life police inform us that a fast-tracked set of footwear impressions and shoes seized for comparison usually take at least 48 hours to be processed. DNA for serious crimes can be done in a day. Less serious DNA evidence can take between four to six weeks. And as for requesting medical evidence from hospitals? Prepare for an eight week wait. Real life moves substantially slower than TV.

8. Unrealistic science.

Whilst TV shows are brilliant for increasing the public’s awareness of forensic issues (which is what we’re all about, after all), they may lead to creating unrealistic expectations. TV may bend the truth of what is and isn’t possible for drama’s sake; the same cannot be said in real life. Jurors have previously been heard to remark that “[they] didn’t even dust the lawn for fingerprints”, when clearly, this wouldn’t even be possible.

9. Cops and corpses.

Police officers go out and arrest, investigate and interview. Forensic officers manage the crime scene, the corpses and any additional scientific matters. The two lines rarely blur. CSI and shows of its ilk often portray forensic officers as busting down doors, making arrests and also dealing with the crime scene in and amongst their other work. This wouldn’t, and doesn’t happen for a number of reasons: it would be too expensive and time consuming; the forensic officers wouldn’t be honing their niche skills; and there would be a significant risk of cross-contamination of crime scenes. Such a scenario is, again, absurd.

10. The CSI effect.

This is the most important for us. Academics have given this name to the effect to which jurors are influenced by crime scene shows. Although a debate exists to the extent it actually affects convictions at court; one thing is clear: TV crime shows have created it, it is absurd, and means that forensic evidence at court requires more detailed presentation and explanation than it ever did previously.

**5. "Twenty rules for writing detective stories" (1928) by S.S. Van Dine**

THE DETECTIVE story is a kind of intellectual game. It is more — it is a sporting event. And for the writing of detective stories there are very definite laws — unwritten, perhaps, but none the less binding; and every respectable and self-respecting concocter of literary mysteries lives up to them. Herewith, then, is a sort Credo, based partly on the practice of all the great writers of detective stories, and partly on the promptings of the honest author's inner conscience. To wit:

 1. The reader must have equal opportunity with the detective for solving the mystery. All clues must be plainly stated and described.

 2. No willful tricks or deceptions may be placed on the reader other than those played legitimately by the criminal on the detective himself.

 3. There must be no love interest. The business in hand is to bring a criminal to the bar of justice, not to bring a lovelorn couple to the hymeneal altar.

 4. The detective himself, or one of the official investigators, should never turn out to be the culprit. This is bald trickery, on a par with offering some one a bright penny for a five-dollar gold piece. It's false pretenses.

 5. The culprit must be determined by logical deductions — not by accident or coincidence or unmotivated confession. To solve a criminal problem in this latter fashion is like sending the reader on a deliberate wild-goose chase, and then telling him, after he has failed, that you had the object of his search up your sleeve all the time. Such an author is no better than a practical joker.

 6. The detective novel must have a detective in it; and a detective is not a detective unless he detects. His function is to gather clues that will eventually lead to the person who did the dirty work in the first chapter; and if the detective does not reach his conclusions through an analysis of those clues, he has no more solved his problem than the schoolboy who gets his answer out of the back of the arithmetic.

 7. There simply must be a corpse in a detective novel, and the deader the corpse the better. No lesser crime than murder will suffice. Three hundred pages is far too much pother for a crime other than murder. After all, the reader's trouble and expenditure of energy must be rewarded.

 8. The problem of the crime must he solved by strictly naturalistic means. Such methods for learning the truth as slate-writing, ouija-boards, mind-reading, spiritualistic se'ances, crystal-gazing, and the like, are taboo. A reader has a chance when matching his wits with a rationalistic detective, but if he must compete with the world of spirits and go chasing about the fourth dimension of metaphysics, he is defeated ab initio.

 9. There must be but one detective — that is, but one protagonist of deduction — one deus ex machina. To bring the minds of three or four, or sometimes a gang of detectives to bear on a problem, is not only to disperse the interest and break the direct thread of logic, but to take an unfair advantage of the reader. If there is more than one detective the reader doesn't know who his codeductor is. It's like making the reader run a race with a relay team.

 10. The culprit must turn out to be a person who has played a more or less prominent part in the story — that is, a person with whom the reader is familiar and in whom he takes an interest.

 11. A servant must not be chosen by the author as the culprit. This is begging a noble question. It is a too easy solution. The culprit must be a decidedly worth-while person — one that wouldn't ordinarily come under suspicion.

 12. There must be but one culprit, no matter how many murders are committed. The culprit may, of course, have a minor helper or co-plotter; but the entire onus must rest on one pair of shoulders: the entire indignation of the reader must be permitted to concentrate on a single black nature.

 13. Secret societies, camorras, mafias, et al., have no place in a detective story. A fascinating and truly beautiful murder is irremediably spoiled by any such wholesale culpability. To be sure, the murderer in a detective novel should be given a sporting chance; but it is going too far to grant him a secret society to fall back on. No high-class, self-respecting murderer would want such odds.

 14. The method of murder, and the means of detecting it, must be be rational and scientific. That is to say, pseudo-science and purely imaginative and speculative devices are not to be tolerated in the roman policier. Once an author soars into the realm of fantasy, in the Jules Verne manner, he is outside the bounds of detective fiction, cavorting in the uncharted reaches of adventure.

 15. The truth of the problem must at all times be apparent — provided the reader is shrewd enough to see it. By this I mean that if the reader, after learning the explanation for the crime, should reread the book, he would see that the solution had, in a sense, been staring him in the face-that all the clues really pointed to the culprit — and that, if he had been as clever as the detective, he could have solved the mystery himself without going on to the final chapter. That the clever reader does often thus solve the problem goes without saying.

 16. A detective novel should contain no long descriptive passages, no literary dallying with side-issues, no subtly worked-out character analyses, no "atmospheric" preoccupations. such matters have no vital place in a record of crime and deduction. They hold up the action and introduce issues irrelevant to the main purpose, which is to state a problem, analyze it, and bring it to a successful conclusion. To be sure, there must be a sufficient descriptiveness and character delineation to give the novel verisimilitude.

 17. A professional criminal must never be shouldered with the guilt of a crime in a detective story. Crimes by housebreakers and bandits are the province of the police departments — not of authors and brilliant amateur detectives. A really fascinating crime is one committed by a pillar of a church, or a spinster noted for her charities.

 18. A crime in a detective story must never turn out to be an accident or a suicide. To end an odyssey of sleuthing with such an anti-climax is to hoodwink the trusting and kind-hearted reader.

 19. The motives for all crimes in detective stories should be personal. International plottings and war politics belong in a different category of fiction — in secret-service tales, for instance. But a murder story must be kept gemütlich, so to speak. It must reflect the reader's everyday experiences, and give him a certain outlet for his own repressed desires and emotions.

 20. And (to give my Credo an even score of items) I herewith list a few of the devices which no self-respecting detective story writer will now avail himself of. They have been employed too often, and are familiar to all true lovers of literary crime. To use them is a confession of the author's ineptitude and lack of originality. (a) Determining the identity of the culprit by comparing the butt of a cigarette left at the scene of the crime with the brand smoked by a suspect. (b) The bogus spiritualistic se'ance to frighten the culprit into giving himself away. (c) Forged fingerprints. (d) The dummy-figure alibi. (e) The dog that does not bark and thereby reveals the fact that the intruder is familiar. (f)The final pinning of the crime on a twin, or a relative who looks exactly like the suspected, but innocent, person. (g) The hypodermic syringe and the knockout drops. (h) The commission of the murder in a locked room after the police have actually broken in. (i) The word association test for guilt. (j) The cipher, or code letter, which is eventually unraveled by the sleuth.

Week 1: **An Interview with Kate Summerscale**

On the morning of 30 June 1860, the residents of Road Hill House, near Trowbridge, awakened to discover that Saville Kent, the three-year-old baby of the family, was missing. A few hours later, his slashed body was found in the privy. There were as many suspects in the murder as there were residents in the home -- more, even, after accounting for village residents who might or might not be sleeping with various Road Hill servants. The innocence of the victim and the moral certainty that the murderer lived within the household, shocked the Victorians, leading to widespread demands for a thorough investigation.

Fortunately, in 1842, London had created something very un-English: a detective force, charged with solving crimes using everything short of domestic spying, staffed by expert lawmen. Charles Dickens, Wilkie Collins, and others lionized these men, awed by their feats of inductive reasoning, and recognizing a comparable knowledge of human psychology. One of these men, Jonathan Whicher, was dispatched to Trowbridge to solve the Road Hill House murder. The maelstrom around the case was so powerful, however, that solving it turned out to be Whicher’s ruin.

This is the story that Kate Summerscale recounts in *The Suspicions of Mr. Whicher*, and she succeeds so admirably that the book has won the 2008 BBC4 Samuel Johnson nonfiction prize. Summerscale’s chief insight is that this detective, and this crime, were unusually influential in shaping early detective fiction and crime reportage, which in turn set expectations for subsequent crimes and detectives. *The Suspicions* *of Mr. Whicher* is organized as a detective novel itself, in many ways, and in addition to a briskly paced plot offers many details about life in Victorian England.

In the interview below, Summerscale discusses the mutually constitutive relationship between life and art, the need to make the Victorians strange again, the Victorian home as a site of sanctity and anxiety, and many other topics. We spoke by phone in early August.

**There are lots of famous crimes in the nineteenth century. What's distinctive about the Road Hill murder?**

It was the fact that it was such a dark family story, and it was about the dark side of Victorian domesticity. [The Victorian home was so sanctified, and this was the antithesis to that, really](http://jbj.tumblr.com/post/47551325/a-murder-like-this-could-reveal-what-had-been). And it made sense of what detection was. Detection was, in a way, an investigation of the Victorian home. That's where it started.

Also, the fact that it was a closed circle of suspects seemed to make it an influential crime in terms of detective fiction -- and made detection an investigation not only of the domestic interior but also of the psychological interior. The detective in this case had a group of suspects and had to work out what their secrets were, as opposed to chasing after a fleeing criminal who had to be tracked down in a geographical sense. All of that made it very intriguing to me.

**And those things also turned out to make the public very ambivalent about detection, right? On the one hand, it's easy to admire a cop who chases down a criminal, but, at the same time, someone who goes rooting around through your privy is a different story.**

In that sense it became clear to me that this was a story about class, and the way in which detectives were from the lower classes and there was something extremely exciting to the public and also threatening when they turned their attention to the middle classes, rather than the working classes that they had originally been formed to police.

**It does seem as though the story was calculated to raise every conceivable Victorian hackle about class -- there's the fact that the villagers hate Samuel Kent, Kent and his servants, the rumors he's having trouble paying his bills for schools, whether he can really afford such a big house, Jonathan Whicher's rise from the working classes...**

Yes, and the fact that there are these adulterous and insane elements in the family's past -- it's almost a hyper-real middle-class family with secrets, and so intent on attaining respectability that there's a lot of covering-up going on. Including, as you say, a certain amount of covering up about finances, the suggestion of him living beyond his means, and the hostility due a huge turnover of servants. There was the combination of suspecting him of having sex with his servants and of treating them badly so that they were constantly leaving his employ. Everything was very heightened in terms of the relations between the classes, and the secrets the middle-class home could be imagined as containing.

**One of the things that struck me about the story is that there's an interesting tension between the modern aspects of the case (all the press coverage, allegations of coverups and conspiracies, the false confession by the working man, and so forth), but also legacies of older ways (detectives are still new, there's still an expectation of privacy that may seem odd today when there are cameras on every corner and Patriot Acts and things of that nature). So it really seemed to be a switch-point between old ways and new ways of thinking about crime.**

What I found very absorbing about the story was the way that a lot of the aspects of crime reporting and thinking about crime and the way it's processed and experienced by us had their origins then. So that we have a great concern about surveillance now, it's much more widespread and common than it was then, but it's the same kind of anxieties, just in an earlier form. And the fact that they're in an original form makes it easier to look at them and to think about them. Similarly with detectives and detective fiction, and what we’re drawn to in that: it seemed to me that by looking at the origins of it, you could get a handle on it more. And I found that fascinating. Including the etymology! You know, the words we use, such as hunch and lead and detective itself -- it had never crossed my mind to wonder where these words came from, and I found it very enlightening to find that out.

**Absolutely -- what was it? The link between** [**clue and the legend of the labyrinth**](http://jbj.tumblr.com/post/47550498/the-word-clue-derives-from-clew-meaning-a)**?**

Yes, and all the imagery of thread which came from that. The word clue was originally a ball which would lead one out of the labyrinth. And also the very words such as unravel, and lead, and all this, much of it is traceable to that kind of imagery, of fabric and threads. You realize when you're reading the Victorian novels or articles about crime that these associations or images were still present in their minds in a way that they aren't now to us. They've just become words to us, but then they really were metaphors.

**And metaphors that pointed to the ambivalence about the whole scene. On the one hand, you want to unravel the crime, but at the same time, there is the sense of an unraveling of security, of safety, of the sanctity of the home.**

I use that word, the unraveling, for the final section of the book, because it did seem to have that ambivalence to it. The finding of a solution, you unravel the mystery, being a good thing, but also entails the unraveling of individual lives, a collapse and disintegration, and, yes, even the fabric of society as it was conceived to hold strong. Once you pick it apart, you see it can come apart.

**And one of the things that is interesting here is how -- without giving away too much -- the explanation can't really account for all the details that came to light when the crime was first committed. The explanation seems both true and inadequate to the violence of the deed.**

Which leaves the case sort of endlessly open, though I do reach my own conclusion, as the detective did. I think that's necessary, to come to a kind of solution. But there is something endlessly open, which is partly to do with the absolute horror of the crime itself. However much you can rationally work out what the likeliest explanation and motive and so on was, nothing quite seems equal to what happened. Nothing seems to be able to make sense of that. And so that's one of the reasons why you're left still open-mouthed and not quite grasping it in the end, because of how horrible the crime was. There's also something about the accumulation of details. The case was so poured over at the time, and as I've tried to do in the book, if you try to gather every detail from the scene of the crime, from the lives of the family, the surrounding village, and the mass of information starts to complicate the picture. There's this idea that by gathering more and more evidence you come closer to a solution, but I think that at the time it was certainly felt that, no, the more we're getting the more confusing the picture becomes. There's something of that, too: Once you get enough evidence you can tell any number of stories. It's just what order you choose to put the evidence in.

Having said all that, like the detective in the story, I do feel that I know, more or less, what happened.

**Of course -- I didn't mean to suggest that there was an actual lingering mystery. You raise in the book the point that,** [**when the crime is unsolved, every single thing seems freighted with meaning**](http://jbj.tumblr.com/post/47550756/while-a-murder-went-unsolved-everything-was)**, but then afterwards you are left with this welter of material that turns out to have been unrelated but you still want an explanation for it.**

I was fascinated by that, by the way all these banal domestic things seemed to shudder with significance at the time, for as long as the crime went unsolved. To me, this was a great benefit -- it is one of the interesting things about writing about historical crime. You get a wealth of domestic detail that you otherwise wouldn't have any access to. And so all of the details that have, in effect, returned to banality once it turns out they were red herrings, they don't really have anything to do with a solution to the case, to the modern reader, or to me, they still are of great interest, because they are clues to how people felt, thought, lived. So the details that are relevant to the crime, and the details that are relevant to history are different, but they still have a fascination as historical details.

**On the one hand, your book wears its research very lightly, it doesn't feel bogged down by detail; on the other, it's meticulously researched, with details about the weather, specific details about the family life -- it must have been a blast to go through the archives for this.**

Yes, it was fantastically enjoyable to try to do. In a way, that came out of my decision to try to recreate Whicher's investigation as much as I could, day by day. To make that work, I tried to research, in detail, the environment, the weather, rail timetables, so it was in a way mimicking the work of a detective reconstructing a crime scene. But I wasn't just reconstructing the scene of the crime I was also reconstructing the scene of the investigation, because in a way I was investigating his investigation. That was, in a sense, my model, and that was the demand I placed on myself, by making it chronologically minute, day by day. That drove me to looking in local papers for crop reports so I would see whether the harvest was in by that point in the year.

**There's reported speech in the book, but it's all from contemporary transcripts, right?**

All the speech is either from reports in the newspapers or in the court (whether trial transcripts or magistrate's hearings) or Inspector Whicher's own reports, where he described in some detail what had happened while he was there.

**Like Dickens and Wilkie Collins, you seem impressed by Jonathan Whicher. What's so compelling about Detective-Inspector Whicher?**

It's partly the irony and the poignancy of his story, which is that he worked on this extraordinary case, and, in essence, got the solution right, but was ruined by getting it right, by seeing the truth. That's what seemed compelling about him to me in the first place. And then as I tried to find out more and more about him, I did see him as a model for all the police detective heroes since -- sort of laconic, and wry, seeming ordinary but being rather brilliant and imaginative. As a model, he was fascinating, and as a man, he was moving. There remains something mysterious about how he worked, which I think is part of the fantasy and magic of the detective figure, in that in the end, although he came up with ingenious and imaginative scenarios and hypotheses about what had happened, in the end he went on hunches, on gut instinct, on observations about people. And so there's something inexplicable about how he arrived at the conclusions he did -- but he did. And he was usually right, but not always, importantly. I think the fact that he was fallible made him a more interesting figure than some fantasy detective like Sherlock Holmes.

**His foils here -- the Kents are not -- I mean, obviously one feels great sympathy for them because of their loss, but at the same time the Kents are not an appealing family: You have the arriviste second wife, and all the rest.**

No, they are a terrible, damaged family, and just about holding themselves together. For a long time, many people wanted to pin the blame for this boy's death on his father, and I think there's some kind of moral weight to that, in that I think the way that the father lived and brought up his family was a case of his sins being visited on his children and on himself. The family just sort of goes from bad to worse. It's a very messy, unattractive family in many ways, but also you can't help but feel a lot of pity for certainly the children of the family.

**Especially around the father, if you're going to take Victorian family ideology seriously, with the patriarchal Victorian authority figure -- that has a cost as well. When things go badly in your family, it redounds on you to a certain extent.**

I suspect that he knew what had happened and how his son had been murdered, and that he assumed the role of the patriarch in protecting his family from the consequences of it, but with even greater damage inflicted on them from within as a result of that.

**One of the most striking elements of the case is the amount of speculation it provoked, what you, borrowing from Collins, call "detective fever," and how much that fever had to do with sex, and the conviction that what HAD to have happened was the nursemaid was having sex, and the child saw it, so she killed him. It's fascinating how quickly the Victorians seemed to leap to that conclusion.**

I was struck by that, and by how easily they thought that [two people surprised in bed having sex would naturally leap to murder a child](http://jbj.tumblr.com/post/47550033/the-scenario-that-had-shaped-itself-out-in-their) who witnessed it. That seemed a completely believable scenario in the newspapers, and to me it seemed completely unbelievable. I don't know how to decipher that exactly -- also, they were quite prepared to believe that the father might easily have killed his son, if surprised in bed with the nursemaid, and that that would have been a logical outcome of that scenario. Again, I don't know how to decipher it, but it gives you that vivid sense of strangeness. Although a lot of what interested me in the book was tracing the beginnings of how we read about and think about terrible crimes now, there are ways in which it just seemed so foreign, so alien.

**It seemed to me that the speculation seemed to speak to English fantasies about servants, and especially anxieties about live-in servants. The woman in the house is simultaneously necessary and a threat to family integrity.**

And the fact that in this family there was living proof of that danger, since the father's wife was the previous live-in servant governess, who had usurped the position of the first wife, first of all, in practice, and then in total after the first wife's death, she became the second. So the murdered boy's mother *was* a servant, who had managed to rise above herself by having an affair with the father of the house. So perhaps this does account for the way in which the scenario with the nursemaid being again a sort of corrupting force within the household was so easily adopted.

**There's something interesting about the public reaction to Jonathan Whicher -- how dare** [**that grubby detective root around in the family home**](http://jbj.tumblr.com/post/47551732/jack-whichers-investigation-had-let-light-into) **-- and all that ribald speculation. We don't want HIM going through our stuff, but, at the same time, we know what's really going on in there. I'm not sure if it's hypocrisy, or closing ranks around the middle class, or what...**

It was fascinating how much the public played detective, and the rise in crime reporting made that possible, because the newspapers provided so many details about the circumstances about the murder, and the witnesses, the different sorts of clues that the detective, too, gathered. And so everyone played detective, and my feeling about when they turned on Whicher after he failed to prove his case, my feeling is that there was a certain amount of self-disgust there, as well, that was put onto the detective, or contained in him. If he failed to bring a firm solution, then he was rejected, and it was to do with an unease about what was going on in the newspapers, and in the public mind, and in the pubs and drawing rooms in England, that was in a way split in half, and by punishing him, and expressing disgust at him, people were protecting themselves from the worst implications of their own voyeurism and speculation.

**In addition to crime reporting, of course, one of the structural claims of the book is that there's a correlation between this case and the almost exactly coincidental in time efflorescence of detective fiction.**

It was coincident -- detective fiction started shortly before this case, pretty much at the moment that the detective force was founded in England in 1842, and Whicher was one of the original eight detectives in that force. And so his career was entirely coincident with the rise of detective fiction. He and his colleagues were interviewed by, and partly idolized by, Charles Dickens, who created the first fictional detective in an English novel in Inspector Bucket, soon after meeting him. And then the case itself, the Road Hill case, fed pretty directly into Wilkie Collins's *The Moonstone*, and Sergeant Cuff was partly modeled on Whicher. It was as if the fact and fiction were feeding in and out of each other. The public's way of reading what went on at Road Hill was partly informed by images of detectives that they'd received through fiction, and then the real-life investigation at Road Hill and the downfall of Whicher in turn fed into detective fiction as a genre. I found that very interesting, the weaving in and out of the real and the fictional detectives, and the ways in which the real crime seeped into fiction, particularly in the years when it was unsolved and therefore partly unspeakable in the press. There was a limit to how much speculation -- once the police investigation had definitively collapsed, it wasn't really legitimate to carry on bandying about these accusations in the five years between the murder and the confession of the murder, which came in 1865. It seemed to me that the case was very influential in terms of the beginnings of detective fiction -- and not just detective fiction, but the psychological thriller as well. Sensation fiction began in that period, with characters who can't tell if they've unraveled a great mystery or if they're going insane.

**Sensation novels do give you the jolt of the crime, but they don't really fold it back into a safe moral universe at the end, or if they do, it's so implausible, that it doesn't work.**

Yes, it is a much less comforting genre, and thus psychological thrillers are less comforting than detective stories. The detective is a great buffer and a guide through a novel. I found that with this book, as well, I experienced it firsthand, not just as a reader but as a writer: The detective protected me from the worst horrors of the case, and by seeing it through his eyes, and following his investigation, it could remain a legitimate investigation, rather than wallowing in horror, madness, and all the rest of it, and I realized that that was part of the role of the detective, and part of the containing and comforting thing about detective fiction. The moral purpose that goes through the whole thing -- without the detective, you may not have it.

**One of the things that's funny about the rise of the detective novel is that there had been another kind of crime novel popular early in the century -- *Oliver Twist* is a perfectly good example of it -- the Newgate novel that celebrates the criminal. So you go, in really just a few years from novels that valorize criminals such as the Artful Dodger or Jack Sheppard to these novels where the detective really is the hero. The Victorians came to love their lawmen, but also to repudiate them, as you say.**

With the detective novel, and the figure of the detective, you can have it both ways. The detective, in order to be effective, has to think like a criminal, to imagine himself the murderer, and what he'd do, and so forth. It's still satisfying the same sort of pleasures of getting close to a criminal, whether it's a criminal underworld, which would be a sort of class thrill, of getting close to something dirty and dangerous, or a criminal mindset, something more psychologically dark. The detective fiction is a way of getting close to that while remaining safe, so I don't think any of those pleasures of the Newgate novel were lost.

**You organize the book as a crime novel -- the knowledge of the murderer is deferred until fairly late in the book -- and so we do have to depend on the Inspector. Why did you decide to organize the book this way?**

Because a lot of the interest of the story was how it helped form detective fiction, and the figure of the fictional detective, I thought it would be a useful way of bringing out all the reflections on that that I could, to organize it in the shape of the books that it would partly inspire. That would be a way of investigating what the comforts and excitements of those kinds of stories were. And to keep it close to those stories in the pleasures it offers the reader. Insofar as I couldn't keep it exactly like a detective novel, that would also help illuminate for me what the gaps were between a real crime and a real detective and a real murder investigation, and the fantasy, fictional one that we're accustomed to. It was a way of illuminating that gap eventually as the book goes on. It can't deliver all the same satisfactions, but it does some of them, and some of the ways in which it departs from detective fiction in its shape are especially interesting and especially poignant.

There's a footnote in the book about *The Turn of the Screw*, and I feel that that story has a lot of the atmosphere of this case. And it seemed to me that that novella, which was published at the same sort of time as the Sherlock Holmes stories, was a sort of anti-detective story, in that it undoes all those comforts, the certainty. You become less and less sure about what really happened, instead of more and more sure. I felt that my book went toward that sort of unsettled, creepy ambiguity, as well as toward the pleasurable closures of detective fiction... It is certainly very exciting to go back and make [the Victorian era] strange again. There's a false familiarity that we have with that period, that the period itself has a comforting, this-is-Englishness feeling to it, which is very interesting to unravel. To make it strange, and to make it more alive again, instead of closed.

Week 3: The CSI Effect

**Television dramas that rely on forensic science to solve crimes are affecting the administration of justice**

OPENING a new training centre in forensic science (pictured above) at the University of Glamorgan in South Wales recently, Bernard Knight, formerly one of Britain's chief pathologists, said that because of television crime dramas, jurors today expect more categorical proof than forensic science is capable of delivering. And when it comes to the gulf between reality and fiction, Dr Knight knows what he is talking about: besides 43 years' experience of attending crime scenes, he has also written dozens of crime novels.

The upshot of this is that a new phrase has entered the criminological lexicon: the “CSI effect” after shows such as “CSI: Crime Scene Investigation”. In 2008 Monica Robbers, an American criminologist, defined it as “the phenomenon in which jurors hold unrealistic expectations of forensic evidence and investigation techniques, and have an increased interest in the discipline of forensic science.”

Now another American researcher has demonstrated that the “CSI effect” is indeed real. Evan Durnal of the University of Central Missouri's Criminal Justice Department has collected evidence from a number of studies to show that exposure to television drama series that focus on forensic science has altered the American legal system in complex and far-reaching ways. His conclusions have just been published in Forensic Science International.

The most obvious symptom of the CSI effect is that jurors think they have a thorough understanding of science they have seen presented on television, when they do not. Mr Durnal cites one case of jurors in a murder trial who, having noticed that a bloody coat introduced as evidence had not been tested for DNA, brought this fact to the judge's attention. Since the defendant had admitted being present at the murder scene, such tests would have thrown no light on the identity of the true culprit. The judge observed that, thanks to television, jurors knew what DNA tests could do, but not when it was appropriate to use them.

Cops and robbers

The task of keeping jurors' feet on the ground falls to lawyers and judges. In one study, carried out by Dr Robbers in 2008, 62% of defence lawyers and 69% of judges agreed that jurors had unrealistic expectations of forensic evidence. Around half of respondents in each category also felt that jury selection was taking longer than it used to, because they had to be sure that prospective jurors were not judging scientific evidence by television standards.

According to Mr Durnal, prosecutors in the United States are now spending much more time explaining to juries why certain kinds of evidence are not relevant. Prosecutors have even introduced a new kind of witness—a “negative evidence” witness—to explain that investigators often fail to find evidence at a crime scene.

Defence lawyers, too, are finding that their lives have become more complicated. On the positive side, they can benefit from jurors' misguided notion that science solves crimes, and hence that the absence of crime-solving scientific evidence constitutes a reasonable doubt and grounds for acquittal. On the other hand they also find themselves at pains to explain that one of television's fictional devices—an unequivocal match between a trace of a substance found at a crime scene and an exemplar stored in a database, whether it be fingerprints, DNA or some other kind of evidence—is indeed generally just fiction.

In reality, scientists do not deal in certainty but in probabilities, and the way they calculate these probabilities is complex. For example, when testifying in court, a fingerprint expert may say that there is a 90% chance of obtaining a match if the defendant left the mark, and a one in several billion chance of a match if someone else left it. In general DNA provides information of a higher quality or “individualising potential” than other kinds of evidence, so that experts may be more confident of linking it to a specific individual. But DNA experts still deal in probabilities and not certainties. As a result of all this reality checking, trials are getting longer and more cases that might previously have resulted in quick convictions are now ending in acquittals.

Criminals watch television too, and there is evidence they are also changing their behaviour. Most of the techniques used in crime shows are, after all, at least grounded in truth. Bleach, which destroys DNA, is now more likely to be used by murderers to cover their tracks. The wearing of gloves is more common, as is the taping shut—rather than the DNA-laden licking—of envelopes. Investigators comb crime scenes ever more finely for new kinds of evidence, which is creating problems with the tracking and storage of evidence, so that even as the criminals leave fewer traces of themselves behind, a backlog of cold-case evidence is building up.

The CSI effect can also be positive, however. In one case in Virginia jurors asked the judge if a cigarette butt had been tested for possible DNA matches to the defendant in a murder trial. It had, but the defence lawyers had failed to introduce the DNA test results as evidence. When they did, those results exonerated the defendant, who was acquitted.

Mr Durnal does not blame the makers of the television shows for the phenomenon, because they have never claimed their shows are completely accurate. (Forensic scientists do not usually wield guns or arrest people, for one thing, and tests that take minutes on television may take weeks to process in real life.) He argues that the CSI effect is born of a longing to believe that desirable, clever and morally unimpeachable individuals are fighting to clear the names of the innocent and put the bad guys behind bars. In that respect, unfortunately, life does not always imitate art.

**The CSI Effect: 6 Reasons Why TV Crime Shows are Patently Absurd**

So, you think you can be a one-person, crime-fighting, uniformed crusader do you? Single-handedly blowing the case wide open and putting those cops that initially attended the scene to shame? Not so fast. While forensic investigation can certainly make or break the case, all the Grissoms in the world couldn’t handle a single murder on their own. The truth is a serious offence is often the subject of a long, complex investigation which requires the cops, forensic experts and intelligence management to be a success.

In a standard, high profile investigation, an SIO (Senior Investigating Officer) is appointed by the police. They will almost certainly be a detective, and usually a Sergeant or higher. Their job is to take an overview of the case and delegate the actions that officers and forensics experts will be conducting. This is going to be a harsh reality check for you, Horatio. Think you can get your DNA “fast tracked” through the lab and back in fifteen minutes? Think again.

There’s plenty of difference between TV crime shows and real life, and we’re going to show you which ones we think are the most absurd (we’ve also taken the initiative to tell you even more about this here).

1. “Enhance.”

This refers to the seemingly endless ability of TV forensics to take the blurriest piece of CCTV and expand it to reveal licence plates, written data, or the reflection of a killer in a shop window holding a smoking gun (!). This just can’t happen in real life. Whilst there is a facility to enhance an image within police imaging units, this function is very limited and cannot exceed the capability of the camera that captured the image in the first place. What we’re saying here is if your camera is a 340×480 VGA, no amount of post-processing is going to make the already captured data any clearer.

2. “High Level Science, Low Level Crime.”

What we’re talking about here is the increasing tendency of juries to expect detailed forensic analysis for basic offences. Let’s take the case of a minor assault — where the suspect is known to the victim. Ordinarily, no forensic analysis will be done here as it’s unnecessary and too costly. Still, a recent NPR study has shown that more American jurors are expecting precisely this sort of thing in minor cases, where previously it wouldn’t have even been considered. Another 2008 study showed that 69 percent of judges thought that the jurors had unrealistic expectations of forensic evidence. In the era of cutbacks we’re living in, as a forensic scientist, don’t expect to be assigned to everything that comes through the door.

3. Unnecessary science.

TV makes us think that every possible line of analysis ought to be followed; in actual fact, it’s often unnecessary. A recent example was a homicide trial in which the defendant’s bloody coat had been found at the crime scene. The defendant had admitted his presence at the scene. The jury asked the judge why a DNA comparison test had not been carried out, even though it wasn’t relevant – the DNA would have done nothing more than confirmed the defendant’s presence, a fact which he already admitted. Such an examination would be pretty expensive too.

4. Science is certain.

Few things in life are, and DNA in blood is a prime example of this. According to recent police reports, there is roughly a 1:1 billion chance of your blood DNA profile matching someone else’s. For trace DNA recovered at a scene, the chance of it being similar increases. Although a compelling case could be made that blood found at a crime scene with a similar profile to your own is indeed yours, nothing can be taken with certainty. Forensics works on probability — but the TV doesn’t always show this.

5. Fingerprints are everywhere.

In almost every CSI episode, some compelling fingerprint evidence is found on something, and matched to a felon using sophisticated computer comparison almost instantly. Whilst fingerprint searching is much faster in real life now (taking hours instead of days), its never as fast as depicted on a TV show. Furthermore, almost all criminals are aware of the potential for fingerprint evidence and even in the most rudimentary of crimes will wear at least wooly gloves, which virtually prevents finger marks being lifted from crime scenes. In real life, relatively few fingerprints are recovered from scenes.

6. CSI back fire.

It may shock you to learn that criminals watch TV too, and will take every opportunity to destroy evidence that may lead back to them. For them, CSI is a veritable fountain of inspiration. From the wearing of surgical caps (to prevent hairs being left) to the usage of DNA-destroying bleach at a crime scene, criminals exploit the increased awareness of forensics to their own advantage – in effect, putting us on the back foot. Thanks a lot, TV!

7. The fallacy of the “quick turnaround.”

TV shows have the remarkable power to instill in us the belief that all forensic issues can be turned around within a 60-minute episode. Not true. Real life police inform us that a fast-tracked set of footwear impressions and shoes seized for comparison usually take at least 48 hours to be processed. DNA for serious crimes can be done in a day. Less serious DNA evidence can take between four to six weeks. And as for requesting medical evidence from hospitals? Prepare for an eight week wait. Real life moves substantially slower than TV.

8. Unrealistic science.

Whilst TV shows are brilliant for increasing the public’s awareness of forensic issues (which is what we’re all about, after all), they may lead to creating unrealistic expectations. TV may bend the truth of what is and isn’t possible for drama’s sake; the same cannot be said in real life. Jurors have previously been heard to remark that “[they] didn’t even dust the lawn for fingerprints”, when clearly, this wouldn’t even be possible.

9. Cops and corpses.

Police officers go out and arrest, investigate and interview. Forensic officers manage the crime scene, the corpses and any additional scientific matters. The two lines rarely blur. CSI and shows of its ilk often portray forensic officers as busting down doors, making arrests and also dealing with the crime scene in and amongst their other work. This wouldn’t, and doesn’t happen for a number of reasons: it would be too expensive and time consuming; the forensic officers wouldn’t be honing their niche skills; and there would be a significant risk of cross-contamination of crime scenes. Such a scenario is, again, absurd.

10. The CSI effect.

This is the most important for us. Academics have given this name to the effect to which jurors are influenced by crime scene shows. Although a debate exists to the extent it actually affects convictions at court; one thing is clear: TV crime shows have created it, it is absurd, and means that forensic evidence at court requires more detailed presentation and explanation than it ever did previously.

Week 5: **"Twenty rules for writing detective stories" (1928) by S.S. Van Dine**

THE DETECTIVE story is a kind of intellectual game. It is more — it is a sporting event. And for the writing of detective stories there are very definite laws — unwritten, perhaps, but none the less binding; and every respectable and self-respecting concocter of literary mysteries lives up to them. Herewith, then, is a sort Credo, based partly on the practice of all the great writers of detective stories, and partly on the promptings of the honest author's inner conscience. To wit:

 1. The reader must have equal opportunity with the detective for solving the mystery. All clues must be plainly stated and described.

 2. No willful tricks or deceptions may be placed on the reader other than those played legitimately by the criminal on the detective himself.

 3. There must be no love interest. The business in hand is to bring a criminal to the bar of justice, not to bring a lovelorn couple to the hymeneal altar.

 4. The detective himself, or one of the official investigators, should never turn out to be the culprit. This is bald trickery, on a par with offering some one a bright penny for a five-dollar gold piece. It's false pretenses.

 5. The culprit must be determined by logical deductions — not by accident or coincidence or unmotivated confession. To solve a criminal problem in this latter fashion is like sending the reader on a deliberate wild-goose chase, and then telling him, after he has failed, that you had the object of his search up your sleeve all the time. Such an author is no better than a practical joker.

 6. The detective novel must have a detective in it; and a detective is not a detective unless he detects. His function is to gather clues that will eventually lead to the person who did the dirty work in the first chapter; and if the detective does not reach his conclusions through an analysis of those clues, he has no more solved his problem than the schoolboy who gets his answer out of the back of the arithmetic.

 7. There simply must be a corpse in a detective novel, and the deader the corpse the better. No lesser crime than murder will suffice. Three hundred pages is far too much pother for a crime other than murder. After all, the reader's trouble and expenditure of energy must be rewarded.

 8. The problem of the crime must he solved by strictly naturalistic means. Such methods for learning the truth as slate-writing, ouija-boards, mind-reading, spiritualistic se'ances, crystal-gazing, and the like, are taboo. A reader has a chance when matching his wits with a rationalistic detective, but if he must compete with the world of spirits and go chasing about the fourth dimension of metaphysics, he is defeated ab initio.

 9. There must be but one detective — that is, but one protagonist of deduction — one deus ex machina. To bring the minds of three or four, or sometimes a gang of detectives to bear on a problem, is not only to disperse the interest and break the direct thread of logic, but to take an unfair advantage of the reader. If there is more than one detective the reader doesn't know who his codeductor is. It's like making the reader run a race with a relay team.

 10. The culprit must turn out to be a person who has played a more or less prominent part in the story — that is, a person with whom the reader is familiar and in whom he takes an interest.

 11. A servant must not be chosen by the author as the culprit. This is begging a noble question. It is a too easy solution. The culprit must be a decidedly worth-while person — one that wouldn't ordinarily come under suspicion.

 12. There must be but one culprit, no matter how many murders are committed. The culprit may, of course, have a minor helper or co-plotter; but the entire onus must rest on one pair of shoulders: the entire indignation of the reader must be permitted to concentrate on a single black nature.

 13. Secret societies, camorras, mafias, et al., have no place in a detective story. A fascinating and truly beautiful murder is irremediably spoiled by any such wholesale culpability. To be sure, the murderer in a detective novel should be given a sporting chance; but it is going too far to grant him a secret society to fall back on. No high-class, self-respecting murderer would want such odds.

 14. The method of murder, and the means of detecting it, must be be rational and scientific. That is to say, pseudo-science and purely imaginative and speculative devices are not to be tolerated in the roman policier. Once an author soars into the realm of fantasy, in the Jules Verne manner, he is outside the bounds of detective fiction, cavorting in the uncharted reaches of adventure.

 15. The truth of the problem must at all times be apparent — provided the reader is shrewd enough to see it. By this I mean that if the reader, after learning the explanation for the crime, should reread the book, he would see that the solution had, in a sense, been staring him in the face-that all the clues really pointed to the culprit — and that, if he had been as clever as the detective, he could have solved the mystery himself without going on to the final chapter. That the clever reader does often thus solve the problem goes without saying.

 16. A detective novel should contain no long descriptive passages, no literary dallying with side-issues, no subtly worked-out character analyses, no "atmospheric" preoccupations. such matters have no vital place in a record of crime and deduction. They hold up the action and introduce issues irrelevant to the main purpose, which is to state a problem, analyze it, and bring it to a successful conclusion. To be sure, there must be a sufficient descriptiveness and character delineation to give the novel verisimilitude.

 17. A professional criminal must never be shouldered with the guilt of a crime in a detective story. Crimes by housebreakers and bandits are the province of the police departments — not of authors and brilliant amateur detectives. A really fascinating crime is one committed by a pillar of a church, or a spinster noted for her charities.

 18. A crime in a detective story must never turn out to be an accident or a suicide. To end an odyssey of sleuthing with such an anti-climax is to hoodwink the trusting and kind-hearted reader.

 19. The motives for all crimes in detective stories should be personal. International plottings and war politics belong in a different category of fiction — in secret-service tales, for instance. But a murder story must be kept gemütlich, so to speak. It must reflect the reader's everyday experiences, and give him a certain outlet for his own repressed desires and emotions.

 20. And (to give my Credo an even score of items) I herewith list a few of the devices which no self-respecting detective story writer will now avail himself of. They have been employed too often, and are familiar to all true lovers of literary crime. To use them is a confession of the author's ineptitude and lack of originality. (a) Determining the identity of the culprit by comparing the butt of a cigarette left at the scene of the crime with the brand smoked by a suspect. (b) The bogus spiritualistic se'ance to frighten the culprit into giving himself away. (c) Forged fingerprints. (d) The dummy-figure alibi. (e) The dog that does not bark and thereby reveals the fact that the intruder is familiar. (f)The final pinning of the crime on a twin, or a relative who looks exactly like the suspected, but innocent, person. (g) The hypodermic syringe and the knockout drops. (h) The commission of the murder in a locked room after the police have actually broken in. (i) The word association test for guilt. (j) The cipher, or code letter, which is eventually unraveled by the sleuth.