

The Last Drop

The story of the last two gay men executed in England

Alistair Gunn

17 April 2023



National Ambulance
LGBT+ Network



Celebrating the sexual orientations
and gender identities of all our
patients, staff and communities

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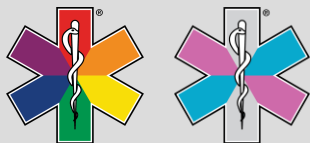
This 15 Minute Read

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LGBT+ Network Information

The National Ambulance LGBT+
Network exists to provide support to
LGBT+ staff within UK ambulance
services and ensure LGBT+ patients
receive the right care.

The national committee is made up
from two members from each NHS
ambulance service and additional
members with specialist roles. The
committee meets four times a year.

Further information about the
network, copies of our resources, link
to our online shop and a calendar of
events can be found on our website.

Information about LGBT+ networks in
each NHS Trust, including contacts,
can also be found on our website.

You can also contact members of the
committee using the *Contacts* feature
on our website.

[ambulanceLGBT.org](https://www.ambulanceLGBT.org)

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National Ambulance LGBT+
Network



@NatAmbLGBTUK

Getting Involved

15 Minute Reads

If you have an idea for a 15 Minute
Read, or you'd like to author an
edition, please get in touch with our
Editorial Team using the *Contacts*
feature on our website.

Author guidance information and a
style guide are available to support
aspiring authors.

Local Networks

All of our local networks are always
looking for people to get involved.
Have a look at the *Networks* feature
on our website for contact
information.

National committee members are
appointed by local networks.

Events

We publish a calendar of events
that you can get involved with, which
includes our annual conference.
Special events happen in LGBT+
History Month (February) and
throughout the Pride season (June to
August each year).

It is always worth contacting your
local network to see if they are
planning any additional events.



Dedication to Paul O'Grady

How do you define a national treasure? Maybe someone who has universal appeal, who makes us laugh, is capable of pulling on our heart strings, or maybe someone who has something valuable to say.

Paul O'Grady was certainly all those things and despite his alter ego, the flamboyant and earthy Lily Savage, he was a truly respectable face of the LGBT+ community. His last sign off message on Radio 2 in August 2022 was not only poignant but also good advice to us all.

“So you look after yourselves, stay safe and well. Ta-ra everyone.”

The Ambulance Staff Crisis Phonenumber

This dedicated telephone line is available 24 hours a day, seven days a week and is operated by trained personnel. The number to call is 0300 373 0898.

The service is available to all ambulance personnel.

Horrible History [1]



It was whilst casually doing some research about gay history that I stumbled on an article about the last two men hanged in England for the crime of homosexuality. After a little digging what became ever more apparent was just how horrible the story is on just about every level. Today, we've thankfully stopped the act of hanging people altogether and we like to think we live in more enlightened time. This is true when we consider life in Britain and indeed Europe, but when you look at the wider world you can draw some parallels with what is happening today.

As with many things in history, finding consistent information is quite hard but the most accepted biographies are these. James Pratt, aged 30, was a horse-groomer, who lived in Deptford, London with his wife and children. Information is a little more sketchy about John Smith, but it seems he was aged 40 and from Southwark. Some reports say he was an unmarried labourer, though others

state he was married and worked as a servant.

On an afternoon in late August 1835, Pratt met Smith and a man called William Bonill in a pub at Blackfriars. The three men returned to Bonill's room that he rented in Southwark, from landlords George and Jane Berkshire. Mr Berkshire later claimed that Bonill had frequent male visitors, and that his suspicion was aroused when he saw the three men enter the room together. In the hope of finding a reason to evict Bonill, who he and his wife thought of as an 'old villain', George spied on the men. He and his wife claimed they both looked through the keyhole and witnessed Pratt and Smith engaging in sexual acts. They fetched a policeman and all three men were arrested.

The three men ended up in a Magistrates' Court and were committed to trial, with the magistrate calling them 'degraded creatures'.

Horrible History [2]



Pratt, Smith and Bonill were tried on 21 September 1835 at the Central Criminal Court, before Baron Gurney, a judge who had the reputation of being very harsh. All three men pleaded 'not guilty' to the charge, but, nevertheless, the jury returned a guilty verdict on all three. Pratt and Smith were convicted under Section 15 of the Offences Against the Person Act 1828, which had replaced the 1533 Buggery Act, and were sentenced to death. William Bonill was convicted as an accessory and sentenced to 14 years of penal transportation.



Baron Gurney.

A number of witnesses came forward to testify to the good character of James Pratt. No character witnesses came forward to testify on behalf of John Smith. The conviction of the three men rested entirely on what the landlord and his wife

claimed to have witnessed through the keyhole; there was no other evidence against them. Modern historians have cast doubts on their testimony, based on the narrow field of vision afforded by a keyhole and the acts – some anatomically impossible – the couple claimed to have witnessed during the brief length of time they were looking.

In the early Nineteenth Century there were around 200 capital crimes in Britain, some for very minor offences. The thinking of the time was for punishments to act as a deterrent, and many executions were carried out in public to service this cause. Interestingly, in the period 1800 to 1837 legal reformers and politicians started to question the widespread use of the death penalty and, gradually, many petty offences were removed from the list of capital crimes. In 1834 public sympathy for sparing lives had reached an all-time high and started a two-year period where many death sentences were reprieved.



Horrible History [3]



Interestingly, the magistrate Hensleigh Wedgwood, who had committed the three men to trial, subsequently wrote to the Home Secretary, Lord John Russell, arguing for the commutation of the death sentences, stating:

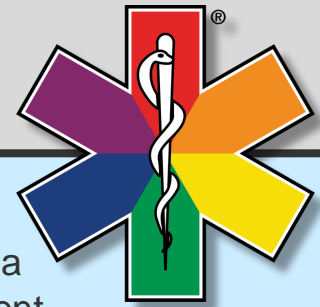
'It is the only crime where there is no injury done to any individual and in consequence it requires a very small expense to commit it in so private a manner and to take such precautions as shall render conviction impossible. It is also the only capital crime that is committed by rich men but owing to the circumstances I have mentioned they are never convicted.'

Although Wedgwood was deeply religious, he contradicted the prevailing view that gay sex was harmful. He also cited the injustice that only poorer men were likely to be caught having it. Even if a rich man was arrested, he would be able to post bail money, and then flee abroad.

Witness accounts from the sentencing describe how Pratt and Smith were led away from the courtroom in tears, but it seems they remained together and away from any other prisoners. British justice has always prided itself on being swift and, if a death sentence was mandated, it was likely to be carried out within three to four weeks. The two men were returned to Newgate Prison and had to sit and await their fate.

If you are wondering what happened to the third man, William Bonill, he was one of 290 prisoners on the ship Asia, which arrived in Tasmania (called Van Diemen's Land at the time) in February 1836. Transportation overseas was often the preferred sentence to those reprieved from a death sentence, and stopped the prison population from becoming more overcrowded. Bonill died in the New Norfolk Hospital in Tasmania five years later in April 1841. ■

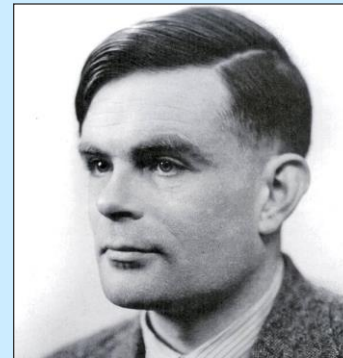
The Stigma that Never Died [1]



I have to admit to finding the story of James Pratt and John Smith really disturbing. Hanged for a victimless crime, and even the fact that other criminals, such as attempted murderers, were reprieved in that period says something about the attitudes of the day.

Although the last hanging took place in 1835, it actually took another 132 years for homosexuality to be decriminalised. Many people were sent to prison or publicly shamed. Oscar Wilde is one famous inhabitant of Pentonville and Reading Gaols, serving two year's hard labour for 25 counts of gross indecency from 1895. Although he was released in 1897, his health rapidly declined and he died in 1900 aged just 46.

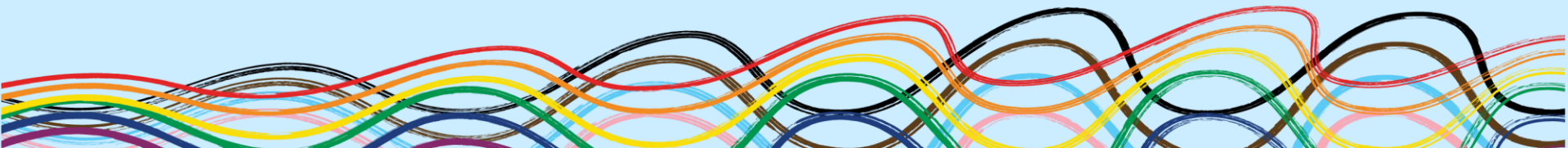
In 1952 Alan Turing similarly suffered at the hands of the law. After a police investigation into a burglary at Turing's house, the police turned on him after and he ended up pleading guilty to homosexual acts. The judge, thinking he was



Oscar Wilde (top) and Alan Turing (above) were both victims of the British judicial system in the last 130 years.

providing a more lenient option, offered Turing chemical castration as an alternative to prison. Turing committed suicide in 1954 after the treatment he received caused him to grow breasts.

In 1967, after hundreds of men had faced prison sentences, homosexuality was decriminalised and people could live without fear of *prosecution*. Despite this, the same can't be said for *persecution* as attitudes didn't change anything like as quickly. There continued to be considerable injustices, such as the



The Stigma that Never Died [2]



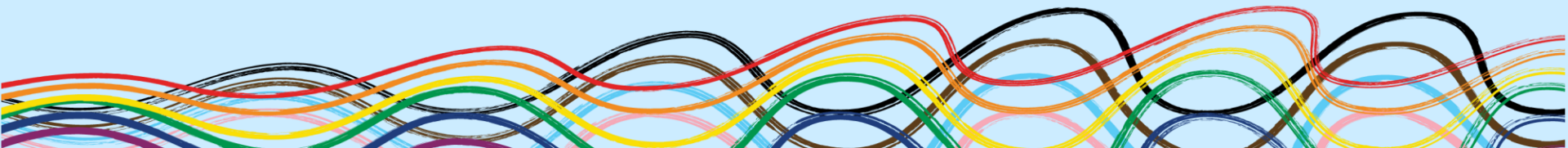
blanket ban on gay people serving in the military; something that didn't end until January 2000.

It was during a conversation with an older member of the LGBT+ community that the reality of this came to light for me. The man, now in his late 60s explained how he lived with his partner who served in the Navy but had to go to extraordinary lengths to make it look like they were not in a relationship. They had to have separate rooms set up in case they were investigated and could never be seen to arrive or leave their home together, whatever time of day it was. Being found out to be gay would result in instant dismissal.

For ambulance workers it's worth thinking about the older LGBT+ people that we encounter. Many will have experienced life feeling that services are not supportive of them. In my time as Chair of the National Ambulance LGBT+ Network I have heard a number of really sad stories. One that springs to mind is the older lesbian couple who had to call an

ambulance because one of them was suffering a stroke. After calling 999 the partner of the patient set about upturning photographs and anything that would suggest to the attending crew that they were gay. You have to excuse my firmness on this, but surely anyone calling for help should be at their partner's side at times like this.

We talk today about people 'coming out' as being gay or lesbian and most people know someone who has had that experience. What surprises me is that, despite the positive changes in legislation, it is still as hard as ever for many young people to disclose their sexuality. And for transgender people it is even harder, as our health service is ill-equipped and societal attitudes are still very hostile. We have a duty as health professionals to make sure our services are friendly and supportive to everyone, and that means having a good look at our practice, challenging bad practice and make sure we really are informed. ■



The Last Days [1]



There is little information about Pratt and Smith's incarceration in Newgate Prison, other than a written account by Charles Dickens, which featured in *Sketches by Boz*, a regular lifestyle bulletin produced by Dickens in this period. On 5 November 1835, Dickens and the newspaper editor, John Black, had visited Newgate Prison and Dickens wrote:

'The other two men were at the upper end of the room. One of them, who was imperfectly seen in the dim light, had his back towards us, and was stooping over the fire, with his right arm on the mantel-piece, and his head sunk upon it. The other was leaning on the sill of the farthest window. The light fell full upon him, and communicated to his pale, haggard face, and disordered hair, an appearance which, at that distance, was ghastly. His cheek rested upon his hand; and, with his face a little raised, and his eyes wildly staring before him, he seemed to be unconsciously intent on counting the chinks in the opposite wall.'

The gaoler who was escorting Dickens confidently predicted to him that the two would be executed, despite the commuting of sentences for 17 individuals that were sentenced to death at the September and October sessions of the Central Criminal Court for offences that included burglary, robbery, and attempted murder. On 21 November, all were granted remission of their death sentences, under the royal prerogative of mercy, with the exceptions of Pratt and Smith.

There had previously been reprieves enacted for men sentenced to death for sodomy, such as Martin Mellet and James Farthing who had been condemned in 1828 but were instead transported to Australia. A reprieve was not granted to Pratt and Smith despite an appeal for mercy submitted by the men's wives that was heard by the Privy Council. A petition for mercy was even made by the landlord and his wife who had been witnesses against them.

The Last Days [2]



Two days before his execution, Smith is reported to have written a letter to a friend. This was later printed on a special broadsheet created for the execution. The letter (reproduced to the right) from Smith is very moving and revealing about attitudes to homosexuality.

Pratt and Smith were hanged in front of Newgate Prison at 08:00 on 27 November 1835, little over three months after their alleged crime took place. The crowd of spectators was described in *The Times'* newspaper report as larger than usual; this was possibly because the hanging was the first to have taken place at Newgate in nearly two years. The report of the execution in *The Morning Post* states that when the men were led onto the scaffold the crowd began to hiss, and this continued until the moment of their execution. This may have indicated the crowd's disagreement with the execution, or it may have indicated disapproval of the men's alleged acts. James Pratt was reportedly too weak to stand, and had to be held

Newgate, 25 November 1835

Dear William

The awful period is nearly arrived when the offended laws of my country demand the forfeit of my life for the crime I have committed – a crime the most heinous and disgraceful. What possessed me I am at a loss to conceive, nor can I attribute it to any thing but the baneful effects of liquor and bad company, which must have rendered me void of every feeling of decency.

The grave will soon close over me, and my name entirely forgotten. But remember from the knowledge we had of each other, that I die a sincere penitent for my sins, and feel confident that you will drop a tear for one who has disgraced himself as a Christian and a friend.

Let your prayers be offered up to the Throne of Mercy for that forgiveness which I have anxiously prayed to receive, and when you think of my face, may it check any growing evil on your part and be the means of rendering you a fit compassion for that society I have so much degraded.

That the Almighty may bless you in the sincere prayer of your best friend,

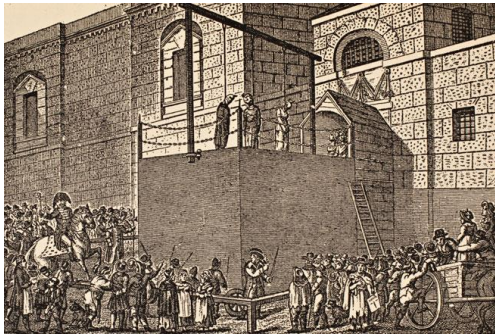
John Smith



The Last Days [3]



upright by the executioner's assistants while preparations were made to hang him.



An execution outside Newgate Prison.

The use of the long-drop method of hanging – whereby the condemned is dropped sufficient distance to sever the spinal cord and cause instant unconsciousness – had not been developed at this time. To create a spectacle for the crowd, a short drop was usually given and death caused by asphyxiation. In accounts of some executions, the condemned were seen to struggle for several minutes. Thankfully, an account of Pratt and Smith's execution stated that, '*after a very short struggle, the culprits ceased to exist*'.

EXECUTION.

Yesterday morning, at the usual hour, the sentence of the law was carried into effect upon James Pratt, aged 32, and John Smith, aged 34, who were convicted at the September Sessions of the Central Criminal Court of a capital offence. The Sheriffs arrived at Newgate about half-past seven o'clock, and immediately proceeded to visit the prisoners, whom they found engaged in prayer with the Rev. Mr. Cotton, the chaplain of the gaol, and Mr. Baker. Both the culprits appeared in a very weak state, and when eight o'clock arrived, the hour of execution, it was found necessary almost to carry them from their cell to the press room. Pratt, especially, appeared dreadfully weak and dejected. While Smith was being pinioned, Pratt appeared to suffer dreadfully. His groans resounded through the prison, and while he was pinioning he repeatedly exclaimed, "Oh God, this is horrible, this is indeed horrible." He at this time was so weak that the executioner's assistants found it necessary to hold him in their arms to prevent him from falling to the ground. All the preparations having been completed the melancholy procession proceeded to the scaffold, and in the room leading from the debtors' door, as it is called, the ceremony of delivering up the prisoners to the Sheriffs of Middlesex was performed by Mr. Cope, the Governor of Newgate. Smith was the first who ascended the scaffold, and immediately afterwards Pratt was also assisted up the steps and placed under a beam. The moment the culprits were perceived they were received with groans and hisses, which lasted during the whole of the time the hangman was making the necessary preparations. These having been performed the bolt was drawn, and after a very short struggle the culprits ceased to exist. Pratt was a married man, the other culprit was single.

Newspaper article describes the last morning.



The Last Days [4]



A broadsheet describes the execution of Pratt and Smith.

Pratt and Smith are buried in a common grave, with others executed at Newgate, in the City Cemetery, London.

In the period from 1810 to 1835, 46 people convicted of sodomy were hanged and 32 sentenced to death but reprieved. A further 716 were imprisoned or received lesser sentences, such as public shaming and abuse. It wasn't until 27 July 1967, that the Sexual Offences Act gained Royal Assent, partially decriminalising homosexuality in England and Wales. Further moves to equality came with the Sexual Offences Act 2003. It is estimated that anywhere between 50,000 and 100,000 men were convicted under discriminatory anti-gay laws between 1885 and 2003.

In January 2017, Pratt and Smith were among the many posthumously affected by 'Turing's Law', which pardoned those who had been convicted of offences under criminalised homosexuality. ■



Gay Rights Today



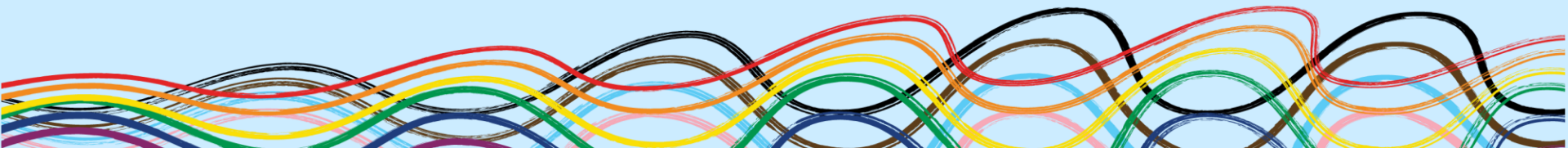
Whilst LGBT+ people enjoy pretty much equal rights in Britain today, and certainly don't have to fear the death penalty, the same can't be said for other parts of the world. There are at least seven countries where the maximum penalty for being gay is death. Some of these are in Africa, and although in most of these countries it has not been practised for some time, the fact it remains on the statute books is worrying.

There are other countries where gay men are executed quite regularly. Back in 2005, international condemnation was directed at Iran after the execution of two young gay men who were thought to be juveniles when arrested. Mahmoud Asgari was aged 16 and Ayaz Marhoni aged 18 when they were publicly hanged. Iran later claimed the two had raped a 13-year-old boy, something that human rights groups have continually challenged since. Gay people continue to be hanged in Shiite Iran, which applies tough Shari'a laws.



Mahmoud Asgari, 16, and Ayaz Marhoni, 18, were gay Iranian teenagers hanged in Iran in 2005.

At the 2022 Commonwealth Games, athlete Tom Daley used his platform to highlight some of the human rights abuses facing athletes in some Commonwealth countries. In over half of the 54 countries taking part in the games, homosexuality is criminalised, and people face persecution and fear of violence. At the time Daley stated, '*LGBT+ athletes must be safe and feel comfortable being their authentic selves without fear of persecution or death*'.






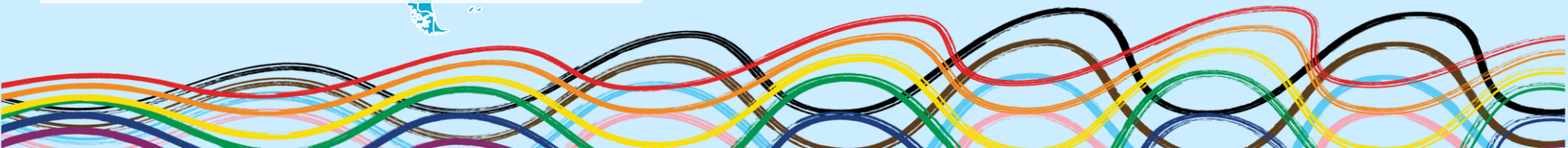
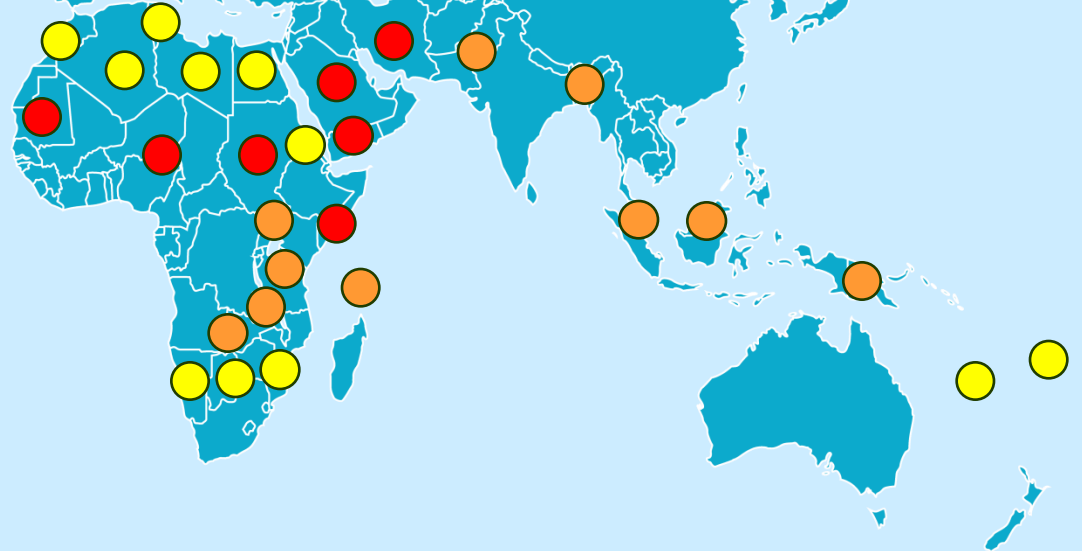
Gay Rights Around the World



Information based on the International Lesbian, Gay, Bisexual, Trans and Intersex Association world map of 2016.

Punishments for convicted homosexuals:

-  Death penalty
-  Imprisonment of 11+ years
-  Imprisonment of 1 to 10 years



Making a Difference



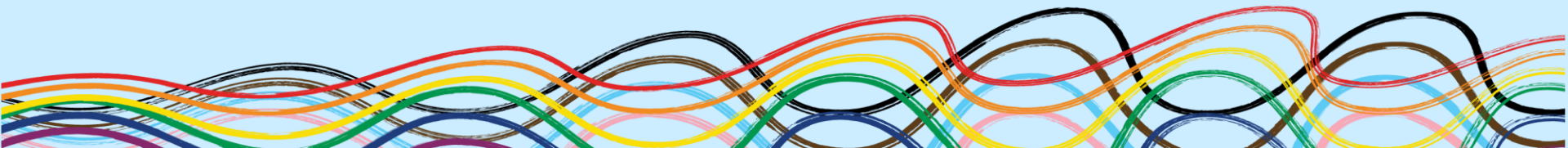
Other punishments for gay people range from lengthy prison sentences to public floggings. There is reason to be positive, however, as some countries are gradually changing laws or have at least ceased punitive actions against gay people. The Union of India is a good example, having decriminalised gay sex in 2018.

As more and more people claim asylum in Britain, it stands to reason that some of these people will be doing so on the basis of their sexual orientation. It's this fact that connects this subject with ambulance staff that may be attending to these people. Although it is highly unlikely a call to the service will originate because of someone's sexual orientation or gender identity, we need to be aware that some people's view of our service will be intrinsically linked with their previous experience. The ambulance service may be seen as an authoritative service by some people. There are things we can do to break down barriers and help people connect with us.



Providing compassionate care that is attuned to patients' individual needs is more important than ever.

Wearing a rainbow star of life pin badge immediately lets people know you are an LGBT+ friendly person before you have even said a word. The rainbow is increasingly taking hold as an internationally recognised symbol for LGBT+. Most of all, though, it's about you and your demeanour. People will make a first impression based on the first 11 seconds that you interact with them. Think about how you use that time to really make a positive connection. ■



An LGBT+ Friendly Service



Show the same professional courtesy to everyone you meet. You are there to look after people, not to judge them.



Take your cues from the person and mirror their terminology. If they refer to 'partner', you refer to 'partner'.



Call out bad practice and non-inclusive behaviours when you see it. If you walk past bad behaviour, you are accepting it.



Saying 'I treat everyone the same' is admitting to bad practice. Be informed and attune your care to the people you treat.



Be a true ally to LGBT+ people. Talk to people and 'walk in someone's shoes' to see what their lives are really like.



Photo View



Tom Daley (middle) and LGBT+ athletes from across the Commonwealth countries took part in the opening ceremony of the Commonwealth Games in Birmingham on 28 July 2022.



LGBT+ Staff Survey



We are delighted that so many of you have taken the time to complete our LGBT+ staff survey. Back in 2018 we conducted the first survey and the results of this really helped to get support for the work we have been doing, and also shape up our priorities.

The issue of how 'out' you are is just one of the questions in the survey. You might ask why that is important. It's a real gauge of how LGBT+ friendly our work environments actually are and it stands to reason that the more people that feel they can be themselves at work, the better things are.

The link to the survey is:

<https://survey.yas.nhs.uk/s/LGBT-Staff-Survey-2023/>

The survey closes on 30 April.

It is five years since the last survey and the other thing we're keen to look at is if things have improved for LGBT+ staff. Almost half the respondents in 2018 reported experiencing negative behaviours at work, which we think is way too high.

The survey runs until the end of April and, if you haven't already, we'd encourage you to take part. ■



Paul O'Grady 1955 to 2023

