The History of Arson Induced Fraud in the Light of the Trial of Leopold Harris

It has taken 30 years since the death trap fire at Bradford City’s Valley Parade football ground in 1985, when 56 fans were burned to death, for the story of a serial fire raiser, Stafford Heginbotham, to come out.[[1]](#footnote-1) Martin Fletcher has detailed nine fires in 18 years netting the Bradford businessman £2.74 million, the equivalent of £27 million in today’s money. He quotes a Los Angeles Police Department fire investigator: “It’s rare to have a coincidence. If we start having multiple coincidences then it’s not a coincidence.” [[2]](#footnote-2) Arson if conducted by a professional and the conflagration is sufficient to wipe out the evidence may be hard to detect but the resources put into detecting it are lamentably low.

According to the latest statistics deliberate fires account for 46% of the annual £1 billion paid out for fire claims.[[3]](#footnote-3) But the statistics published by the Fire Protection Association give no breakdown for fraudulent claims and of reported cases of arson the clear up rate by the police is the lowest of any crime. It is a low priority for the police and the cooperation between police and fire services has in this country never been close.

The so long unrecorded fire raising career of Stafford Heginbotham prompts one to wonder how many other cases of fraudulent arson have been achieved without detection. The greatest reforms in addressing the dangers of man’s most unruly servant, that of fire, have only been addressed as the consequence of a notable disaster, such as the Great Fire of London, which prompted the rebuilding of the City in stone and brick or of the great fire of Tooley Street in 1861 which prompted the establishment in London of a municipally controlled fire brigade. The current political mantra of cutting red tape has led to a relaxation of building regulations and the fall in both crime and fires generally has led to cutbacks in both fire and police services. As to fraudulent arson it is a crime, which draws a poor UK comparison to other countries in the developed world. Its greatest exponent, Leopold Harris, has been largely forgotten. The lessons, though drawn at the time, were not taken and perhaps only a new clear-cut disaster, such as Piper Alpha in the North Sea will prompt reform.

The trial of Leopold Harris and his gang of fire raisers was one of the newspaper sensations of 1933. The Committal stage, which opened on 3 February at Bow Street Magistrates Court lasted 25 days, a record. A special dock had to be built to make room for the 17 defendants and the proceedings devoted to taking the evidence of the prosecution encompassed 180,000 words taken down by the magistrates’ clerk in longhand notes.

The case itself opened at Number One Court of the Old Bailey on 4 July and, despite six of the defendants changing their pleas to guilty as the trial progressed, it did not finally close until 19 August. Apart from the trial of the Tichborne Claimant in 1872 it was the longest trial yet recorded. In a sequel, the chief officer of the London Salvage Corps, Captain Brynmor Eric Miles was convicted of corruption in February 1934 and sentenced to four years penal servitude. That same year the events leading up to the trials were recorded in Dr Harold Dearden’s book, The Fire Raisers[[4]](#footnote-4) and a film with the same name, directed by Michael Powell and starring Leslie Banks was also released in 1934.

Harris’s crimes of arson for profit have never been exceeded. In this paper the purpose is to put Harris and the protagonists in the context of the 1930s, explore his subsequent career and that of his company LS Harris and chart the subsequent developments in the insurance industry and the attitude of the public authorities relating to fraudulent arson.

There is a great deal of literature on business fraud, embezzlement and financial chicanery but fraudulent arson is a substratum with remarkably little coverage. In the UK there are just two acknowledged experts, Michael Clarke, formerly a senior lecturer at the University of Liverpool, but long retired, and Paul May, a prominent loss adjuster.[[5]](#footnote-5) In George Robb’s book, White Collar Crime in Modern England[[6]](#footnote-6) fraudulent arson merits no mention whatsoever and coverage of insurance fraud itself is absent despite his definition of white-collar fraud as breeches of trust. Trust of course is the very essence of insurance.

Historically, arson, with its attendant danger to life as well as property, has always been regarded with horror and without any ‘white collar’ attributes. Its motives are usually from revenge, malice or the attempt to cover up another crime. Murderers have attempted to dispose of the body of the victim by burning the premises, hoping that those who find the charred remains will assume they are the result of a fatal fire, and employees guilty of theft or fraud have set fire to premises, hoping that the forged books and other evidence of their crime will be destroyed. There is also wide study of pyromania, the uncontrollable impulse to start and watch fire.

Successful arson is difficult to detect because the fire will have destroyed all evidence but where a prompt call and a quick stop have been made the signs are usually obvious to the experienced fireman. Deep charring in more than one place point to simultaneous outbreaks sometimes not fully joined up, the smell of petrol may linger on the air, or even the apparatus used to start the fire an hour or more after the incendiarist had left the building may survive.[[7]](#footnote-7) In the last 70 years there have been major changes in terms of fire prevention and government regulation to make arson increasingly difficult.

But Harris was an expert, a fire assessor to whom nobody knew better how to devise and organise such a complicated crime of arson combined with insurance fraud. Because fraudulent arson is such an esoteric subject and the recall of the events of the early 1930s have been largely forgotten it is necessary to relate the events as they occurred. Newspapers also give a flavour of the surrounding atmosphere.

We are in fact dependant almost entirely on primary sources and the newspaper reports of the time. Bearing in mind that most of the participants in Harris’s gang, including himself, were Jewish, it is worth exploring the anti Semitism of the period. According to Michael Clarke there still is an ethnic dimension for fraudulent arson though in recent years it relates to South Asians.[[8]](#footnote-8) In the Jewish community there remain jokes about burning the business when times are hard and warehouse fires on both sides of the Atlantic have been referred to as “Jewish lightening”. And so before we return to an analysis of subsequent actions let us detail the actual events leading up to the trial of Leopold Harris and put it in the perspective of the times.

Like crosswords, crime, whether real or imagined, had an enormous fascination in the 1930s and Dr Dearden, the only person to provide a full chronicle of “the Fire Raisers” was a typical exponent. While serving in the trenches he claimed to have come across another officer whose father had owned a mental asylum at the end of the last century and who had admitted a man who was none other than Jack the Ripper![[9]](#footnote-9) He also wrote a biography of the famous Home Office pathologist Sir Bernard Spilsbury whose expert evidence was enough to convict Dr Crippen in 1912 and whose legendary court testimony had the air of papal infallibility.[[10]](#footnote-10)

Dearden dedicated The Fire Raisers “to William Charles Crocker in friendship and admiration”. Crocker was the mastermind behind the conviction of Harris and his gang and gloried in the sobriquet of the Sherlock Holmes of insurance. He qualified as a solicitor in 1912 and built his own practise on the instruction of Lloyd’s underwriters and insurance companies.

Lord Chief Justice Bingham in an essay entitled Lives of the Law[[11]](#footnote-11) described Sir William (knighted after serving his year as president of the Law Society in 1953) as “colourful” a word often used by journalists to mean colour in a shady sense. Indeed Crocker is as colourful as his main victim Leo Harris to whom there is warmth of affinity, which he expresses in his autobiography.[[12]](#footnote-12)

Though careful not to expose it, Crocker did free lance work for the security service and through his friend Sir Joseph Ball[[13]](#footnote-13) was briefly deputy director general of MI5 in 1940. Also through Ball, Crocker was a director of Truth Magazine, of which Ball had secretly arranged the purchase for the Conservative party in 1937. The paper became overtly pro German and even found an art critic to praise Hitler’s watercolours. In 1940 it promoted peace feelers with Germany, was virulently anti-Semitic and championed the cause of fascist sympathisers imprisoned under rule 18B of the Defence of the Realm Act. Crocker was forced to resign his magazine directorship because he was appointed to the secret Swinton Committee, which, ironically, was responsible for counter measures against 5th column activity in Britain.

The fact that Crocker was given such a responsible job at MI5 does seem extraordinary. The organisation’s official biographer, Christopher Andrew, has very little to say on the matter but as their apologist he would perhaps be unlikely to do so. The man brought in to shake up the service in 1941, Sir David Petrie, however, said of Crocker, “the evil this man did lives after him”[[14]](#footnote-14)

Perhaps it was no coincidence that Dearden himself went to work for MI5 serving as a psychiatrist at Latchmere House (Camp 020) in Ham Common, the interrogation centre for would-be German spies.[[15]](#footnote-15)

However, in contrast to Dearden, Crocker’s own autobiography does not show any trace of anti Semitism. Published in 1967 perhaps it reflects the change of times. In contrast, Dearden’s Fire Raisers, published in 1934, has the casually anti Semitic references so prevalent of the racism of those days. On just the second page he describes Louis Jarvis (who “had started life as Jacobs”): he had a round fleshy, clean shaven face and from behind his tortoise shell spectacles his eyes heavy lidded and unmistakably Hebraic eyes, gazed at….”

His story starts with Jarvis and Capsoni starting a fire in Deansgate, Manchester in November 1927. The latter gentleman having been the torch of a further three fires and having gone on to relentlessly blackmail the leader of the conspiracies, Leopold Harris, ultimately turned King’s evidence and brought about the gang’s downfall.

According to Charles Roetter, “between 1925 and 1933 ’the Prince’ as Harris was known to his accomplices “swindled the insurance companies out of £1.5 million.”[[16]](#footnote-16) Bearing in mind the purchasing power of one pound was close to 50 times what it is today (using the Retail Price Index) it was a great deal of money. But says Roetter, he had to pay huge sums in bribes to an ever widening circle… and after being sentenced to 14 years penal servitude he came to draw up a balance sheet and discovered he had made more money from his legitimate fire assessing business than from his ingenious and tortuous fire-raising conspiracy.”[[17]](#footnote-17) Bearing in mind that Harris is believed to have returned to his fire raising activities in the 1950s and 60s that is debateable.

According to Dearden, Harris started his career in crime shortly after the First World War with a failed claim for an alleged burglary of his home in Southend. Mr Justice Bowman said his claim “looked to him like a bogus one and he said so brutally when dismissing the case.”[[18]](#footnote-18)

Dearden recounts the number of fires and their pattern might have limited Harris’s success but points out that insurance underwriters and what were known as “the Tariff Companies” (large general insurance companies) always worked in competition and at arms length. “It was upon this fact that Mr Harris’s immunity to a large extent depended.” Furthermore “suspicion is one thing and proof to satisfy a jury quite another.”[[19]](#footnote-19)

The chief witness for the prosecution, Camillo Capsoni, had come to join the party through Jarvis who had premises in Margaret Street close to the Italian’s flat in London’s West End. When the latter heard Jarvis had suffered a fire he was “warm with his sympathy” only to learn that “there were fires ***and***fires”[[20]](#footnote-20) and one thing led to another.

An important cog in the organisation was Leo’s brother in law, Harry Gould, a salvage merchant, whose offices were close to Leo’s family firm of fire assessors, LC Harris, in Wilson Street, parallel to Moorgate and a stone’s throw from Liverpool Street Station in the City. Pictured in Dearden’s book with the caption “Harris Goldstein, known as Harry Gould”, Gould’s business was admirably complimentary. He could and did recycle stock from one fire to another, which earned the title of “old soldiers.” He could also supply stock on very favourable terms to any business Harris proposed to set fire to for their mutual benefit.

“Moreover the fact that Mr Gould would be in a position not only to supply the raw material but subsequently to acquire of Mr Harris’s incendiary efforts the residue … for an additional and entirely altruistic reason. Mr Harris had the characteristic anxiety of his race to keep all business as far a possible in the family.”[[21]](#footnote-21) (Actually the fact that he didn’t keep it in the family turned out to be a disaster)

Unfortunately, the next fire they planned in Leeds, a shop under the auspices of Capsoni’s yet to become wife was not a success. Called, Continental Showrooms, the fire went splendidly but the insurance claim ran into the implacable opposition of the loss adjuster and “Yorkshire as a business centre proved a bitter disappointment.”[[22]](#footnote-22)

Capsoni was again the torch of another clothing business in Manchester with a satisfactory result and the insurance adjuster accepted “a handsome fur coat.”[[23]](#footnote-23)

Harris now financed Capsoni for a conflagration of his own business the “Franco Italian Silk Company” at 185 Oxford Street. Capsoni had jibbed at the appointment of William Herivel to oversee the finances. He in turn had objected to a £25 wedding present to his wife that Capsoni had put through the books but after a row Herivel considerately dropped out of the picture. Herivel was one of the saddest figures in the ultimate trial at the Old Bailey. Then 70 years old the press noted the tears pouring down his face for the 18 months sentence for his relatively minor role in the conspiracies.[[24]](#footnote-24)

On the night of the fire, Cappa (as his gang associates called him) had for the sake of an alibi taken himself off to Birmingham, his new wife acting as torch and Harris, of course, was the claims assessor. The claim was a heavy one, £22,000. They had the fortune of an amenable insurance adjuster, Adam Loughborough Ball who identified the plausible cause as a discarded cigarette from a workman, whom he interviewed. The insurers wrote out a cheque for £21,966 18s. 4d. Harris took £10,000 for himself Gould £3,000 and his salvage and Capsoni £2,000, and, according to Dearden, Ball was paid £600,[[25]](#footnote-25) though this may be open to question.

The next most important development was the enlistment of Captain Brynmor Eric Miles MC, the chief officer of the London Salvage Corps. The Corps was established to protect the interest of the insurance companies whose responsibility for putting out fires in London was superseded by the transfer to the Metropolitan Board of Works. This happened after the passing in 1866 of the Metropolitan Fire Brigade Act following on from the disastrous fire of Tooley Street in 1861.[[26]](#footnote-26) The corps’ duty was to guard and save property as far as possible after a fire.

Miles, after a glorious army career, a five-year stint in the London Fire Brigade and, having joined the corps as its deputy chief, was at the age of 32 promoted to be its chief officer in 1928. He enjoyed an annual salary of £1,050 free of income tax, free lodgings including fuel and light at the corps’ headquarters in Watling Street and the use of a car and batman. Unfortunately he got into hock with moneylenders after some injudicious speculation on the stock exchange.

He approached Harris when both were bystanders at the Central Criminal Court at the trial of two men who had attempted to bribe “an invincibly honourable assessor, a Mr Sydney Cohen” in May 1930.[[27]](#footnote-27) After Harris visited Miles at the latter’s request at his office Miles then visited the assessor in his home and laid out how he could help. Not only could he help in lining up assessor jobs at fires but also he was in a position to help Harris when he put in his report on any selected outbreak of fire to the Fire Office concerned. Harris agreed a monthly stipend of £25 and from then on the two regularly met for lunch in a private room at Frascati’s restaurant or Harris home at 5 Mapesbury Road, Brondesbury NW2.

As an assessor Harris had already been in the habit of bribing Salvage Corps officers for information on the outbreak of fires so much so that he often arrived on the scene before even the arrival of the Fire Brigade. The system of claims assessing tended to work on a cab principle of first come first appointed. But the Corps chief became a more vital source of intelligence.

Harris’s Christmas list for the gift of a turkey or cigars was a long one and he claimed to have both police and fire officers in his pocket but the Salvage Corps was a particular object of corruption. At Miles’s trial in 1934, when cross-examined by Mr Temple Morris, Harris said, “I still say that from the age of 15 when I entered my father’s office it was a seething mass of corruption….” He recounted how men would come to the office for payment and if they did not get it the jobs went to the opposition.[[28]](#footnote-28)

Notwithstanding his advantages, as Harris’s web widened so did his overheads. A devotee of greyhound racing, he owned a winsome dog called “Lucky Liar” and says Dearden, it would give him pleasure to place a bet on behalf of certain individuals “on a dead cert” and hand them “twenty, fifty or a hundred pounds.” But “every member of this dismal train-band who foraged so assiduously in the service of their leader, in reality represented a permanent liability.. Moreover if you sow bribery you must expect to reap blackmail,”[[29]](#footnote-29) which was what ultimately became the case. Harris had another problem “he was a confirmed and consistently unsuccessful flutterer on the Stock Exchange.” Unlike Capsoni who could go to the Continent on holiday after his little earner, “Mr Harris must perforce remain at home with his nose so to speak, to the tinder box.”[[30]](#footnote-30)

Beside Capsoni, Harris’s most dangerous associate was to be a blabbermouth called Harry Christopher Priest. He had been the front man of a business called Christopher Brothers, fired with successful results in Staining Lane EC2, as well as another fire at a printing business in Goswell Road, both financed by Harris. Priest’s problem was that he could not resist boasting of his exploits in his favourite hostelry, the Highbury Tavern, which you can still find in Highbury Fields. Worse, he chose the wrong man to try and inveigle into the gang who in turn told a friend who had once worked as a clerk in the Intelligence Department of Lloyds. The trail led to solicitor, William Charles Crocker.[[31]](#footnote-31)

In his autobiography in the first of six chapters on what he calls the Fire Case, Crocker opens his account: “I spent half of 1931 and the whole of 1932 deep in just such a plot as Edgar Wallace might have used had he not found the truth of it too tall for fiction.” He tells how a man called Matthews “who had spent some years on the staff of Lloyds Registry…. decided I was the person most likely to obtain the results on which his heart was set – prison for the culprits and a reasonable reward in hard cash for himself.”[[32]](#footnote-32) After some cosy gossip with Priest in the Highbury Tavern, picked up by Matthews, Crocker learned of a fire due to occur in a fortnight’s time. The location was a jewellery and bric a brac shop in Poland Street, just off Oxford Street. The organizer was Capsoni.

Thanks to Priest’s indiscretion “over pots of ale” Crocker had priceless information and because of the failure of a payment on the Poland Street fire the Italian was pressed for money. Because of these forewarnings it had in the meantime become easier to repudiate claims where Harris was the claims assessor.

Capsoni’s consequent indigence led to him making financial demands on Harris who angrily brushed him aside (he had £20,000 of stock market losses to cope with). The consequence was that in late September 1932 Mrs Capsoni approached the Sun Fire Office with information and was referred to Crocker. Both she and her husband soon unburdened themselves to the solicitor.

By the end of the year, Crocker, whose investigations had been funded by both Lloyds and the tariff companies (Fire Offices Committee), had put together a dossier of 15 fires on which the prosecution was to be based.[[33]](#footnote-33)

The case was complicated by the fact that unbeknownst to Crocker many of his plans were being betrayed by Captain Miles. On two occasions Miles met Harris in Hyde Park and advised him to leave the country besides advising him to destroy incriminating documents.

Crocker had become aware that his offices were being watched and that news of his investigations had leaked. He hastened to prepare the arrests with the collaboration of the Director of Public Prosecutions and the police.

Dearden describes the arresting policemen, “the forty young men” as looking “more like Oxford and Cambridge undergraduates than anything else.”[[34]](#footnote-34) The arrests were planned and executed with consummate precision. One of the most noted features of both the Committal hearing and the trial was a document that Crocker put together which he called Willesden Junction. It was a diagram with circles itemising the fires with lines to various circles labelled Harris Finance, Harris Relative and H Gould & Co. “Lines curved from fire to fire to indicate… for example where stock (‘old soldiers’) surviving their baptism of fire had passed along to be burned again.”[[35]](#footnote-35)

When the trial finally opened on 4 July 1933 Mr Roland Oliver KC opened for the prosecution. “Our allegation,” he said, ”is that in the heart of this city, there exists a combination, a gang of people, of whom those in the dock are specimens only, although we believe they include the heads of the gang. We say that their object has been to establish fraudulent, bogus businesses, grossly to over-insure them, to equip them with false documents and to furnish them with largely useless merchant’s stock, much of which has been through fires before, bankrupt stock and stuff like that, and having so over-insured and equipped the premises, to set fire to them for the purpose of defrauding insuring companies and underwriters of their money…”[[36]](#footnote-36)

The trial finally concluded on Friday 18 August with all defendants convicted and sentences handed out the following morning. After the judge, Mr Justice Christmas Humphreys had completed his 13 hours summing up the jury retired at 12.30. They returned at five o’clock to give their verdicts when the 16 remaining defendants were brought to the dock. The Daily Mail reported that three beautiful bouquets of roses, carnations and gladioli lay on the juror’s bench and were handed by order of the judge to three women members of the jury. “Mr Seymour Hicks, the actor, chatted with Sir Edward Tindall Atkinson, the Director of Public Prosecutions,” the paper commented.[[37]](#footnote-37)

There were three separate news stories in the Mail that day as well as its leading editorial which opined: “it was the zeal and greed of Leopold Harris and his immediate associates that led to the downfall of the gang which for too long burned their way to opulence. Harris is only 36 yet it is computed that hundreds of thousands of pounds were wrung from insurance companies by fires that bore every taint of the incendiary. It can be recorded that a fire chief in an important provincial area has for the past 15 years made it his business to probe into the mystery of scores of unaccountable fires in warehouses and other buildings throughout the country. The insurance companies and other experts were well aware of the existence of fire raising organisations and although the depredations of these men were an open secret it was extremely difficult to secure information for criminal action. In the end however the work of Mr Crocker bore fruit and has, it is hoped put an end to the commercial fire raising in this country.”

It was of course the height of the silly season for newspapers. On the same day it was reported that Yorkshire beat Notts by ten wickets to secure the county championship for the third year in succession; that Brown Betty, the winner of 1000 guineas romped to victory in the Richemont stakes at Hurst Park and 26 new laid eggs could be bought for a penny. Lord Rothermere’s favourite politician Sir Oswald Mosley was pictured with seven women over the caption: “this is the first time that the women’s section of he British Union of Fascists has appeared in a press photograph.”

The front cover of the News Chronicle on Saturday, a collage of press photographs, had a picture of “part of the large crowd which waited for hours outside the Old Bailey yesterday to hear the verdict of the fire conspiracy trial.” It reported: “the News Chronicle understands that Lord Trenchard, Commissioner of Police, has sent a letter of thanks to police chiefs in the provinces for their co-operation during the investigations and that officers in many forces were to receive promotion.” This was typical of the obsequious attitude of the press and the establishment towards the police in those days. The paper also reported that the cost of the prosecution was over £100,000 and that Mr Roland Oliver’s brief was one thousand guineas.

Furthermore it reported that “following the verdicts Mr Roland Oliver leading council for the prosecution said that Mr Gould (he had changed his plea to guilty) quite voluntarily had come forward after his committal for trial with information which had enabled the prosecution to establish the £1 notes sent to Ball. He considered the conviction of Ball one of the most important of the case. For that reason he desired to recommend Gould for mercy. The DPP, he said, wished to be associated with that recommendation.” The judge didn’t take much notice. Gould got eight years and Ball’s conviction to some seemed the least satisfactory.[[38]](#footnote-38)

Other items included a news item of a jackdaw injuring a baby, a review of JB Priestley’s novel, The Wonder Hero, and a picture caption – “Lobby Lud loses £20 at Bournemouth. Lobby will be at Torquay and Paignton today when £10 will be paid to anyone who correctly challenges him.”

On 22 August when the sentences were reported, the News Chronicle pictured a row of the defendants all wearing hats, mostly bowlers. In its leader the paper commented, “For years the underwriting of fire insurance has been fraught with great risk because of Leopold Harris’s operations and at least one City underwriter was ruined because of the immense sums that had to be paid out on fires for which Harris was believed to have been responsible.” It also said Harris had been “a marked man for seven years.”

Also On 22 August The Daily Mail wrote that there were plans afoot to foil future incendiarists. It reported, “The Home Office is considering the introduction of a Bill to make all fires the subject of compulsory inquiry. The proposal is that: the City of London Fire Insurance Act (1888) under which the City coroner holds an inquest on every fire within his jurisdiction in which there is loss or injury should form the basis of a national enactment. Other – unofficial – proposals to defeat the activities of any future ‘firebugs’ are the organisation under the auspices of the insurance companies of an assessors association with a special department charged with inquiry into all fires of a suspicious nature; and the establishment of a governmental fire assessors office, the agents of which would investigate all fires and report direct to the Public Prosecutor.”

It also revealed that an inquiry under the 1888 Act “was the genesis of the Old Bailey trial for it was then that the ‘arch villain’ as Mr Justice Humphreys branded Leopold Harris first came under suspicion. In 1926 “he was a witness and admitted that he had acted as assessor to three men who in the previous year had been sent to penal servitude in connection with false fire and burglary claims. ‘I desire to show that this fire assessor is disreputable and a help and associate of incendiaries’, declared Sir Albion Richardson who appeared for the underwriters concerned with the insurance. Dr FJ Waldo, the coroner sent the papers to the Public Prosecutor but there was not sufficient evidence for the authorities to take action.”

The newspaper went on to say: “Leopold Harris was an amazing man – a veritable Jekyll and Hyde. In his home at Brondesbury he was an ideal host and a generous friend while in his legitimate profession as a fire assessor he was an acknowledged expert. But with the other side of his personality that of head of one of the most dangerous gangs of criminals ever operating in this country he was another being.

‘”In Adam Loughborough Ball they had a confederate who was invaluable. He was an assessor of the underwriters, and it was on his recommendation that some of the bogus claims were paid.”

This may be open to doubt. It would have been fairer for him to be tried separately as his counsel Norman Birkett[[39]](#footnote-39), one of the most famous KCs of his generation had requested and his defence got subsumed amidst all the others.

Ball wrote his account, which was published when he came out of prison in 1936.[[40]](#footnote-40) “I have written this book not only for my own vindication but to open the eyes of the average man to the danger which he may be called to face. The danger is real especially if a conviction following an arrest is deemed to be of paramount importance.” He commiserated with the jury over the length and complexity of the trial “they sat through seven weeks of brilliant summer sunshine in No 1 court at the Old Bailey. Think of the soporific dullness of it all, the never ending figures and then pity them as I did.”[[41]](#footnote-41)

Ball had a substantial business employing four other loss adjusters and enjoyed a substantial income in relation to which he claimed the alleged bribe was derisory. Besides the examples in the Harris trial, which covered a period of eight years, he says he rejected many claims, which either then or subsequently was shown to be fraudulent. “In many of these cases Leopold Harris or other members of his firm figured in the claim makers opposed to me.”[[42]](#footnote-42)With regard to the Oxford Street fire he says he asked Harris in Maidstone Prison whether he should have seen through the deception to which Harris replied: “your own Jesus Christ himself couldn’t have found out.[[43]](#footnote-43)”

Most disconcerting to Ball was his discovery that his secretary, who had worked for him for 17 years, was on the Harris payroll and he was even unluckier in that she was unable to testify during his trial, dying after an operation during the trial.

In Maidstone Harris enjoyed every privilege imaginable, while shopping all his former associates. “The scourge of the insurance companies had become their devoted servant, and I recall with what amazement I listened to him as he read to me the report of a well-known firm of loss adjusters upon a current fire in 1935. He told me that the general manger of the company interested had sought his advice upon the case. He may have reformed, but this is not the general impression.”[[44]](#footnote-44)

 Along with Harris, Ball was called to testify at the trial of two former associates of Harris at the Old Bailey in March 1935, an old school friend of Harris called Henry Joseph and an umbrella maker called Frederick Rickards. The first of three fires was at Rickards’ premises in Fore Street, in the City, on 4 July 1930, where Ball was the adjuster representing the insurance company. The two others were in City Road on 5 June 1931 and in Farringdon Road on 7 March 1932. All three fires were ‘financed’ by Harris. At the first a claim of £16,000 was settled for £12,900. Ball was indignant that he had advised against settlement and yet in the trial it was suggested that his action had been fraudulent despite Harris also exonerating him.[[45]](#footnote-45) The trial was also notable for the evidence of another witness, Sidney Balcombe, like Gould also a brother in law of Harris. He was the Company Secretary and two of his sons also worked for the business. Balcombe gave his opinion of Harris: “He is a callous liar. I am sorry to admit in open court.”[[46]](#footnote-46) According to his grandson, Nick Balcombe, Sidney had no idea of the frauds going on under his nose and was deeply shocked.[[47]](#footnote-47)

Harris was also the main witness for the prosecution of Captain Miles, whose prosecution by the Attorney General, Sir Thomas Inskip, in February 1934 provoked further sensational publicity**.**

Time magazine reported: “At all great London fires for the past ten years, Londoners have seen inside the fire lines a tall, hearty figure in the black helmet and blue uniform of the Salvage Corps. He was Captain Brymore (sic) Eric Miles, chief of the insurance companies' special force to keep down unnecessary damage by fire & water. On his hefty chest glittered a row of medals, including the Military Cross and the Star of Mons.

“How venal a heart those medals covered. Londoners first discovered last November, at the end of a scandalous trial of a huge arson ring. Before he was sentenced to 14 years in jail, the ringleader, one Leopold Harris, testified that he had had nearly every Salvage Corps officer in his pocket. Of the ring's £500,000 annual takings in insurance, Captain Miles had received a paltry £25 a month for overlooking cases of suspected arson.

“Last week a jury in Old Bailey Court found brave Captain Miles guilty of ‘corruption and conspiring to pervert the administration of justice.’ Grimly the judge sentenced him to four years in jail."

Harris went on to provide the evidence for two assessors convicted at the Old Bailey in November 1935. The case revolved around fires in Nottingham, Kettering and Leicester and the two men, having pleaded guilty were sentenced to 18 months and 15 months. After the sentencing, “the Common Sergeant had called before him Mrs Sophia Harris, who was described as a salvage buyer, of Stoke Newington.” She said she was carrying on the business honestly to which the judge responded: “you can consider yourself extremely lucky you are not standing in the dock with these men.’”[[48]](#footnote-48)

Her brother Leopold was released from Camp Hill Prison, Isle of Wight on 12 August 1940, having served less than seven years of his sentence. According to a report in the Times of the following day he was met by his sons Lewis and Henry and had earned five years remission by helping the police. He told a reporter: “I am feeling very well and hope in the near future to venture again in the business world.” That he did, re-constituting the family firm of fire assessors, LS Harris.

He was careful to protect his reputation as far as he could suing a solicitor for slander in January 1952, a case (Harris v Dennis) that he lost.

His next press mention was of a jewellery theft from his home in Bentinck Close, St John’s Wood, with a claim, which according to The Times, was “worth hundreds of thousands of pounds”.[[49]](#footnote-49) Meanwhile rumours circulated in fire brigade and insurance circles that his renewed career in business was not entirely straight.

In the meantime those reforms so earnestly anticipated in the immediate aftermath of Harris’s trial had failed to materialise. The insurance companies had set up a sub committee to consider the future of the London Salvage Corps There was talk of its disbandment and the replacement of its salvage work by the fire service. Less dramatic steps were taken. The corps compliment was cut by nearly half, two stations were closed leaving one at Watling Street the other in Southwark. Its reputation recovered and the Corps did valuable work during the Blitz in 1940/41.[[50]](#footnote-50)

The Government had more important matters to consider including the Fire Brigade Act of 1937 and provision for civil defence as well as rearmament in the shadow of the approaching war. Nevertheless insurance adjusters progressively improved their standards. In 1941 a formal group was established known as the Association of Fire Loss Adjusters. In 1961 it gained a royal charter and the Association became the Chartered Institute of Loss Adjusters. Its objectives were the advancement of the study of the profession of loss adjuster, the security of the association of those engaged in the profession and the promotion of the efficiency and usefulness of the profession by observance of strict rules of professional conduct by members of the institute and by establishing high standards of education and knowledge.

As for the claims assessors acting for the insured party, their business went into sharp decline immediately after the Harris trial since its leaders went to prison and the business was under a deep cloud. However, on his release from prison, Leopold, with the support of his sons, Lewis and Henry, resuscitated it. The sons of Sidney Balcombe also built after the war a substantial business with offices throughout Britain. In his later survey, Clarke mentions the fact that “the sector is dominated by two large firms, still family based, with more or less nationwide coverage and staff with insurance and other relevant qualifications”.[[51]](#footnote-51) No doubt these firms were Harris Claims and Balcombe & Co, which themselves merged in 2008 to form Harris Balcombe, whose reputation is unimpeachable. “What surprised our family”, says Nick Balcombe the current chairman was that Leopold, when he came out of prison “appeared to have a lot of money.” This was despite the fact that subsequent to his trial he was declared bankrupt.

While he was alive nobody questioned Leopold’s professional competence. For example Robert Gavron, the founder of Britain’s biggest printing business, St Ives, told me he remembered in the early 60s how it was suggested to him he call Harris for a burned out printing shop in Soho. He arrived in his chauffeur driven Rolls Royce immaculately dressed and, wearing a bowler hat, walked in to the premises. Gavron was surprised how he quickly plucked out a figure of £68,000 which he felt surprisingly high and that was the figure the insurance company settled on.[[52]](#footnote-52)

Leo’s reputation for honesty, however, never recovered. Out of the blue the maverick MP, Tom Driberg, who in his early career wrote the William Hickey gossip column for Lord Beaverbrook’s Daily Express, asked Parliamentary questions of the Minister of State at the Home Office on 27 January 1972. He asked the Minister: “if, he will initiate special action to combat arson in view of the increase in the number of fires in London caused by arson, and, in this connection, to investigate the activities of certain public loss adjusters and insurance loss adjusters.” He went on to ask: “Will the Minister bear in mind that detailed factual reports on a number of these incidents were submitted to Scotland Yard some years ago and no action was taken? Could he at least find out why that is so and ask the Yard particularly to investigate the activities of Mr Leopold Harris and his family firm of LS Harris, who are up to their old tricks of submitting fraudulent claims, often in connection with fires in which innocent people have been burnt to death?” The minister[[53]](#footnote-53) responded: “details of certain cases have been sent to the Commissioner of Police to decide what action shall be taken.”[[54]](#footnote-54)

According to a report in The Times the following day “A Scotland Yard officer afterwards confirmed that the matter was being investigated.” And “Mr Leopold Harris said at his office last night: ‘we shall challenge Mr Driberg to make his statement outside Parliament so that we can take immediate action. We welcome any investigation by the Home Office or Scotland Yard.’ When asked why he thought Mr Driberg had used the phrase ‘up to their old tricks’ Mr Harris, who is 79, said: ‘Before 1933 I did become involved with a lot of unscrupulous people and I was brought in as an accessory. I have paid my penalty.”

And there this matter still rests. At the National Archives in Kew there exists a Home Office paper HO 287/1003 entitled “Crime prevention: co-operation with insurance companies; arson and fraud on insurance companies” with an order blocking publication until 2035. Over the past four months I have been through two appeals. The refusal is based on the fact that the file “contains information on the criminal and suspected criminal activity of several individuals.” Of those some must still be alive and enjoy the protection of the Data Protection Act (1998). I intend to take this matter further with an appeal to the Information Commissioner. Leopold Harris died in 1982 and his sons Henry and Lewis died in 2004 and 2010 respectively. Whoever is being protected must be very old men.

But meanwhile there have been further revelations. Soon after the death of Isaac, Lord Wolfson, in 1991, the financial editor of the Mail on Sunday was able to open other police files. He recounted the story of how Wolfson rose from a pedlar to become the “Emperor of the High Street” as chairman of Great Universal Stores, Britain’s biggest retailer.[[55]](#footnote-55) It was he said a story of “arson, fraud and blackmail.” Having been floated on the Stock Exchange in 1931, the company whose main business was mail order, felt the draught of the depression. The following year a mysterious fire gutted the company’s Wembley warehouse. The torch was Louis Jarvis who was the father in law of Isaac’s brother, Charlie. And according to testimony provided by both Leo and David Harris in Maidstone prison, Jarvis torched premises in Manchester, Paisley and Glasgow netting Wolfson £275,000 (£13 million in today’s money) from insurance claims. And these were according to the police report “the tip of the iceberg.” David Harris admitted to bribing a police officer, Superintendent Cornish with a payment of £40 (£2,000 in today’s equivalent) and Wollfson paid anther police officer Inspector Harris £100 (£5,000 in today’s money). According to the record the Police Commissioner wanted to prosecute Wolfson but was restrained by the Director of Public Prosecutions. Wolfson, of course, went on to reach the very pinnacle of business respectability.

The Harris family meanwhile did everything in its power to protect itself from publicity of past scandals. In 1986 a firm of loss adjusters called Ellis & Buckle republished Dearden’s book, The Fire Raisers, to find themselves the object of threatened litigation from the Harris’s. Gerry Loughney, former chairman of Cunningham Lindsey, the firm that subsequently took over Ellis & Buckle says they agreed to cease publication but the 1500 books printed had already been distributed. Henry Harris and his son Anthony endeavoured to acquire as many as they could find.[[56]](#footnote-56)

Returning to the question of how the authorities and the insurance industry determined to protect themselves from arson, immediately after the war the Fire Protection Association was established to promote fire safety. There has also been a raft of fire safety regulations included in various legislation such as the Offices Shops & Railway Premises Act 1963, the Building Act 1984 and the Fire Precautions Regulations issued in 1997. With the statutory demand for alarm systems, smoke detectors, sprinklers, fire proofed doors and, above all, fire certification; fraudulent arson has become more difficult. Insurance contracts may also demand the provision of security, both manned and closed circuit television (CCTV). Failure to observe these regulations can incur heavy penalties. In 2008, for example, the retailer, New Look, was fined £400,000 and ordered to pay a further £150,000 in costs for their failure to observe the fire regulations at their premises in Oxford Street, where there was a bad fire necessitating the closure to traffic of Britain’s busiest shopping street for two days.

Meanwhile, crime statistics in the 1980s had showed an increasing trend in arson while the number of actual fires decreased. A Home Office paper in 1988[[57]](#footnote-57) prepared the ground for the establishment of the Arson Prevention Bureau, funded jointly by the Government and the insurance industry. Headquartered in the City it did excellent work compiling statistics and collaborating with fire and police authorities. It did good work while it had the cooperation of the insurance industry. For example, after sponsoring an international symposium on fraudulent arson in 1997 British weakness was exposed. The UK rate of prosecution for arson was estimated at between 4 and 5% of cases against a rate of 86% in Massachusetts where there was a full time arson investigation team. Unfortunately the APB’s responsibilities were superseded after another Home Office report in 1999.[[58]](#footnote-58) And the government undertook to take control but its replacement the Arson Prevention Forum lacks substance.[[59]](#footnote-59)

One of the APB’s contributors was Michael Clarke who published an important paper on fraudulent arson in1996.[[60]](#footnote-60) With the collaboration of five large firms of loss adjusters, on an anonymous basis, he was given details of 78 cases, which they regarded as either fraudulent or doubtful, and Clarke evaluated the success of insurers in resisting bad claims. He wrote “the damage to insurance companies if people discover they can burn their way out of difficulties is very substantial” but it is often convenient for insurers to pay up rather than “go through the expense of investigation and insurers are wary of bad publicity arising from resisting a claim.”

Out of his sample the claims ranged from £12,000 to £7 million with 21 over £500,000. London and the Southeast accounted for 24 and the Northwest for 12 of the claims. All were from small or medium sized enterprises with restaurants, entertainment and clothing businesses – long established as arson prone – predominating. “It is said that Public Limited Companies, on the whole do not suffer from arson fraud because it is in their interests to carry on trading or sell redundant property.” But says Clarke “it may be the case where an owner is well-advised and sophisticated enough to put a credible distance between themselves and a fire and to hire a competent arsonist to do it,” could account for the absence of larger businesses to be recorded

His ethnic breakdown was interesting with 16 claimants coming from the Indian or Pakistani community and two Chinese. He noted that Nigerians who are notoriously active in cheque, credit card, mortgage and other frauds were entirely absent. As to the role of assessors, in just under half of the sample (35) they were used by the insured. In six cases assessors were identified as dishonest and two further ones as doubtful.

While Clarke was collating his research a huge police investigation was under way into a series of dodgy insurance claims including a large fire in Canning Town, East London. The Metropolitan Police put together a special arson squad, called Operation Nero, whose investigations took five years to complete. Peter Scott, the criminal mastermind, like Harris, was an insurance assessor. He received sentences totaling ten years. For the main offence, the burning of a clothing warehouse, he received a sentence of seven years along with the warehouse owner. The value of the fraudulent arson at the warehouse was £5 million and the police estimated that Scott was responsible for at least £30 million of insurance claims, half of them settled by the time his business was raided and records seized in 1992.[[61]](#footnote-61)

However, notwithstanding the many post war improvements and consequent large reduction in fires there has been a lack of consensus in the UK in how to deal with fraudulent arson. In 1992 Paul May, now chairman of loss adjusters, Concordia, wrote a seminal paper with a number of recommendations few of which have been acted upon.[[62]](#footnote-62) He bemoaned, in particular, the lack of any breakdown in fire statistics, the need for a register of fraudulent fire claims as there is in motor insurance, and the poor co-ordination between the fire service, police, government and the insurance industry. He estimated that out of property damage caused by fire amounting to just over £1,000 million in 1990 around half was caused by arson and out of that 10 to 20% of arson cases are thought to be the result of “ a deliberate act by the insured or connivance by the insured”.

Police statistics between 1985 and 1989 showed a progressive rise in arson cases from 19,003 to 23,710 of which 76.59% were at night and the clear up rate of the crimes was just 24%. No breakdown of fraudulent arson was given. One problem May noted is that insurers are reluctant to pursue criminal charges once a claim has been successfully repudiated. From the insurance perspective the problem often starts at the initiation of the contract. “It should go without saying that careful risk assessment is essential in the initial phase of a new insurance transaction but experience has shown more and more rarely is this the case; the pressure of competition makes the conclusion of a deal the overriding consideration.”[[63]](#footnote-63)

When it comes to the fires themselves the Fire Brigade is required to produce a report, which should include the supposed cause but they are under no obligation to cooperate with insurers. Their prime responsibility is to protect life and property but they do not have the resources for salvage work nor to preserve evidence. The police are even less cooperative – the ACPO (Association of Chief Police Officers) issued a directive of non-response to enquiries from insurers or loss adjusters largely because of data protection requirements.

Britain’s lackadaisical approach to fraudulent arson is in marked contrast to that in the United States. According to statistics from the US Chamber of Commerce one claim in ten is partially or wholly fraudulent, the largest parts of which were in car and medical insurance but there were a spate of criminally inspired fires in the states of New York and New Jersey in the 1970s. However the requirement for a national system of fraud control was accepted and as early as 1971 the Insurance Crime Prevention Institute was founded along with draconian RICO (Racketeer Influenced and Corrupt Organisations) legislation. The Insurance Committee for Arson Control was founded in 1978, which makes recommendations to insurance regulators, and legislators and information of fraudulent claims are registered and exchanged. On the Continent the French have what Michael Clarke calls the force de frappe of the insurance industry.[[64]](#footnote-64) Their Agence pour la lutte contre la fraude à l’assurance (ALPHA) provides the best co-operation between fire, police and experts d’assurance. In the Netherlands they have a fully centralised computer based fraud control system paid for by a levy on premium income. Clarke attributes “the (UK’s) marked reluctance to share information and to take any public initiatives on fraud” to the fact that firstly ‘insurers remain fearful on data protection legislation and that the consumer lobby is held greatly in awe; secondly that privatisation is part of the ruling ideology, specialist fraud squads have been cut to the bone and the ideological mantra of the demand to cut red tape has precluded government action. Perhaps we need a great fire such as Tooley Street in 1861 to make them see sense and put into practise the reforms so long demanded.

In fact in the UK the last 20 years have seen fire protection take steps backwards. The Government’s attitude is that its responsibility stops at life safety. In their so-called war on red tape it has relaxed many of the building regulations and it is not now mandatory to have a sprinkler system. The Association of British Insurers no longer even has a fire committee. This is deeply ironic since the whole insurance industry grew out of the fire offices founded at the end of the seventeenth century. Perhaps most extraordinary was the privatisation of the Fire Service College which was sold to Centrica in 2013. Fire brigades are now reluctant to send their men there for training courses because they are too expensive.[[65]](#footnote-65) The Fire Brigades themselves have suffered the fiercest cut backs as part of government austerity and insurance fraud is a very low priority. The fact that the ultimate cost to us in insurance premiums and economic dislocation is probably higher to the nation might seem of no consequence to our government whose primary responsibility should be to protect us.

To conclude that there is insufficient political will to address a costly but obscure crime is not enough. What the career of Leopold Harris teaches us is that his fraudulent arson only scratched the surface. There remain, to quote Donald Rumsfeld, known unknowns. Crocker’s fifteen cases of arson were only a sample. There is more work to be done and the fire raising activities of the owner of Bradford City football club suggests that there remains an awful lot to be uncovered.

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29. *Ibid* p66 [↑](#footnote-ref-29)
30. Ibid p. 67 [↑](#footnote-ref-30)
31. Ibid p. 91 [↑](#footnote-ref-31)
32. *Far From Humdrum* p. 114 [↑](#footnote-ref-32)
33. *Ibid* p.146 [↑](#footnote-ref-33)
34. *The Fire Raisers*, p. 186 No doubt they were “Trenchard’s boys”, the term used for the new public school recruits that Air Chief Marshall Trenchard, who was appointed Police Commissioner in 1930, brought into the police in an endeavor to make the force less corrupt. It encountered huge opposition within the police and they turned out to be no less corrupt! [↑](#footnote-ref-34)
35. *Far From Humdrum* p. 153 [↑](#footnote-ref-35)
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