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Making Light of Convicts

Branding 'Bubbly' with Offender Images

Jenny Wise

University of New England

Lesley McLean



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Articles

Introduction

The social roles of alcohol consumption are rich and varied, with different types of alcoholic beverages reflecting important symbolic and cultural meanings. Sparkling wine is especially notable for its association with secular and sacred celebrations. Indeed, sparkling wine is rarely drunk as a matter of routine; bottles of such wine signal special occasions, heightened by the formality and excitement associated with opening the bottle and controlling (or not!) the resultant fizz (Faith).

Originating in England and France in the late 1600s, sparkling wine marked a dramatic shift in winemaking techniques, with winemakers deliberately adding "fizz" or bubbles to their product (Faith). The resulting effervescent wines were first enjoyed by the social elite of European society, signifying privilege, wealth, luxury and nobility; however, new techniques for producing, selling and distributing the wines created a mass consumer culture (Guy).

Production of Australian sparkling wines began in the late nineteenth century and consumption remains popular. As a "new world" country – that is, one not located in the wine producing areas of Europe – Australian sparkling wines cannot directly draw on the same marketing traditions as those of the "old world". One enterprising company, Treasury Wine Estates, markets a range of wines, including a sparkling variety, called 19 Crimes, that draws, not on European traditions tied to luxury, wealth and prestige, but

Australia's colonial history.

Using Augmented Reality and interactive story-telling, 19 Crimes wine labels feature convicts who had committed one or more of 19 crimes punishable by transportation to Australia from Britain. The marketing of sparkling wine using convict images and convict stories of transportation have not diminished the celebratory role of consuming "bubbly". Rather, in exploring the marketing techniques employed by the company, particularly when linked to the traditional drink of celebration, we argue that 19 Crimes, while fun and informative, nevertheless romanticises convict experiences and Australia's convict past.

Convict Heritage and Re-Appropriating the Convict Image

Australia's cultural heritage is undeniably linked to its convict past. Convicts were transported to Australia from England and Ireland over an 80-year period between 1788-1868. While the convict system in Australia was not predominantly characterised by incarceration and institutionalisation (Jones 18) the work they performed was often forced and physically taxing, and food and clothing shortages were common. Transportation meant exile, and "it was a fierce punishment that ejected men, women and children from their homelands into distant and unknown territories" (Bogle 23).

Convict experiences of transportation often varied and were dependent not just on the offender themselves (for example their original crime, how willing they were to work and their behaviour), but also upon the location they were sent to. "Normal" punishment could include solitary confinement, physical reprimands (flogging) or hard labour in chain gangs.

From the time that transportation ceased in the mid 1800s, efforts were made to distance Australia's future from the "convict stain" of its past (Jones). Many convict establishments were dismantled or repurposed with the intent of forgetting the past, although some became sites of tourist visitation from the time of closure.

Importantly, however, the wider political and social reluctance to engage in discourse regarding Australia's "unsavoury historical incident" of its convict past continued up until the 1970s (Jones 26). During the 1970s Australia's convict heritage began to be discussed more openly, and indeed, more favourably (Welch 597). Many today now view Australia's convicts as "reluctant pioneers" (Barnard 7), and as such they are celebrated within our history. In short, the convict heritage is now something to be celebrated rather than shunned. This celebration has been capitalised upon by tourist industries and more recently by wine label 19 Crimes.

"19 Crimes: Cheers to the Infamous"

The Treasury Wine Estates brand launched 19 Crimes in 2011 to a target population of

young men aged between 18 and 34 (Lyons). Two limited edition vintages sold out in 2011 with “virtually no promotion” (19 Crimes, “Canadians”). In 2017, 19 Crimes became the first wine to use an Augmented Reality (AR) app (the app was later renamed *Living Wines Labels* in 2018) that allowed customers

to hover their [smart] phone in front of a bottle of the wine and [watch] mugshots of infamous 18th century British criminals come to life as 3D characters who recount *their* side of the story. Having committed at least one of the 19 crimes punishable by exile to Australia, these convicts now humor and delight wine drinkers across the globe. (Lirie)

Given the target audience of the 19 Crimes wine was already 18-34 year old males, AR made sense as a marketing technique. Advertisers are well aware the millennial generation is “digitally empowered” and the AR experience was created to not only allow “consumers to engage with 19 Crimes wines but also explore some of the stories of Australia’s convict past ... [as] told by the convicts-turned-colonists themselves!” (Lilley cited in Szentpeteri 1-2). The strategy encourages people to collect convicts by purchasing other 19 Crimes alcohol to experience a wider range of stories.

The AR has been highly praised:

they [the labels] animate, explaining just what went down and giving a richer experience to your beverage; engaging both the mind and the taste buds simultaneously ‘A fantastic app that brings a little piece of history to life’, writes one user on the Apple app store. ‘I jumped out of my skin when the mugshot spoke to me’. (Stone)

From here, the success of 19 Crimes has been widespread. For example, in November 2020, media reports indicated that 19 Crimes red wine was the most popular supermarket wine in the UK (Lyons; Pearson-Jones). During the UK COVID lockdown in 2020, 19 Crimes sales increased by 148 per cent in volume (Pearson-Jones). This success is in no small part to its innovative marketing techniques, which of course includes the AR technology heralded as a way to enhance the customer experience (Lirie).

The 19 Crimes wine label explicitly celebrates infamous convicts turned settlers. The website “19 Crimes: Cheers to the Infamous” incorporates ideas of celebration, champagne and bubbles by encouraging people to toast their mates:

the convicts on our wines are not fiction. They were of flesh and blood, criminals and scholars. Their punishment of transportation should have shattered their spirits. Instead, it forged a bond stronger than steel. Raise a glass to our convict past and the principles these brave men and women lived by. (19 Crimes, “Cheers”)

While using alcohol, and in particular sparkling wine, to participate in a toasting ritual is

the “norm” for many social situations, what is distinctive about the *19 Crimes* label is that they have chosen to merchandise and market known offenders for individuals to encounter and collect as part of their drinking entertainment. This is an innovative and highly popular concept. According to one marketing company: “19 Crimes Wines celebrate the rebellious spirit of the more than 160,000 exiled men and women, the rule breakers and law defying citizens that forged a new culture and national spirit in Australia” (Social Playground). The implication is that by drinking this brand of [sparkling] wine, consumers are also partaking in celebrating those convicts who “forged” Australian culture and national spirit.

In many ways, this is not a “bad thing”. 19 Crimes are promoting Australian cultural history in unique ways and on a very public and international scale. The wine also recognises the hard work and success stories of the many convicts that did indeed build Australia. Further, 19 Crimes are not intentionally minimising the experiences of convicts. They implicitly acknowledge the distress felt by convicts noting that it “should have shattered their spirits”. However, at times, the narratives and marketing tools romanticise the convict experience and culturally reinterpret a difficult experience into one of novelty. They also tap into Australia’s embracement of larrikinism. In many ways, 19 Crimes are encouraging consumers to participate in larrikin behaviour, which Bellanta identifies as being irreverent, mocking authority, showing a disrespect for social subtleties and engaging in boisterous drunkenness with mates. Celebrating convict history with a glass of bubbly certainly mocks authority, as does participating in cultural practices that subvert original intentions.

Several companies in the US and Europe are now reportedly offering the service of selling wine bottle labels with customisable mugshots. Journalist Legaspi suggests that the perfect gift for anyone who wants a sparkling wine or cider to toast with during the Yuletide season would be having a customisable mugshot as a wine bottle label. The label comes with the person’s mugshot along with a “goofy ‘crime’ that fits the person-appealing” (Sotelo cited in Legaspi). In 2019, Social Playground partnered with MAAKE and Dan Murphy’s stores around Australia to offer customers their own personalised sticker mugshots that could be added to the wine bottles. The campaign was intended to drive awareness of 19 Crimes, and mugshot photo areas were set up in each store. Customers could then pose for a photo against the “mug shot style backdrop. Each photo was treated with custom filters to match the wine labels actual packaging” and then printed on a sticker (Social Playground).

The result was a fun photo moment, delivered as a personalised experience. Shoppers were encouraged to purchase the product to personalise their bottle, with hundreds of consumers taking up the offer.

With instant SMS delivery, consumers also received a branded print that could be shared so [sic] social media, driving increased brand awareness for 19 Crimes. (Social Playground)

While these customised labels were not interactive, they lent a unique and memorable spin to the wine. In many circumstances, adding personalised photographs to wine bottles provides a perfect and unique gift; yet, could be interpreted as making light of the conditions experienced by convicts. However, within our current culture, which celebrates our convict heritage and embraces crime consumerism, the reframing of a mugshot from a tool used by the State to control into a novelty gift or memento becomes culturally acceptable and desirable. Indeed, taking a larrikin stance, the reframing of the mugshot is to be encouraged.

It should be noted that while some prisons were photographing criminals as early as the 1840s, it was not common practice before the 1870s in England. The *Habitual Criminals Act* of 1869 has been attributed with accelerating the use of criminal photographs, and in 1871 the *Crimes Prevention Act* mandated the photographing of criminals (Clark). Further, in Australia, convicts only began to be photographed in the early 1870s (Barnard) and only in Western Australia and Port Arthur (Convict Records, "Resources"), restricting the availability of images which *19 Crimes* can utilise. The marketing techniques behind *19 Crimes* and the Augmented app offered by Living Wines Labels ensure that a very particular picture of the convicts is conveyed to its customers. As seen above, convicts are labelled in jovial terms such as "rule breakers", having a "rebellious spirit" or "law defying citizens", again linking to notions of larrikinism and its celebration. *19 Crimes* have been careful to select convicts that have a story linked to "rule breaking, culture creating and overcoming adversity" (*19 Crimes*, "Snoop") as well as convicts who have become settlers, or in other words, the "success stories". This is an ingenious marketing strategy. Through selecting success stories, *19 Crimes* are able to create an environment where consumers can enjoy their bubbly while learning about a dark period of Australia's heritage. Yet, there is a distancing within the narratives that these convicts are actually "criminals", or where their criminal behaviour is acknowledged, it is presented in a way that celebrates it.

Words such as criminals, thieves, assault, manslaughter and repeat offenders are foregone to ensure that consumers are never really reminded that they may be celebrating "bad" people. The crimes that make up *19 Crimes* include:

1. Grand Larceny, theft above the value of one shilling.
2. Petty Larceny, theft under one shilling.
3. Buying or receiving stolen goods, jewels, and plate...
4. Stealing lead, iron, or copper, or buying or receiving.
5. Impersonating an Egyptian.
6. Stealing from furnished lodgings.
7. Setting fire to underwood.
8. Stealing letters, advancing the postage, and secreting the money.
9. Assault with an intent to rob.
10. Stealing fish from a pond or river.
11. Stealing roots, trees, or plants, or destroying them.
12. Bigamy.
13. Assaulting, cutting, or burning clothes.

14. Counterfeiting the copper coin...
15. Clandestine marriage.
16. Stealing a shroud out of a grave.
17. Watermen carrying too many passengers on the Thames, if any drowned.
18. Incurable rogues who broke out of Prison and persons reprieved from capital punishment.
19. Embeuling Naval Stores, in certain cases. (19 Crimes, "Crimes")

This list has been carefully chosen to fit the narrative that convicts were transported in the main for what now appear to be minimal offences, rather than for serious crimes which would otherwise have been punished by death, allowing the consumer to enjoy their bubbly without engaging too closely with the convict story they are experiencing.

The AR experience offered by these labels provides consumers with a glimpse of the convicts' stories. Generally, viewers are told what crime the convict committed, a little of the hardships they encountered and the success of their outcome. Take for example the transcript of the Blanc de Blancs label:

as a soldier I fought for country. As a rebel I fought for cause. As a man I fought for freedom. My name is James Wilson and I fight to the end. I am not ashamed to speak the truth. I was tried for treason. Banished to Australia. Yet I challenged my fate and brought six of my brothers to freedom. Think that we have been nearly nine years in this living tomb since our first arrest and that it is impossible for mind or body to withstand the continual strain that is upon them. One or the other must give way.

While the contrived voice of James Wilson speaks about continual strain on the body and mind, and having to live in a "living tomb" [Australia] the actual difficulties experienced by convicts is not really engaged with.

Upon further investigation, it is also evident that James Wilson was not an ordinary convict, nor was he strictly tried for treason. Information on Wilson is limited, however from what is known it is clear that he enlisted in the British Army at age 17 to avoid arrest when he assaulted a policeman (Snoots). In 1864 he joined the Irish Republican Brotherhood and became a Fenian; which led him to desert the British Army in 1865. The following year he was arrested for desertion and was convicted by the Dublin General Court Martial for the crime of being an "Irish rebel" (Convict Records, "Wilson"), desertion and mutinous conduct (photo from the Wild Geese Memorial cited in *The Silver Voice*). Prior to transportation, Wilson was photographed at Dublin Mountjoy Prison in 1866 (Manuscripts and Archives Division), and this is the photo that appears on the Blanc de Blancs label. He arrived in Fremantle, Western Australia on 9 January 1868. On 3 June 1869 Wilson "was sentenced to fourteen days solitary, confinement including ten days on bread and water" (photo from the Wild Geese Memorial cited in *The Silver Voice*) for an unknown offence or breach of conduct. A few years into his sentence he sent a letter to a fellow Fenian New York journalist John Devoy. Wilson wrote that his was a

voice from the tomb. For is not this a living tomb? In the tomb it is only a man's body is good for the worms but in this living tomb the canker worm of care enters the very soul. *Think that we have been nearly nine years in this living tomb since our first arrest and that it is impossible for mind or body to withstand the continual strain that is upon them. One or the other must give way.* (Wilson, 1874, cited in FitzSimons; emphasis added)

Note the last two lines of the extract of the letter have been used verbatim by 19 Crimes to create their interactive label. This letter sparked a rescue mission which saw James Wilson and five of his fellow prisoners being rescued and taken to America where Wilson lived out his life (Reid). This escape has been nicknamed "The Great Escape" and a memorial was built in 2005 in Rockingham where the escape took place.

While 19 Crimes have re-created many elements of Wilson's story in the interactive label, they have romanticised some aspects while generalising the conditions endured by convicts. For example, citing treason as Wilson's crime rather than desertion is perhaps meant to elicit more sympathy for his situation. Further, the selection of a Fenian convict (who were often viewed as political prisoners that were distinct from the "criminal convicts"; Amos) allows 19 Crimes to build upon narratives of rule breaking by focussing on a convict who was sent to Australia for fighting for what he believed in. In this way, Wilson may not be seen as a "real" criminal, but rather someone to be celebrated and admired.

Conclusion

As a "new world" producer of sparkling wine, it was important for 19 Crimes to differentiate itself from the traditionally more sophisticated market of sparkling-wine consumers. At a lower price range, 19 Crimes caters to a different, predominantly younger, less wealthy clientele, who nevertheless consume alcoholic drinks symbolic to the occasion. The introduction of an effervescent wine to their already extensive collection encourages consumers to buy their product to use in celebratory contexts where the consumption of bubbly defines the occasion. The marketing of Blanc de Blancs directly draws upon ideas of celebration whilst promoting an image and story of a convict whose situation is admired – not the usual narrative that one associates with celebration and bubbly.

Blanc de Blancs, and other 19 Crimes wines, celebrate "the rules they [convicts] broke and the culture they built" (19 Crimes, "Crimes"). This is something that the company actively promotes through its website and elsewhere. Using AR, 19 Crimes are providing drinkers with selective vantage points that often sensationalise the reality of transportation and disengage the consumer from that reality (Wise and McLean 569). Yet, 19 Crimes are at least engaging with the convict narrative and stimulating interest in the convict past. Consumers are being informed, convicts are being named and their stories celebrated instead of shunned.

Consumers are comfortable drinking bubbly from a bottle that features a convict because the crimes committed by the convict (and/or to the convict by the criminal justice system) occurred so long ago that they have now been romanticised as part of Australia's colourful history. The mugshot has been re-appropriated within our culture to become a novelty or fun interactive experience in many social settings. For example, many dark tourist sites allow visitors to take home souvenir mugshots from decommissioned police and prison sites to act as a memento of their visit. The promotional campaign for people to have their own mugshot taken and added to a wine bottle, while now a cultural norm, may diminish the real intent behind a mugshot for some people. For example, while drinking your bubbly or posing for a fake mugshot, it may be hard to remember that at the time their photographs were taken, convicts and transportees were "ordered to sit for the camera" (Barnard 7), so as to facilitate State surveillance and control over these individuals (Wise and McLean 562).

Sparkling wine, and the bubbles that it contains, are intended to increase fun and enjoyment. Yet, in the case of 19 Crimes, the application of a real-life convict to a sparkling wine label adds an element of levity, but so too novelty and romanticism to what are ultimately narratives of crime and criminal activity; thus potentially "making light" of the convict experience. 19 Crimes offers consumers a remarkable way to interact with our convict heritage. The labels and AR experience promote an excitement and interest in convict heritage with potential to spark discussion around transportation. The careful selection of convicts and recognition of the hardships surrounding transportation have enabled 19 Crimes to successfully re-appropriate the convict image for celebratory occasions.

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Author Biographies

Jenny Wise, University of New England

Jenny Wise is a senior lecturer in Criminology within the School of Humanities, Arts and Social Sciences at the University of New England. Her research focuses upon the social impacts of forensic science on the criminal justice system, the role of the CSI Effect changing criminal justice practices, dark tourism, and crime as a form of leisure.

Jwise7@une.edu.au

Lesley McLean

Lesley McLean is a lecturer in Philosophy and Religion within the School of Humanities, Arts and Social Sciences at the University of New England. Her current research interests focus on religion and travel, specifically the intersection of “cults” with [dark] tourism.

lmclean4@une.edu.au

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