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Title: Imprisoned mothers in Victorian England, 1853-1900: Motherhood, identity and the convict prison

Helen Johnston

Abstract:

This article explores the experiences of imprisoned mothers in the Victorian convict prison system. It argues that motherhood, of central importance to the ideals of Victorian femininity, was disrupted and fractured by women's long-term imprisonment. Using 'whole life' history methodology, the paper draws on research into 288 women imprisoned and then released from the prison system, of whom half were mothers. It illuminates how the long term prison system dealt with pregnancy, childbirth and family contact for female prisoners. It argues that whilst institutional or state care was often an inevitable consequence for children of single or widowed mothers, women used their limited resources and agency to assert their identity as mothers and direct outcomes for their children. But for others, prolific offending and multiple long sentences would render any chance of motherhood impossible.

Keywords: mothers, imprisonment, Victorian convict prison, family contact

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Author: Dr Helen Johnston

Institutional affiliation: University of Hull

School of Education and Social Sciences  
University of Hull  
Cottingham Road,  
Hull,  
HU6 7RX  
UK

[H.Johnston@hull.ac.uk](mailto:H.Johnston@hull.ac.uk)

01482 465634

Short bio: Helen Johnston is Reader in Criminology at the University of Hull and Co-Director of the Centre for Criminology & Criminal Justice.

## **Imprisoned mothers in Victorian England, 1853-1900: Motherhood and identity in convict prisons**

Pregnancy, childbirth and family contact for imprisoned mothers is a central concern for contemporary criminology and the twenty-first century prison system (Codd, 2008; Moore and Scraton, 2016; Condry et al. 2016; Baldwin, 2015; 2017). Many women sent to prison are mothers; a significant proportion are mothers of dependent children; and many are lone parents (Social Exclusion Unit, 2002; Caddle and Crisp, 1997). The children of imprisoned mothers are often cared for by the mother's own parents, siblings or friends and one in ten children are under local authority care (Corston, 2007). No official records are kept of the number of children born in prison in England and Wales, but there are six mother and baby units (all in England), where infants aged up to eighteen months can remain with their mothers. Children are then separated from their mothers, resulting in profound consequences for the children in terms of care, accommodation and 'collateral damage' but also stress and trauma for mothers (Condry et al, 2016; Moore and Scraton, 2016; Scharff Smith, 2014).

This article takes a historical view of these contemporary concerns by examining the experiences of imprisoned mothers in the Victorian convict prison system. It draws on a sample of 'whole life histories' of 288 women serving penal servitude (long-term prison sentence) in the mid to late nineteenth century; around half of whom were

mothers. It will argue that historically, as today, women's identities as mothers were disrupted, sometimes completely fractured, by incarceration. However, despite being severed from family life, imprisoned mothers used the little agency they had and means available, to assert their mothering identities and influence outcomes for their children, albeit within very limited resources.

This article will examine pregnancy and childbirth in prison, prison nurseries, and family contact during the sentence, as well as the maintenance and care of children during their mother's imprisonment. Whilst motherhood was seen as central to women's identity and the ideals of Victorian femininity, imprisonment fractured this role. Separation from their children, infant mortality, and family disruption during incarceration ensured that, motherhood was 'forcibly suspended or even terminated and future expectations - including motherhood - [...] put on permanent hold' (Jewkes, 2005: 369; Walker and Worrall, 2000; Crewe et al. 2017). Imprisoned mothers tried to maintain contact with children, but for single mothers or widows, state intervention into the lives of their children was inevitable but they used their limited resources to influence these outcomes. However, for others, as the following examples will show, their role as mothers was completely disrupted, or the convergence of middle age and multiple long sentences put future motherhood beyond their reach.

Despite the interest in women's imprisonment historically and the various ways in which women's criminality and reformation were often measured against Victorian

ideals of womanly behaviour (Zedner, 1994; D'Cruze and Jackson, 2009), notably motherhood, there is little existing research in this area. The paucity and fragmentary nature of documentary evidence about imprisoned mothers and their children historically partially explains this. However, the use of 'whole life history' methodology provided a means of overcoming some of these difficulties by producing detailed information on women's daily lives inside and outside prison.

### **Female convict prisons**

The establishment of long-term imprisonment in England and Wales from 1853 brought into focus the problem of pregnant women, nursing infants and children in prison. Until that time, shorter sentences served in local prisons had allowed a fair degree of diversity in practice. Female transportees were or became pregnant during the journey overseas, or were nursing children when they departed (Reid, 2007; Damousi, 1997), indeed, 'pleading the belly' was often used to commute the death sentence (Oldham, 1985). However, after the decline of transportation and the establishment of long-term prison sentences, penal administrators could not ignore the possibility that pregnant women and their children could face years rather than days or weeks in custody.

Women serving penal servitude experienced the three stage sentence; first separate confinement, usually at Millbank prison, then removal to the 'public works' stage. In the early years, public works was undertaken at Brixton (1853-1869) and at

Parkhurst (1863-1869). By the 1870s, the system was fully established and Fulham (initially a Refuge then a convict prison) and Woking prison were used. During the first and second stages, women were moved through what was termed 'progressive stages'; through time and 'marks' awarded, prisoners could ameliorate some aspects of their conditions (more time at chapel; additional diet or letter home, for example). The prison timetable dominated their everyday lives; they rose at 6.00am and followed a strict routine (of labour, exercise and chapel) until 9.00pm when they were locked in their cells for the night (DCP, 1864: 93). They were permitted one letter on arrival at prison; this was a standard template to inform a relative where they were and noted prison rules; for example, on letters and visits. Permission to write 'special' letters could be requested by prisoners and these were often granted when women were writing about their children or due to family bereavement.

The third part of the sentence was release on licence; the origin of the current parole system. The idea was that a period on licence outside prison would help convicts to re-establish their lives, to return to their families, gain employment and move away from criminality. Both men and women were released on licence but women were also subject to a conditional licence in a refuge (Johnston and Cox, forthcoming; Turner and Johnston, 2016). Women served on average, a shorter period of their sentence than men, but if they were first time convicts (and overwhelmingly they were), they would also be subject to six to nine months in a refuge before further licence 'to be at large'.

Two hundred of the 288 women were released on conditional licence to a refuge. Once fully released on licence, they had to report to the police in the district they settled in (men had to report regularly) and inform the police if they intended to move to another police district (Kimberley Commission, 1878/9: xxii). The vast majority of all convicts, male and female, were released early on licence. Licence holders were forbidden from associating with 'notoriously bad characters', 'leading a idle or dissolute life', or having no visible means of support (the elderly or infirm had to prove someone financially supported them) and they would lose their licence if they committed another offence. Apart from this, they were free but would be immediately returned to prison to serve the remainder of their sentence should they breach any of the conditions.

### **Methodology and sample**

To create 'whole life' histories of individual convict prisoners, the research combined the penal record and licensing information from Prison Commission files (PCOM 3 and 4, National Archives (TNA) and partially available at [www.ancestry.co.uk](http://www.ancestry.co.uk)) with a wide range of other crime records (Old Bailey Proceedings Online, subsequently Central Criminal Court, 1674-1913; Home Office Criminal Registers, 1805-1892 (HO 26 and 27); Metropolitan Police Habitual Criminals Registers, 1881-1940 (MEPO 6) and others, Prison Registers (PCOM 6)). This data was then linked to personal, family and employment sources; births, marriages and death indices, Census returns 1841-1911,

military records, newspaper reports (British Newspaper Archive; British Library Nineteenth Century Newspapers Online, *The Times* Digital Archive, *Guardian* Digital Archive), other institutional records (workhouses, asylums), to create a 'life grid' of each individual from cradle to grave. This method has been used in a range of studies, notably by Godfrey et al (2007; 2010; 2017) and enabled a greater depth and breadth in detail as regards the personal and social circumstances of offenders. Record linkage revealed detailed information about the lives of female convicts in custody and outside prison; allowing insight into the onset and cessation of offending, prison or other custodial experiences, family or support mechanisms and renewal or creation of interpersonal relationships during offending, or after release. This article was also prompted by Farrell's (2016) recent research on convict mothers in Ireland, though as will be demonstrated, the system in England and Wales was quite different to the smaller system in Ireland.

The data set produced 'whole life' histories of 288 female convicts; most served only one sentence of penal servitude and therefore were released on licence once. The project confirmed patterns of offending in other studies; women were committed to long-term imprisonment, overwhelmingly for theft and only in the minority for serious interpersonal violence (Zedner, 1994; Godfrey *et al*, 2005; D'Cruze and Jackson, 2009).

Of the 288 women in our study, 196 were sentenced to one period of penal servitude, 72 women experienced penal servitude twice, 14 three times, five women

four times and one woman was sentenced to five periods of penal servitude across her lifetime. Overwhelmingly they were sentenced for larceny (only 34 women for major violence or sexual crimes), 16 for major property offences (e.g. housebreaking, burglary) and 15 for fraud and eight for other offences. The majority were sentenced to between five and seven years (18 women were sentenced to 10 years, five to life imprisonment). Of the 20 women sentenced to more than three terms of penal servitude, 17 were sentenced for crimes of larceny. Larceny was the largest single category of offending for women during the eighteenth, nineteenth and twentieth centuries (Beattie, 1985; Zedner, 1994; D'Cruze and Jackson, 2009). Similar to other studies, the convicted women were from urban areas; predominantly they stole clothing, textiles and household goods from homes or shops, and money or goods from the person, and were often from a greater age range than male offenders (D'Cruze and Jackson, 2009; Williams, 2013). The majority had previous summary convictions, most between one and five, usually for property offences (Williams, 2013). At the time of their conviction, 41% of the women were single, 40.3% were married and 17% were widows.

The characteristics of the 142 imprisoned mothers were similar; overwhelmingly, they were property offenders (113 were sentenced for larceny or receiving; 15 for serious violence (8 for murder or attempted murder or manslaughter of their own child) and 14 others (for example, coining, perjury, forgery). However, as

group, they were slightly older (average age of 38.5 years, therefore more likely to have had children) and they were more likely to have served more than one sentence of penal servitude. On average, they were sentenced to 6.8 years, 85 were sentenced to more than 7 years penal servitude. They were also more likely to have served multiple penal servitude sentences; 57 out of the 142 had been released on more than one licence. They were also more likely to be widows, 40 of the 142 were widows, 80 were married and 22 were single. The study, as a whole, over-represented the number of female offenders as women are more difficult to trace in historical records.<sup>1</sup> Maiden names can be challenging to find due to marriages and women often adopted the surnames of men they co-habited with, though they were not married. But equally 46.5% of the women sampled had the first names Mary, Elizabeth (or Eliza), Sarah, or Ann (or Annie) and women were difficult to trace on release from prison.

Historical documents pertaining to women prisoners and their children are rare and this methodology enabled a more detailed analysis. Administrative prison records in general make little reference, if any, to pregnancy, women with nursing babies or infants or their family outside. The individual penal records used here documented the number of children but often it was unclear whether that child was dependant, grown up or had died in infancy. Infant mortality rates 'remained as high in the late nineteenth century as at its outset' (Cunningham, 1995: 153) and were pronounced in poor urban areas from which many of these women were drawn. The penal record notes, 'Number

of children'. Some medical officers' provided a number, others entered notes when women had explained whether their children were living or had died. For some women, their children were already grown up and had families of their own (this was increasingly the case in the latter nineteenth century, when the majority of female recidivists were over 40 years of age, Turner, 2011). It has also been suggested that women were particularly vulnerable to offending at certain points in their lifecycle (King, 1996), evidence here would support this view. The material presented here is therefore skewed toward the women we do have evidence about; those women who were pregnant went sent to prison; those who tried to find out about their children, and those who received news about family circumstances whilst in prison.

### **Motherhood, 'bad mothers' and criminality**

By the mid-nineteenth century middle-class notions of family and employment were firmly established; the 'natural position' of women was in the home, as wives and mothers; primary carers and homemakers. These constructions of femininity were underpinned and reinforced by the patriarchal system of reproduction and the capitalist mode of production (Davidoff and Hall, 1994). 'The Angel in the House', the 'ideal' women, the dutiful wife and self sacrificing mother was central to the middle-class notion of the family which in turn was seen as pivotal in the preservation of the traditional moral and religious values (Zedner, 1994).

Within the family, as D'Cruze notes, 'childbearing and childrearing have generally been a crucial determinant of women's life course, though once we begin to appreciate the family as being both socially constructed and historically-located, it becomes apparent that there is nothing inevitable or unchanging about the ways in which women experienced family life' (1995: 51). Indeed, whilst ideologies of motherhood and family were often based on middle-class notions, the overwhelmingly majority of women in prisons were working class, or were living a 'marginal' existence (determined by occupational status; marginal, those in temporary or insecure work such as hawker, seamstress, laundress, charwoman, and working class as employed as domestic servants, factory workers, mill workers). Few, if any, were homemakers; many, if not all, had to undertake paid work to sustain the family budget (often cooking, cleaning, washing for other households) as well as maintaining their home and children (Clark, 2000; D'Cruze, 1995).

Bad parents, but notably 'bad mothers' were often blamed for the criminality of their offspring, classical views on criminality prevailed and family morality was seen as crucial in shaping the morality of children. Immorality, idleness and criminality were often attributed to poor parenting or a lack of moral guidance in the home. In the latter part of the nineteenth century, it was claimed that criminality was passed generationally through families, notably, by early criminological research by Cesare Lombroso. However, recent historical studies have not found any evidence of this; Godfrey et al

(2007) did not uncover any 'criminal families' in their study of *Criminal Lives* in the north west of England. More recently, Williams and Godfrey (2014) found no intergenerational links with regard to juvenile criminality and argue that these claims neglected the wider environmental issues faced by families in poverty.

### **Pregnancy, childbirth and the prison nursery**

In the nineteenth century, women prisoners overwhelmingly served short sentences in local prisons and so whilst mothers were absent; this was often short-lived. Families managed with the help of husbands, siblings, co-habiting partners, grandparents or neighbours who cared for children in their mother's sentence. But women who were heavily pregnant when remanded or sentenced did also give birth in local prisons. After the establishment of birth registers in 1837, the address of the prison was recorded on the certificate, but not the name of the institution. This was to ensure that children born in prison were not 'tainted' by this association (Hobhouse and Brockway, 1922). Those administering local prisons found women with babies problematic; it was argued that the full force of the disciplinary regime or 'reform' could not be implemented (Farrell, 2016); that they needed to talk to their babies, undermining the system of silence; and that they 'cooed' over them and attracted the attention of other female inmates (Forsythe, 1993; Zedner, 1994). Some county benches simply told the magistrates not to send any more pregnant women to prison (Johnston, 2015). Others, like Tothill Fields, dealt with

over 200 women with infants and approximately 40 births per year (Zedner, 1994). Thus, the care and facilities available for pregnant women in local prisons varied considerably but little evidence survives, particularly from mothers themselves.

In the early years of the convict prison system, prison nurseries existed at both Brixton and Parkhurst, but they only operated for a short period and little documentation survives. The prison nursery at Brixton is known due to the often-cited description, by Mayhew and Binny, as 'the most deeply pathetic of all the scenes in the world' (1862: 475; Zedner, 1994: 146). In the early years at Brixton, there was provision for up to 80 mothers with children in four wards of twenty but it was never used to this extent; as there were only approximately twenty cases of pregnancy and childbirth recorded at Brixton between 1853 and 1869 (DCP, 1853-1869).

'A Prison Matron' stated that only small numbers of pregnant women arrived at Millbank but that 'at Brixton provision is made for such emergencies and a nursery for the little unfortunates' (1862: 108). The nursery was a large room, holding up to twenty women and their children; children stayed initially for up to two years (then were sent out to family or the parish). The writer noted, it was 'a dull, unnatural life for these little ones; but with many of them, I fear, it is the brightest and purest era in their lives' (1862: 112).

When Parkhurst prison opened to women in the 1860s it also had a small nursery, though no births are recorded there (see DCP, 1864-1870). Sarah Gibson, the

Lady Superintendent, noted the deaths of one prisoner and one infant during the year but it is not clear if the cases were related (DCP, 1864). In keeping with the philanthropic work of Lady-Visitors, Gibson reported that, 'Miss Mary Moore, a young lady, herself in ill-health ... voluntarily visited the nursery almost daily throughout the year, breaking the monotony and dreariness of the lot of these helpless little ones' (DCP, 1865: 269). Small quantities of children's clothes were made by prisoners for children in the nursery (DCP, 1865: 275). In following year, two children entered the nursery and three left with their mothers, leaving six in total, Gibson remarked, 'two of them quite infants. That these should grow up in prison is very sad' (DCP, 1866: 245).

Though a small number of children remained with their mothers in prison, some women found the care of their children difficult. The Medical Officer at Brixton was concerned about the health of Ann Cruise's child and her ability to care for it (TNA, PCOM 4/42/38). When Ann was transferred to Fulham prison in 1863, the Medical Officer requested her child remain at Brixton. Originally sentenced to four years for burglary in December 1860, she was transferred to Brixton in 1861. Two years later, in February 1863, her record states:

the prisoner, Ann Cruise, who was referred to you today on account of her violent behaviour in this prison, has an infant of about 18 months. It is necessary that this woman's child should be kept in the infirmary as it is in very delicate health - its state of health mostly consequent I believe on the ill treatment and neglect on the

part of the mother. The prisoner's conduct is such as renders her totally unfit for this prison, and as the child is not separated from her; I beg leave to consider her for removal to Millbank and also to ask if the child may at present remain here under treatment in the infirmary.

The child remained at Brixton with another prisoner, Ann did not have any friends who could take the infant and the prison did not know which parish she was from.<sup>2</sup> Ann was transferred the next day, having been reported for 'using fearful and threatening language, disturbing the infirmary, and frightening the patients, also for repeatedly refusing to give her child food ordered by the doctor and throwing her own dinner out of the infirmary window and demanding to leave the infirmary contrary to the orders of Doctor Rendle. Further for using vile and threatening language whilst crossing the airing yard after 7 previous reports'.

By 1870 all female convicts had been removed from Brixton and Parkhurst. Woking prison had opened and the bulk of the population from Brixton and Parkhurst were sent there; the remainder to Millbank. From then on, female convicts would undertake separate confinement at Millbank and then go to the 'public works' stage at either Fulham or Woking.

After this reorganisation, convict prison nurseries were abolished. There were two reasons for this; first, they only ever held small numbers of infants and the secondly, most importantly, was the Industrial Schools Act 1866 which ensured the

local parish would pay for children's maintenance when they were destitute due to parental imprisonment. Although prison authorities tried to get parishes to pay prior to this (Zedner, 1994), the Act gave more impetus to the issue and absolved the prison authorities of financial responsibility. It stated that children under fourteen years could be detained in certified industrial schools if 'found destitute, either being an Orphan or having a surviving Parent, who is undergoing Penal Servitude or Imprisonment', and it made local authorities responsible for their financial upkeep. This was reasserted in the Prevention of Crimes Act 1871, but referred specifically to twice convicted women with children under the age of fourteen, who had no means of subsistence or guardianship and who were under her 'care and control' at the time of the offence. From then, pregnant women in the convict system were sent back to the committing local prison to give birth; after a period nursing the child, the mother and child were then separated. The mother was returned to the convict system for her remaining sentence; the infant was sent to relatives, or to the workhouse and the parish paid. Five women in this study gave birth in or had a nursing infant with them when they were committed to prison; the cases of Mary Brannan and Ann Kelly demonstrate their experiences.

Mary Brannan, a silver buffer from Sheffield, had already served two short sentences for theft in 1867 and 1869, when she appeared in court in May 1871, charged with stealing a counterpane (TNA, PCOM 4/68/14). Found guilty, Mary was sentenced to seven years' penal servitude and police supervision. She was committed to

Wakefield prison in March 1871 and was found to be pregnant. Mary gave birth to a female child on 15 November 1871, but the child died within a few hours. In February 1872, Mary was sent to Millbank prison, her health as described as 'delicate'. She wrote to her husband and mother during her incarceration, she committed seven prison offences; quarrelling, shouting at exercise, knitting her own stockings, being impertinent in the laundry. Having served four years, she was released on conditional licence to the East End Refuge in Finchley; where she spent nine months before her release in February 1876.

In July 1876, Mary's licence was revoked when she was convicted of being a 'reputed thief', she was returned to Millbank via Wakefield. In November she was placed in the infirmary as she was pregnant and on the 24th of that month she was released on licence again. Less than two weeks later, she was remanded in Wakefield prison and in February 1877 was convicted of stealing a pair of boots. She was sentenced to ten years' penal servitude. She wrote to the Governor of Wakefield prison after arriving at Millbank, the reply stated her child had been removed to Sheffield Workhouse the same day she was sent to Millbank, 22 January 1878. Her prison record stated that on 21 January whilst 'in hospital (on account of her child) she has several times threatened to commit suicide, either here or when removed'. The assistant superintendent at Millbank noted that she was to be kept in association not in separate confinement. Mary wrote again to the workhouse and received more correspondence

but then the letters stopped, as do all letters to her husband or friends. An infant boy, Thomas Brannan, aged 0 is recorded in the death indexes for Sheffield during the corresponding period. Mary was released on licence in August 1886, but appeared to have lost track of her family, she was sent to the Discharged Prisoners Aid Society, the licence papers noted she had 'no friends'.

Similarly, Ann Kelly (as known as Coyle, Gibson, Devitt, Coyne, Gill) had a child in Liverpool prison in 1882 (TNA, PCOM 4/69/16). Ann was a prolific offender, having started offending in her teens, she was first sentenced to penal servitude for three years in 1861. She served another three prison sentences; one for 12 months, one for seven years and one for ten years (housebreaking) before 1882 when she was back in prison again awaiting trial. In court, she received seven years' penal servitude for larceny offences. Two months later, she was sent to Millbank but four months later returned to Liverpool due to pregnancy. A year later, Ann returned to Millbank. An extract from the Prison Ministers Journal, HM Prison Walton, in Ann's file, recorded the baptism of Ellen Coyne by Catholic Minister James Nugent (prison chaplain at HMP Walton for 22 years) on the 5 August 1883. The baptism occurred shortly before or after her death which can be found in corresponding records. In August 1886 Ann received a letter from her brother John, who had emigrated to America and she requested to join him. Ann was released on licence in October and sent to the Discharged Prisoners Aid Society for emigration.

### **Children in institutional care**

It is unsurprising to find that the children of imprisoned mothers were much more likely to be in institutional care, especially when their mother was a lone parent. Out of the sample of mothers here, at least 26 mothers had one or more children that were sent to workhouses, industrial schools or children's homes during all or part of their incarceration. Infants and children were placed in numerous homes and schools, run by religious and charitable organisations (for example, Barnardo's, Waifs and Strays Society), as well as within the more formal system of the 'certified' industrial schools and the Poor Law system of workhouses.

Ellen Terrell had an infant child with her on committal to Horsemonger Lane Prison in 1867 (TNA, PCOM 4/46/39). She had previous convictions and had served three short prison sentences but in March, she was sentenced to seven years' penal servitude for receiving stolen money. In the local prison, Ellen had been kept in association due to the infant, but in June, she was transferred to Millbank and her child sent outside. Ellen wrote and received letters and she received visitors (unknown) but we do not know who cared for her child. As she was only an infant it is likely she went to the workhouse. She was released on conditional licence to Battery House Refuge in June 1871. After further release, Ellen did not reoffend; but she was reunited with her

child, and ten years later in 1881 the Census information shows, they were still struggling with poverty, together in Portsea workhouse.

Similarly, Bridget O'Donnell's (or McDonald) daughter, Mary Ann was sent to the industrial school during her mother's two terms of penal servitude (TNA, PCOM 4/69/5). Bridget was Irish, lived in Liverpool and by her mid-twenties had over 50 summary convictions for drunkenness, prostitution and fighting. She had two previous convictions for theft so when she was convicted of stealing a watch in 1868, she received seven years' penal servitude. She had suffered a head injury and a defective eye which made it difficult to read and write (convicts had to be able to read and write to make first class and move toward release; medical conditions had to be excused by the medical officer). Bridget's offending continued in prison, she lost 97 days remission and spent 32 days in close confinement. She was released on licence to be at large in October 1873 and headed back to Liverpool. Bridget had written to family and friends from prison, but the letters were often returned as the recipients were not found. She also wrote to Mary Ann at Kirkdale Industrial School. Mary Ann would have had to serve a period of detention until she was sixteen years old (regardless of age on entry, the minimum age of entry was seven at certified schools) and she was also subject to a system of licensing (Gear, 1999). In August 1874 Bridget was convicted for being drunk and disorderly, her licence was revoked and she was returned to prison. She continued to correspond with Mary Ann. She was punished repeatedly for singing,

using bad language, insolence and being abusive to staff. Two years later she was released when her sentence expired.

Bridget returned to Liverpool and did not reoffend for a few years, until Christmas Eve 1883, when she was committed to Walton prison for theft. In January 1884 she was sentenced to five years' penal servitude. During this sentence Bridget loses the few contacts she had in Liverpool and now in her forties, her health was also deteriorating. She was excused from labour due to weak lungs. Bridget wrote letters to numerous women in the Scotland Road area of Liverpool, one of whom may have been her grown up daughter, all were returned as 'not known'. She continued to get in trouble in prison, even in the days leading up to her release, but she was granted a conditional licence to the East End Refuge for nine months. She did not breach this licence or reoffend in the next five years but we were unable to trace her further.

Children were also in institutional care when both parents were imprisoned. Statistics showed in 1862 and 1891 that children destitute due to parental imprisonment made up about 4-5% of the population of certified industrial schools; though 'family difficulties' accounted for the majority of admissions in both periods, and lone parents about one-third (cited in Gear, 1999). Mary Ann Griffiths and her husband George, were both sentenced for a felony at Middlesbrough by York Assizes in 1883 (TNA, PCOM 4/70/10). Mary received five years' penal servitude; her husband received eighteen months as an 'accomplice'. Mary's previous convictions went against her.

Their son, John was first placed in an industrial school at York but later moved to Linthorpe Industrial School in Middlesbrough. They corresponded regularly throughout her sentence.

Similarly, Ann Griffiths' daughter, Harriet had been cared for by her father Robert, during the short periods of imprisonment Ann had served in Manchester in the 1860s and early 1870s (TNA, PCOM 4/27/96). Ann's first prison sentence was for six weeks in 1864, she was a factory worker and the couple lived in Hulme (the Manchester Prison Registers noted she had one child, this could not have been Harriet, so they had other children who did not survive infancy). Ann's parents were both dead and she does not appear to have been in contact with any siblings. By the time of the 1871 Census, they had moved to Deansgate and Robert was working as a pipemaker. But by 1883, Robert had died and Harriet was already in an industrial school in York, when Ann was sentenced to five years. Harriet remained at the school until 1885, when she started working or lodging, in Deansgate, Manchester. She may well have been placed in employment there by the industrial school. By 1891, Ann and Harriet were living together in Thompson Street. In 1900 Ann admitted herself to New Bridge Street workhouse, she died two months later.

Dr Barnardo's Home for destitute children in Stephen Causeway, London received Mary Ann Johnson's (or Herd, Heard) son, Richard during her imprisonment; he was listed as her next of kin on her penal record (TNA, PCOM 4/70/10). She

definitely had other family as she corresponded with her parents and had visits from her siblings, though like many struggling families, they may not have been able to take Richard whilst she was in prison.

Elizabeth Cunningham's (or McCarthy) daughters were initially sent to Liverpool Industrial School but were then put out for adoption by the institution (TNA, PCOM 4/68/11). Elizabeth wrote enquiring about her daughters, the reply stated, the girls had 'been sent to adoption and are under the care of two ladies and are at present enjoying very good health'. Elizabeth wrote back requesting the address and the Governor replied:

her daughters Margaret A. and Mary Grace are enjoying excellent health and etc.

Our regulations forbid us giving the address of the children sent from these schools to adoption and service, as we have found that relatives go visiting and disturbing the children and etc, make them dissatisfied with their situation and that we lose the good results we hitherto might have attained in keeping the addresses from them. Prisoner may have the address of course when discharged.

Elizabeth continued regularly to write about her children from prison, though we lost track of her on release.

Similarly, Emily Brennan's son Thomas, who had been born in prison during an earlier prison term, spent the first year in prison and but instead of going to the workhouse he was taken in by the Walters family (not clear what their connection was

to the family). During Emily's next sentence of penal servitude, she writes about Thomas's situation and is told that he is well cared for and the Walters have 'adopted him as their own'. She writes to the Discharged Prisoners' Aid Society asking them to get Thomas into a Barnardo's home. Though, initially the DPAS representative states that Thomas would be best left with the family, and that the Walters refuse to give him up, Emily is eventually successful with her wish. Sometime later, in early 1887, Barnardo's inform her that Thomas 'has been found a good home in the country and is doing well'. These are the only clear cases where children were placed with other families and though there is nothing in the mothers' offending or background that distinguishes them from the other women in this study.

### **Maintaining family contact**

Letters and visits were the only means of contact from the Victorian convict prison and these were severely limited by the progressive stage system. Initially, letters were permitted in and out only once every six months, gradually increased to every four, then three, then every two months as prisoners progressed through the stages. Family contact was also limited geographically; all the convict prisons were in London and the South of England, so it was impossible for many families or to visit. With the exception of those with relatives close by, most visitors were unable to cover the costs of travelling or endure the loss of earnings during their absence. Less than ten per cent of

our female convicts ever received a visit. For women who served multiple long sentences the likelihood of a visit declined even further as they became disconnected from family and friends.

Many women experienced difficulties maintaining contact with their families during their imprisonment and the associated stress and distress that this caused. Though women often sent letters out to family, friends or neighbours, many were sent back as addresses or people were unknown. This was particularly the case in the communities from which this population was drawn; poor transient areas, multiple occupancy lodgings house, people moved lodgings frequently. Only about 30% of the women received letters, including those frequently and infrequently written to.<sup>3</sup> Husbands and partners went to seek work; letters were sent to neighbours, shopkeepers, public houses for men or family to collect. The lack of contact and knowledge about their families was deeply distressing for some women, particularly when it came to their children. The Medical Officer at Parkhurst reported in 1867 that one female prisoner had attempted suicide by hanging, though unsuccessful, it was due to a 'deep depression caused by news from home to the effect that her children had been deserted by their father' (DCP, 1867: 250).

However, many mothers' relied on help from their siblings and family; both Ellen Bishop and Jane Newbold were able to keep their children with family. Ellen's son was initially sent to Salford workhouse but then her sister was able to take him

(TNA, PCOM 4/68/19). Similarly, Jane's child went to live with her sister during her prison sentence (TNA, PCOM 4/72/11). This was common occurrence, families managed as best they could. Few women were able to maintain the outwardly stable family life of Martha (or Margaret) Hedger (TNA, PCOM 4/70/11). Martha and her husband Edwin had had ten children together, these can be traced using birth and census records, though only five were living by 1880, one infant having died in Horsemonger Lane prison in 1867. She served three short sentences before she was sentenced to five year terms in 1867, in 1871 and again in 1880. She corresponded regularly with her husband and was visited at least once a year. The census also showed that the children stayed in the family home, Martha and Edwin were married for over 40 years and both died in the early 1890s.

### **Grief and bereavement of children**

As has already been seen, infant mortality or child bereavement was a common experience of mothers, at least 37 women had had a child die in infancy, or all of their children were dead by the time of their incarceration. The death of children shortly after birth in prison has already been noted, but women also received the distressing news of the death of their child (or children) by letter to the prison.

Maria Cain was informed by a new prisoner (from her neighbourhood, the Scotland Road area of Liverpool) that one of her children had died (TNA, PCOM

4/70/3). She immediately requested a letter to her husband, initially refused, it was then permitted. Maria had five children, one of whom was in infancy, and she had been sentenced to two consecutive terms of seven years for two counts of perjury in December 1875. Her husband wrote back,

the death of our son Patrick is true, he died on the 13th February 1876 after a few days illness, it was not only a fit but of a broken heart after his mother's conviction. I did not wish to make things worse by informing her at the time he was dead a fortnight previous to the baby's death ... please tell her the children and myself are well and that they are continually asking when she will write.

These events strained her relationship with her husband, as in December 1876, Maria asks to write to prevent her husband from visiting. Her request was not granted but the prison agree to write to him as 'she does not wish to see her husband'. They resume correspondence some months later. Maria regularly petitioned the Secretary of State about her sentence length, finally in 1882, the Home Office state that due to her bad health (scrofula) her sentence may be treated as one sentence of ten years. She was released on licence in December 1882. However, in March 1883 Maria was convicted of theft, her licence was revoked and she was returned to prison. In October 1886 she received another licence and returned to Liverpool. By 1891 Maria and Patrick and two of their children were living in Widnes and another family was lodging with them.

### **Imprisoned mothers and the precarity of family life**

Most female offending was property related and often stemmed from poverty and socio-economic circumstances. Such a precarious existence meant a change in circumstances could have devastating consequences. Both Elizabeth Hyde and Charlotte Basford's circumstances show how a family death and the subsequent loss of income or stability were instrumental in their offending.

Elizabeth Hyde's decline into habitual criminality seems connected to her mother's death (TNA, PCOM 4/71/8). Elizabeth, her husband and children all lived with her mother in Cornwall. The 1871 census described her husband as a farmer of over 100 acres, employing both farm labourers and servants. In 1874 Elizabeth's mother died and the family fell into poverty. They moved to Plymouth, presumably to seek employment, and in 1876 Elizabeth was convicted of obtaining money by false pretences and received five years' penal servitude. In 1881 she was convicted again for forgery and received seven years. She offended during her licence period and so was also required to serve the remnant of the previous sentence. By this time, the couple had had 13 children, nine of whom were living. During Elizabeth's imprisonment, the family were destitute. A local district visitor, Miss Farra, stated that the 'children [were] in most deplorable condition of rags and dirt and almost impossible to do anything for them'. The Prison Mission were unable to help as her husband was in low paid work and not unemployed. She wrote letters to get two of her daughters into the Princess

Mary Village Home. The home had been set up in Surrey, specifically for the female children of imprisoned mothers, by Mrs Susanna Meredith and Miss Caroline Cavendish. From the 1870s onwards, it was increasingly recognised that prisoners needed assistance on release from prison and Meredith was heavily involved with the Discharged Prisoners Aid Societies. These groups may have offered support to female prisoners trying to find or reunite with their children, but with the exception of the one or two cases mentioned here, no further evidence has been found of direct support to mothers.

Elizabeth wrote a considerable amount of correspondence from prison about her family circumstances and petitioned about her sentence. She was released on finally licence again in January 1887 and returned to her family in Plymouth. She does not reoffend and by 1891 they had moved to East Stonehouse.

Similarly, the loss of husband or partner could have devastating consequences for the family. Charlotte Basford (alias Crisp, Turner or Maria Green or Young) had three children to support after her husband's death in 1869 (TNA, PCOM 4/68/16). In 1871 she served two short prison sentences for theft, during these sentences her 12 year old daughter lived with her parents but one of her younger children, Alfred went to 'home for little boys' in Kent. After two more short spells in prison in 1872, Charlotte received five years' penal servitude for stealing a watch and other property whilst working as a servant. She regularly wrote and received letters, including to get one

child into a school in Winchester and was visited by her parents and sister. In October 1877 she left custody after nine months in Russell House refuge. Unfortunately, in 1881 Charlotte was convicted of theft and received a seven year sentence. Her youngest son Frank went to live with her parents, though her mother died during her sentence. She petitioned for early release, stating 'she was deprived of a good situation by the interference of the police ... her father was ready to receive her ... her husband had been for many years an officer in Holloway prison'. She was released on licence in August 1886, to her then married daughter's home.

As noted in the introduction, for some women, the impact of long periods of incarceration meant that the possibility of establishing a family or re-establishing motherhood was difficult, if not impossible. Esther Sanston is one such case where the possibility of motherhood was taken away by long periods of imprisonment. Esther started offending in 1863, she was in her late twenties (TNA, PCOM 4/70/16). She served two six month sentences for theft, then in 1869 two more short prison sentences. In 1872 another conviction resulted in seven years' penal servitude. She licensed to Battery House Refuge in April 1876, then fully, nine months later. Esther married William about a year later. A year on, she was sentenced to ten years' penal servitude and seven years' police supervision. By 1886 when she was released, she was in her early fifties. Her penal record noted that in her earlier life she had had one child that

had died, but subsequent offending and two long prison sentences in middle age probably prevented any future possibility of motherhood.

## **Conclusion**

Overall the impact of imprisonment on the majority of imprisoned women was one of fracture and disruption to their identity as mothers and to their children's lives. Motherhood was not just regulated or controlled by the disciplinary convict prison, as Rafter (1985) and Farrell (2016) have argued with regard to prison nurseries in the United States and in Ireland; it was absent and unattainable. Whilst the female prison regime was constructed around returning criminal women to 'normal' womanhood and femininity, at its centre lay a striking contradiction, as motherhood was not a trait to which they were encouraged to aspire (Zedner, 1994). Instead, women's efforts at mothering were rendered invisible. Separation from children and a lack of knowledge about them caused mothers' in prison considerable anxiety and stress. Women used local prisons and workhouses for short term care during pregnancy and childbirth (Farrell, 2016), but the convict prison did not offer such benefits as longer periods of separation between mother and child were inevitable. Many imprisoned mothers were lone parents, through death or illegitimacy, and their children were often institutionalised in their absence. However, as contemporary prison research has shown, women did endeavour to maintain their identities as family members and as

mothers (Bosworth, 1999). Mothers sought out their children, they wrote letters to local priests and chaplains, industrial schools, charitable organisations, and children's homes to get places for them and within their limited capacity, they tried to have some say in their children's circumstances. They were also knowledgeable about sources of help, for example, often Catholic women from Liverpool wrote to Father Nugent about his school (now the Nugent Society). Despite the prison regime, motherhood remained central to their identity; they asked for 'likenesses' of their children and family members, keepsakes or locks of hair; all were refused by prison authorities.

Women's age during periods of offending and incarceration was also crucial to the possibility of family life after prison. Younger single women often served only one term of penal servitude, and were able to establish relationships, have children and desist from offending. Whether getting married and having children was the crucial factor in their desistance from crime it is difficult to know (Godfrey et al, 2011). For most mothers in prison, their mothering identity was put on hold, for some women, it was put completely out of reach. Motherhood in the Victorian convict prison might have been used a 'positive part in the process of reform; fostering responsibility and pride ... preserving some vestiges of the ideal female role' (Zedner, 1994: 146) but instead it was driven by economics and convenience.

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<sup>1</sup> The total sample was 648 prisoners, 288 were women, not a representative sample of the female convict population which in 1860-1880 period was about one-eighth (Zedner, 1994).

<sup>2</sup> This case is unclear, either she was in the very early stages of pregnancy and the child is older than recorded, or she became pregnant in prison as she was in custody from November 1860.

<sup>3</sup> As there was only one long term prison system for women, comparisons with the local prisons are difficult. However, most sentences in local prisons were short (less than 28 days) so most prisoners were not in the system long enough to qualify for visits or letters and the marks system was not introduced into local prisons until after 1878.