

Female prisoners, aftercare and release: residential provision and support in late nineteenth century England

Jo Turner and Helen Johnston

Abstract

This article examines the release and aftercare of female prisoners in England during the late nineteenth century. Primarily it seeks to illuminate the use of residential provision for women who had been released from both convict and local prisons, contrasting the two systems and suggesting how such institutions may have affected the women's subsequent offending. The research presented here draws on two sets of data, the material on local prisons uses a case study of female prisoners at Stafford prison (Turner, 2009; 2011) and the convict prison data draws on the licensing and release of female convicts collated for a recent ESRC funding project on the costs of imprisonment (Johnston & Godfrey, 2013a). This article outlines and reflects upon aftercare and residential provision for women leaving prison, during a period when a woman released from prison was regarded as 'the most hopeless creature in the world' (Reverend William Morrison cited in Gladstone Committee Report, 1895). Aftercare and support was variable for those leaving local prisons, but for convict women released on conditional licence to a refuge, this could offer them the opportunity to build a new life after release.

Key words: Aftercare, female ex-prisoners, refuges, re-offending, conditional licences, release

Word count: 6688 with footnotes (7344 with references)

This article examines the release and aftercare of female prisoners in England during the late nineteenth century. Primarily it seeks to illuminate the use of residential provision for women who had been released from both convict and local prisons, contrasting the two systems and suggesting how such institutions may have affected the women's subsequent offending. During this period there were two systems of imprisonment; local prisons held prisoners sentenced to periods of up to two years and the convict prison system held those sentenced to penal servitude for which the minimum term was between three and five years. Offenders were sent to either a local or a convict prison, based on the severity of their offence, less serious offenders to local prisons that were maintained by local authorities (until 1878 when they were centralised) and those who committed more serious offences, that warranted a long term prison sentence, known as penal servitude, to a convict prison. All of the convict prisons, for both women and men were built in London and the South of England, and those under such a sentence, were sent to this government run system, from all parts of the country. The research presented here draws on two sets of data, the material on local prisons uses a case study of female prisoners at Stafford prison (Turner, 2009; 2011) and the convict prison data draws on the licensing and release of female convicts collated for a recent ESRC funding project on the costs of imprisonment (Johnston & Godfrey, 2013a). Whilst there is a small body of research on the imprisonment of women in the late nineteenth century (Rafter, 1983; Dobash et al, 1986; Zedner, 1991), little has been written about any aftercare that they received on leaving prison or on the use of refuges for those on licence. This article outlines and reflects upon such provision, during a period when a woman released from prison was regarded as 'the most hopeless creature in the world' (Reverend William Morrison cited in Gladstone Committee Report, 1895).

Women and crime in the nineteenth century

In the nineteenth century, women were a minority of those prosecuted by the courts; they made up about 20 to 25 per cent of those prosecuted and they were overrepresented in certain offence categories, these were; thefts and offences under the Pawnbroker's Acts; drunk and disorderly; lower level assaults and public disorder; offences relating to prostitution. There were concerns about women committed offences like poisoning, baby farming and infanticide though they overwhelmingly committed less serious offences (Zedner, 1991; D'Cruze and Jackson, 2009; Godfrey et al, 2005). When it came to more serious or indictable offences

women's participation was similar, though it had declined from 27 per cent in 1857 to 19 per cent in 1890. However, in the latter decades of the century, women outnumbered men when it came to recidivism; there were more female 'hardened habitual offenders' with more than ten previous convictions than male offenders (Zedner, 1991; Turner, 2011; 2012). The behaviour of 'deviant' or criminal women at this time was set against the Victorian constructions of femininity and womanhood; women were wives and mothers, they were to be pure, submissive and modest, caring for their families and children and managing the home. Women who broke the law were judged against these values as well as against the law; they were doubly-deviant (Zedner, 1991; Heidensohn, 1985). The role of carceral institutions was to return 'deviant', criminal or 'fallen' women to appropriate femininity and womanhood, through institutional support that was based on domesticity, religion, examples of virtue and propriety as well as discipline and regulation (Dobash et al, 1986; Sim, 1990; Zedner, 1991; Johnston, 2015).

Women in local prisons

For those women sentenced to imprisonment by the courts, the most common experience was a short sentence in a local prison, usually just a few days or weeks for petty offences. In the 1870s, the average number of commitments for women to local prison was over 47,000 per year and only slightly less for the 1880s at just over 46,600. However, the daily average female local prison population was just over 4,000 per year in the 1870s and 3,400 for the 1880s, demonstrating the high turnover of the population on short sentences.¹ Those women held at Stafford prison were serving sentences that reflected these characteristics and women who were habitual petty offenders found themselves regularly going back and forth to the prison serving short sentences.² For example, Jane Peake was born in Stafford in 1854. Jane's childhood and young adulthood were stable and unremarkable. However, by 1903, she was 'A Disgrace To The Town' and 'A Well Known Character' (*Staffordshire Advertiser*, 2 May 1903). Still young but unmarried, Jane and her aged mother fell onto hard times after the death of Jane's father. But when Jane's mother died, Jane found herself unable to cope.

¹ These figures are taken from the Judicial Statistics and show an average number of commitment of female prisoners for the ten years beginning 1870 and then 1880 and the average daily female prison population for the ten years beginning 1870 and then 1880.

² Stafford, the county town of Staffordshire was a medium sized and relatively prosperous town during the late nineteenth century. For a fuller account of female offending in Stafford between 1880 and 1905 see Turner, 2012).

Two months after her mother's death, Jane was imprisoned for fourteen days for 'sleeping out in a closet'. This was to be the first of 33 convictions for vagrancy, begging and prostitution over the next eight years. Jane's occupation was always recorded as 'tramp' or 'prostitute' and her address 'no fixed abode', although one of her brothers and a stepbrother both lived nearby with their families. From this time, until her last custodial sentence for vagrancy in 1904, Jane was repeatedly readmitted to prison within a week of discharge. By this time she was fifty years old and on this conviction, she was committed to Stafford County Asylum.³ She stayed there until her death five years later (see Turner, 2009). Whilst Jane's case might be singular it was not unusual for the period, there was deep concern about levels of recidivism in the late nineteenth century and the prison statistics seemed to suggest that this was particularly the case for female offenders. Although Jane did have a family living locally and was eligible for help at the workhouse (which the magistrates had repeatedly encouraged her to take up) the streets and Stafford prison had become her home. As she chose (albeit within very limited options) to remaining living on the streets of Stafford this only served to ensure that she would continue to be sent back to prison. For offenders like Jane, there was no other means of support or subsistence beyond the workhouse or the prison.

Margaret Nash was also a regular inmate of Stafford prison. She had arrived in Stafford from Swansea as a mature, unmarried, childless woman sometime between 1892 and 1895 when she was in her early forties. She took up a position as a housekeeper to a retired, widowed tailor, Henry Aston, and they lived together at the same address until 1911 at least. Margaret was a persistent offender, with 23 convictions between 1895 and 1905, for a variety of offences such as assault, making threats, using obscene language, annoying foot passengers and fighting. For these convictions she went to prison fourteen times, either due to the sentence or because she refused to pay the fine imposed. The other nine times she was either bound over, received a caution or paid the fine. During her trials, Henry gave evidence in her defence, and she at his, and at times they were summonsed together.

These two women, although quite different, epitomise the experiences of women who went back and forth to local prisons on a regular basis (see Turner, 2011). Jane chose to go to prison rather than the workhouse when offered the choice by magistrates and Margaret

³ From 1845 all counties were required to have a county lunatic asylum, whilst these institutions were supposed to accommodate those offenders with mental health problems it was often the case that magistrates could advise a committal to such an institution if they did not wish to send them to prison. In this case, after Jane's refusal to enter the workhouse the Stafford magistrates committed her to the Asylum rather than sending her yet again to prison (Turner, 2009).

sometimes chose to go to prison rather than pay her fine. For neither was there any government, local authority or charitable, financial, pastoral or welfare support on offer when released from prison; although it is unlikely that either would have taken it up, if offered. There were 176 recidivist women in Stafford like Jane and Margaret who were offending during the last two decades of the century. Of these 66 were itinerant vagrants who had stopped in Stafford for a short time. However, 110 were women residents of the town for a significant time, even if they were not locally born. Of these 110 resident recidivist women in Stafford, 45 were persistent offenders. The other 65 women did not appear again in any court records and appear to have desisted, or at the very least they were not caught offending subsequently (Turner, 2009).

With historical research it is almost impossible to say with any confidence why someone may or may not have stopped offending. However, there were events that occurred in these women's lives that may have impacted upon their continued offending. Current research suggests that relationships and family formation are significant factors in people's desistance from crime (Sampson and Laub, 1993, 2001; Farrall and Calverley, 2006). However historical research has questioned this (Godfrey et al 2010) and the research informing this paper also agrees that this did not seem to be an important factor in the lives of the recidivist women in this study. Most of the recidivist female offenders in Stafford already had a partner and children when they began to offend and therefore were starting to offend later in the life. But what other factors may have influenced whether or not these women desisted from crime or continued to offend? For some criminal justice interventions such as increasingly harsh custodial sentences seemed to have an impact but the majority stopped *despite* criminal justice interventions rather than because of them. Separating from an abusive or criminal partner, or moving away from a notorious neighbourhood or from a neighbour with whom you fell out regularly (someone like Margaret) or entering the workhouse if offending was linked to homelessness (which Jane refused to do), impacted on reoffending. This coupled with a general decline in prosecutions for drunkenness, which was one of the most significant reasons why women became embroiled in the criminal justice system in this period, also impacted on appearances before the courts. Whilst no support on release or aftercare was offered to women leaving local prisons like Stafford, for those women that were sentenced to penal servitude and went to convict prisons, there were other factors that influenced re-offending rates.

Women in convict prisons

During the late nineteenth century a much smaller number of women were sentenced to penal servitude, and as such the daily average number of female convicts was 1209 in the 1870s, falling to 739 in the 1880s and declining still further to 205 in the 1890s.⁴ The sentence of penal servitude, established in the 1850s, after the end of transportation to Australia was a period of long term imprisonment served in one of the convict prisons located in London and the South of England. The sentence had three parts; a period of separate confinement, a period on the 'public works' and then release on licence. For the majority of the period under study here, Millbank prison held both male and female prisoners who were undergoing the stage of separate confinement, though they were held in different wings and kept apart at all times. Whilst under the public works stage, women and men were sent to different prisons based on their gender and in this case, women were held at Brixton and Parkhurst (in the early years of the system) then from the 1860s onwards they were held at Woking and Fulham prisons and later at Aylesbury prison. The final stage of penal servitude was release on licence. Licensing had existed in Australia to help convicts to reintegrate into society and this system was to be continued in Britain. Convicts were released either to be 'at large', or if they were female, they could be released on conditional licence, this meant confinement in a refuge until the Directors of Convict Prisons permitted their release.

Margaret Cavanagh is typical of the women who went to a convict prison (licence number A43342/7454).⁵ Margaret was born in 1860 in Preston to Irish-born parents. First convicted at the age of nineteen, she had two convictions for stealing from the person and two more for drunkenness. Then in October 1883 Margaret was sentenced to five years penal servitude and seven years police supervision by Lancaster Sessions for stealing a watch and twenty-eight shillings from the person of William Cook. By then Margaret was twenty-three years old, she was a prostitute and William Cook was her client. Margaret's mother died during her time in prison but her father and brothers continued to live in Preston and she regularly corresponded with them during her sentence. After serving two years and seven months of her sentence, Margaret was released on licence in May 1886. 48 percent of her sentence had been remitted. Margaret did not go home, as may have been expected. She had been released, not to be 'at large' but on a conditional licence, the condition being that she entered a refuge; East End House. Nine months later, Margaret was given permission to leave the East

⁴ These figures are derived from the Judicial Statistics for 1870-1899 and show an average figure for the ten years of each decade with the exception of 1893 and 1894 where the figures in reports are missing.

⁵ All of the female convicts discussed here were found through the National Archives files PCOM 4 Registers of Female Convicts on Licence, 1853-1886, also available on www.ancestry.co.uk, also see Johnston & Godfrey (2013a).

End House. She did not return to Preston but remained in the South and by 1891, she was living and working as a domestic servant in an industrial school in Watford and had not re-offended.

Aftercare and support on release

When a prisoner finished his or her sentence, the provision of aftercare varied across the country and provision for people leaving convict prisons was different from provision for those leaving local prisons. Either way, there was no formal aftercare provided for men or women released from any type of prison in the nineteenth century. Any aftercare was provided by charities, almost always faith-based, for example, Catholic institutions providing aftercare for Catholic offenders, or the Discharged Prisoners' Aid Societies (DPAS) which were also often faith based but provided generic aftercare for all offenders. During this period, police court missionaries also started to work with offenders though practice varied across the country until the beginning of the twentieth century (McWilliams, 1983).

The DPAS was an umbrella name for a national but disparate organization and provided a range of services for people leaving prison, provided entirely with re-settling ex-prisoners in mind. Their chief aim was to find employment and temporary lodgings for a discharged prisoner, or, if he or she had what they considered to be a respectable home, to help with travel expenses to their home. Where there were no relatives and the person concerned consented, the aid societies could organise emigration for the discharged prisoner. Most of these aid societies had small amounts of government funding, although some refused all government funding to remain independent (such as the Gloucestershire society and the York Castle society). Many were active in providing voluntary, charitable aftercare for ex-prisoners well into the twentieth century until aftercare was provided on a statutory footing through the probation service as they took over charitable provision from 1907 onwards (Mair and Burke, 2012). Residential aftercare for ex-prisoners was provided on an extremely *ad hoc* basis and during the late nineteenth century was entirely provided by such faith-based charities. The 1914 Criminal Administration Act gave the courts powers to add a condition of residence to a probation order and paved the way for the establishment of hostels. Hostels (now 'approved premises') established under the 1914 Act were primarily for young offenders, although over the century they had been made use of by a more diverse set of offenders, including ex-prisoners released on licence (Wincup, 2007). Now residential care for offenders is almost entirely on a statutory level, but some charitable provision

remains. In the late nineteenth century residential aftercare for ex-prisoners on licence was entirely provided by the DPAS or faith institutions, and at the local level by the DPAS.

Wiener (1990: 130) coined the term 'semi-penal' to describe those residential institutions that developed during the eighteenth and nineteenth centuries which straddled the boundaries between formal and informal control. Such institutions developed in order to accommodate the increasing number of 'exceptional cases' within the prison system, these included juveniles, drunkards, imbeciles, lunatics, vagrants and, of course, women. Consequently a plethora of non-custodial, semi-carceral institutions such as homes, refuges, and reformatories were established to cater for such groups. Recent work on semi-penal institutions for criminal and 'deviant' women during the nineteenth century, such as refuges, inebriate reformatories, asylums and on inebriate institutions have all shown that these institutions shared many common disciplinary techniques with prisons and resulted in increased, rather than reduced, levels of control over women (Wiener, 1990; Barton, 2005, Morrison, 2008). However, the use of such refuges or homes for the aid of female ex-prisoners released from prison through conditional licensing or direct means during the late nineteenth century has not been researched or documented in any detail.

Penal servitude: conditional licensing

As noted above, the third part of the sentence of penal servitude was release on licence and for women, this meant either a licence to be 'at large' as used with male offenders or a conditional licence through which they were sent to a refuge. Zedner (1991, 1995) notes their use in the 1860s discussing three refuges for women on conditional licence, but then does not discuss the proliferation of charitable provision that sprang up in the 1870s and 1880s. Both Wiener (1990) and Barton (2005) overlook this type of semi-penal institution, both discuss the Fulham Refuge in the context of 'post release' refuges however Fulham's role as a refuge was quite short lived and from 1869 it had reverted to a convict prison (Zedner, 1991). Women stayed in Fulham refuge until they were 'judged reformed' and based on the Victorian notion that 'women needed longer periods of detention than their male counterparts' (Barton, 2005: 41). However, after Fulham Refuge reverted to operating as a convict prison the period of stay was determined by the length of their penal servitude sentence. For all convict women who were conditionally licensed, they served less of their sentence in a convict prison than their male counterparts, but on the other hand, they were subject to further institutionalisation for periods of up to nine months in a refuge, a condition that men were not subject to (Kimberley Commission, 1878-79; Johnston & Godfrey, 2013a).

Moreover, whilst the Victorians believed that female offenders required more than punishment, that they needed a process of moral rehabilitation before they were fully reformed (Wiener, 1990; Zedner, 1991; Barton, 2005), they also recognised that one of the difficulties facing female ex-prisoners was that, unlike their male counterparts who could often find employment in labouring trades, the main occupation for working class women was domestic service. Quite apart from the limitations on the ability of the prison to reform, attitudes towards criminal women were a major stumbling block for women seeking to start life anew; few middle class homes would consider employing a woman straight from prison. Refuges, which trained their inmates in domestic service and laundry work, provided a less intimidating image to prospective employers, to visiting 'ladies' and to the women themselves.

These beliefs led, from the mid-nineteenth century onwards, to innumerable bodies establishing refuges and shelters catering almost exclusively for women under the umbrella organisation of the DPAS. Although the DPAS catered for men as well as women, it was predominantly for women that such refuges were established. These refuges catered for ex-prisoners from local as well as convict prisons. It was this proliferation of refuges that led to the government instituting state-run refuges - the Carlisle Memorial Refuge for Protestant women (in Winchester), The Westminster Memorial Refuge (in Streatham), and the East End House Refuge for Catholic women (in Finchley) - which catered exclusively for women released from penal servitude sentences and a state-run scheme whereby those women 'whose conduct and character' justified 'the hope of complete amendment' (Du Cane 1885, cited in Zedner 1991: 214) were released on conditional licence – the condition being 'that they entered a refuge'. These refuges were run on voluntary contributions as well as profits from the labour undertaken by the women but they were also funded by the state who paid ten shillings per week for the upkeep of the women sent there (Kimberley Commission, 1878-9). As was the case with Margaret Cavanagh who was sent to the East End House, many women were sent to refuges months before the end of their penal servitude sentence. The assumption that only women who wanted to be or were deemed 'reformable' were sent to the refuges, and not the 'hardened criminals', is also questionable. Many women who had been imprisoned for serious offences, recidivist women including those on repeated sentences of penal servitude, and mature, married ex-prisoners were granted conditional licences and were admitted to one of the refuges. That said, they were only permitted the opportunity to enter a refuge from a convict prison once and although women would request to be sent to refuges during subsequent sentences they were not permitted to do so.

Refuges for convict women on licence

One of the early institutions was the Elizabeth Fry Refuge for Women ex-Prisoners. Following a public subscription in 1846, shortly after the death of prison reformer Elizabeth Fry (1780-1845), the refuge opened in 1849 to provide temporary shelter for young women discharged from metropolitan gaols or police offices and 'to improve their characters' (National Archives, 2015). This institution therefore preceded the government backed conditional licensing system for women. After over sixty years at 195 Mare Street, it removed in 1913 to 18a Highbury Terrace, Islington and in 1923 was amalgamated with the Female Refuge for the Destitute, then based at the Manor House, Dalston Lane (Baker, 1995).⁶ The origins of this refuge were in the British Ladies Society for Promoting the Reformation of Female Prisoners a direct consequence of Elizabeth Fry's philanthropic work in Newgate in the early nineteenth century. Its committee met at the Elizabeth Fry Refuge from at least 1855. By the 1870s, use of this refuge was diminishing and although it did take *some* female ex-prisoners on conditional licences in the 1860s and 1870s, was referred to very little in the female licensing documents during the 1870s and not at all during the 1880s.

One of the most well used refuges was the Refuge of the Good Shepherd. This was a refuge specifically for Roman Catholic women and was known locally, and recorded on women's licence documents, as East End House Refuge. In 1864 the Sisters of the Good Shepherd bought East End House, Finchley, where until 1948 they maintained a refuge for distressed Roman Catholic women. New buildings on the site included a church in 1875 and a wing for the novitiate in 1886, when East End House became the provincial house for the order. Throughout the 1870s and 1880s it was used extensively for convict women and received women from each of the convict prisons. In the 1881 census thirty nuns, one 'lady boarder', one male gardener, eighty-one females 'inmate of the class of prisoners', and one hundred and thirty-five female 'inmate of the penitentiary' are recorded as living there. By 1900 the order no longer received female ex-prisoners on conditional licence but instead turned their efforts to aiding 'poor penitents' and younger girls. Why and when the refuge stopped taking female ex-prisoners is not clear and the records of the institution are closed. The Sisters still live in the original building.

The Westminster Memorial Refuge originally opened in 1872 as the Westminster Memorial Refuge of the Royal Society for the Assistance of Discharged Prisoners for

⁶ It is now the Elizabeth Fry Probation Hostel, Home Office approved residence.

Protestants women and was based at 32 Charing Cross, Streatham. This refuge was referred to as the Russell House Refuge by prison administrators and recorded as such on the women's licences. It was heavily used throughout the 1870s and 1880s and was also active in organising emigration to the United States for those requesting it. Women went to Russell House from Woking, Fulham Refuge, and Millbank prison. In July 1888, two years after Millbank closed, the Russell House refuge was taken over by the congregation of Roman Catholic Sisters founded by Frances Margaret Taylor (Poor Servants of the Mother of God). The purpose of the institution changed as it became a refuge for reformed prostitutes, rather than prisoners, and became known as St Mary Magdalen's refuge. Other refuges in operation in and around the capital were the Carlisle Memorial Refuge for Protestant Female Convicts at 6 Queen's Square, Middlesex (later in Winchester) and the Eagle House Refuge for Catholic women in Hammersmith. Both were in operation in the 1860s but seem to have been little used by the 1870s and 1880s.

Another less documented institution, but one that was recorded as a discharge address on some female licences was Mrs Meredith's Home at Nine Elms House, 6 Upper Belmont Place, Wandsworth Road, also known as The Mission to Women. Although not a refuge that received women on conditional licence, and was entirely independent of government funding and reliant on voluntary contributions, Mrs Meredith's Home *was* used by female prisoners leaving convict prisons and did seem to have a residential capacity. Four years into a seven year penal servitude sentence, Ellen Flynn 'was seized with inflammation of the lungs of such severity her life was in danger' (licence number A75019/7414). Ellen petitioned the Secretary of State for 'remission of her ticket' and, not having a next of kin, stated on the petition that 'Mrs Meredith will receive her when liberated'. This petition was not successful and neither were two more, but Ellen was finally released on licence to be at large fifteen months early to Mrs Meredith's Mission - but only to receive assistance for her onward journey to her home town. It was clear, however, that Nine Elms House had the capacity to look after Ellen.

Mrs Meredith was very active in social and penal reform during the second half of the nineteenth century. Born Susannah Lloyd in 1823, she was the eldest daughter of a British Officer who was Governor of Cork Gaol (Lloyd, 1903). Marrying at the age of nineteen, she was widowed only eight years later. On moving to London her concerns led her to established the Prison-Gate Mission – Mrs Meredith's Prison Mission - in about 1864, and then to set up the Marble Laundry for the employment of discharged women prisoners at 143 Clapham Road, the headquarters of the mission. Mrs Meredith became the Treasurer of the

Female Prisoners' Aid Society. By 1895, Mrs Meredith's Prison Mission was no small enterprise. After giving evidence to the Gladstone Committee, regarding her work with discharged female prisoners, there were 70 paid workers, 301 volunteer 'lady workers', 3000 female ex-prisoners and their children being 'helped' annually (Gladstone Committee, 1895, Appendix 1).

Beyond institutions in London and the surrounding area, female convicts on licence were also sent to Winchester, to the Winchester Memorial Refuge, otherwise known as Battery House. This institution was used throughout the 1860s and 1870s (but little used by the 1880s) and reportedly had a progressive and liberal regime (McKean, 2006). Battery House was the brainchild of Sir Walter Crofton, one time Director of the Irish Convict System and later resident in Winchester. The building itself was acquired in 1865 specifically to accommodate up to 65 women who were serving the last six months of their sentence. Guilty of either serious offences or constant recidivists, they would be sent from Woking, Millbank and the Fulham Refuge and would encounter an unlocked premises supervised by Miss Eliza Pumphrey.

Miss Pumphrey and visiting middle class ladies provided an environment in which it was hoped the inmates would benefit from an elevated and caring environment. Employment was sought for the women and an informal form of aftercare operated. At the same time, the women themselves helped those who wished to emigrate by making shirts for sale in their evening leisure time. Crofton realised that many released women re-offended to repay those who had cared for their children while they were incarcerated. Similar to Mrs Meredith, he set up a small boarding school for the inmates' children in the Upper High Street. The women contributed financially to the running of this school and could apparently see the children as they played. Six out of ten women released from Battery House were estimated 'to do well'. Officially only two women absconded during the fifteen years of its existence. The Reports of the Directors of Convict Prisons 1874, shows just how prevalent the use of this charitable provision of residential aftercare was. Out of a total of 354 women released from a convict prison in 1873, 250 were sent to three of the refuges; Battery House, Russell House and most used, the East End House. A further 20 were helped by DPAS Mission to Women or DPAS London. As would be expected most of the female convicts were released for the public works prisons at Fulham and Woking (DCP, 1874: 9).

The experiences and outcomes of aftercare

Women stayed in the refuges for roughly six months, although they could stay for up to a year. The stays lengthened as the convict system became more established. In the 1870s women were staying roughly between five and six months and towards the late 1880s, it was roughly between eight and nine months. Though as noted earlier this was time that formed part of the whole penal servitude sentence, that is, they were usually released earlier than they would have been normally, and the mark system continued to be applied to women's conduct and work efforts whilst they were on conditional licence. The receiving institutions were guaranteed government financial aid on the proviso that an equal amount was raised by private subscription, beyond this there was no other government intervention or even right to inspect. The refuges, then, were not prisons *per se* but operated as a semi-carceral part of the penal estate.

These refuges probably operated along similar lines as other semi-penal institutions of the time, but differed in one significant way. Their operation did not completely depend on the co-operation of their inmates in quite the same way as other institutions. Although these institutions were technically 'voluntary', there was an extra element of threat. Women were under real pressure to behave or conform - or face a immediate return to custody. If a woman forfeited her licence by persistent misbehaviour or trying to escape from the refuge she was immediately returned to prison. However, women very rarely offended within these refuges, although occasionally it did happen. Seven years into a ten year sentence for attempting to drown her son, Mary James was released on conditional licence to Russell House Refuge (licence number A75447/7422). After five months there Mary was found to be using 'abusive and blasphemous language and shouting and screaming at the top of her voice in order to attract the attention of the outside public'. For this outburst, Mary was immediately returned to Millbank, where she was punished with solitary confinement for eighteen days on a punishment diet. Mary was still released from prison early seven months later, but this time she was to go home rather than to a refuge.

Little is known about how women were selected for these conditional licences, although capacity at the refuges may have played a part. It may have been that in some instances these institutions were used to provide a place of residence, and hence an address, for women being released on licence if they could not provide an address, but there was no requirement then to provide an address on release on licence from prison. It seems that women were merely asked if they were interested in going by the chaplain or the governor or the lady visitors, although there is little to indicate who may or may not have been asked. Even the women who appeared to have been particularly violent or unsettled in prison were

able to go to refuges. So women were not being chosen or selected on behaviour, despite the intention that conditional licences were to be offered only those women who justified 'the hope of complete amendment'. Women may have chosen to go to a refuge on a conditional licence simply because it was preferable to staying an extra six months or so in a convict prison. Conditions would without doubt have been much better in the refuges than the convict prisons. It is most likely that the decision was an automatic and bureaucratic one; when a woman reached a certain point in her sentence, if she had not been to a refuge on a previous penal servitude sentence, she was offered a refuge place. It was not based on offence history, age, family situation or behaviour. Older women like Elizabeth Carroll went to the East End refuge in 1887 for nine months when she was 54 years old, she had a husband and 8 children (licence number A42656/7411). Some women found stability at such refuges and they never left. Catherine Brown was released on conditional licence to the Refuge of the Good Shepherd (East End House) during her fourth sentence of penal servitude (licence number 77919/7494). She was aged forty-four and had spent 27 years of her life in prison. Catherine stayed with the sisters until her death 25 years later.

For the government, these charitable organisations provided board and lodging for women for a period of time that the prison estate would normally be housing the women. Although there was a small amount state funding for the refuges, it is likely that the refuges would have been a more cost effective system than the penal estate. There would probably have also been a more altruistic reason. Men may have been able to find casual work more easily but women were likely to want to enter domestic service where a good 'character' (or reference) was vital for gaining a position. Employers reluctant to take servants from a prison might, it was hoped, be persuaded to take them from a refuge. Practically the refuges sought to provide the women with the skills that, they assumed, women might need on release, such as cleaning, laundry and cooking. How these institutions came to be established and how they operated cannot be deciphered in more detail without more archival research. Neither can it be determined how, when and why they ceased to be, though it is likely that the declining female convict population and the developments of probation in the following decades contributed to this.

Returning to the local setting, Stafford was unusual in that it did have its own aid society refuge explicitly set up to cater for women released from the local prison, though the women being released were not on licence. The North and South Staffordshire DPAS proposed a refuge when they found that they had no means of disposal for discharged female prisoners within Staffordshire except sending them to institutions outside the county. *The*

Staffordshire County Industrial Home For Discharged Female Ex-Prisoners and Friendless Women was erected in 1878, close to Stafford prison. This refuge was different to those previously mentioned, in that the stay was to be two years, with a placement as a domestic servant afterwards. Although the original aim of the refuge was to assist women discharged from Stafford Prison, very few took up the offer of a place there, probably because of the length of commitment, and the lack of occupancy by women from Stafford necessitated that the available places were offered further afield. In 1883, out of 23 admissions, fourteen were discharged prisoners. In 1884, out of 25 admissions only eight were discharged prisoners. Despite this though, none of the recidivist women living and offending in Stafford, like Jane and Margaret, were ever admitted there.

Conclusion

Women released from local prisons just walked out of the front door and back home, or to the nearest public house. Women were often re-arrested, found themselves back in court and back in prison within a day or two of release. Many women went home, back to their families, although depending on the circumstances, that could have been a good or a bad thing. Those that had no family (or family prepared to offer them a home) could find themselves in a persistent cycle of poverty and incarceration. These women spent much of their lives shunted from one institution to another, their lives revolving around the workhouse and the prison with periods of homelessness in between. It was this ability to return to families and communities that ultimately exacerbated or at least continued some women's involvement in crime. Returning to the circumstances in which they offended in the first place did little to help them reform. Those that did reform were successful not because of the criminal justice system but often in spite of it. Any aftercare offered by charitable organisations to those released from local prisons was haphazard and subject to the interest of the local governing elite of that local area, as where such provision existed, they were often the subscribers. Before the centralisation of local prisons in 1878, conditions and provision in local prisons varied significantly across the country, though after the government gained control of the system, the first Director, Edmund Du Cane, did encourage the establishment of DPAS across the system.

The story for women released from convict prisons was different. Whilst aftercare support from charitable organisations may have been influenced by the location of the convict prisons in London and the South of England, or by the fact that they were government rather than locally controlled, attendance in a refuge was atypical. Custody in a

refuge on conditional licence for the last six to nine months of their sentence of penal servitude offered an innovative approach specifically addressed to the problems of convict women. At the same time the refuges were typical of much Victorian philanthropy. They offered moral and religious guidance and support, underpinning by typically feminine labour and domestic chores, to women who were serving a sentence of penal servitude, but they only offered this opportunity once. Similar to other institutions for wayward women and girls, they were not interested in those women who had 'fallen too far', or who were thought 'irreclaimable'. The aid societies did at least provide women leaving prison, in a city for many, far from home and without adequate means, a way of getting home. The refuges, despite their carceral role, offered living conditions better than the prison, and the chance to find employment and therefore a home, albeit as a domestic servant. Such an opportunity also provided women with the advantage of anonymity and the chance to change name, move house, sever ties, and to be employed with few questions asked. The refuges had a positive role in resettling women and the aftercare women received on leaving convict prisons did contribute to reducing their re-offending.

References

- Baker, T. F. T. (ed.) (1980) *A History of the County of Middlesex: Volume 6: Friern Barnet, Finchley, Hornsey with Highgate*, pp. 86-87.
- Baker, T. F. T. (ed.) (1995) *A History of the County of Middlesex: Volume 10: Hackney*, pp. 73-74.
- Barton, A. (2005) *Fragile Moralities and Dangerous Sexualities: Two Centuries of Semi-Penal Institutionalisation for Women*. Aldershot: Ashgate.
- D'Cruze, S. and Jackson, L. (2009) *Women, Crime and Justice in England since 1660*, Basingstoke: Palgrave Macmillan.
- Directors of Convict Prisons (1874) *Report of the Directors of Convict Prisons on the Discipline and Management of Pentonville, Millbank, and Parkhurst prisons, and of Portland, Portsmouth, Dartmoor, Chatham, Brixton, and Woking prisons for male convicts, with Woking and Fulham prisons for female convicts; also the convict establishments at Gibraltar, in Western Australia, Tasmania, and New South Wales, for the Year 1873*, [C. 1089], London: Home Office.

- Dobash, R. P., Dobash, R. E. and Gutteridge, S. (1986) *The Imprisonment of Women*. Oxford: Oxford University Press.
- Farrall, S. and Calverley, A. (2006) *Understanding desistance from crime*. Berkshire: Open University Press.
- Gladstone Committee (1895) *Report from the Departmental Committee on Prisons, (C.7702)*, Vol. LVI, London: Home Office.
- Godfrey, B., Cox, D. and Farrall, S. (2010) *Serious Offenders*. Oxford: Oxford University Press.
- Godfrey, B., Farrall, S. and S. Karstedt (2005) 'Explaining Gendered Sentencing Patterns for Violent Men and Women in the Late Victorian Period', *British Journal of Criminology*, 45, pp.696-720.
- Heidensohn, F. (1985) *Women and Crime*, Basingstoke: Macmillan.
- Johnston, H. (2015) *Crime in England, 1815-1880: Experiencing the criminal justice system*, Abingdon: Routledge.
- Johnston, H., and Godfrey, B. (2013a) *The Costs of Imprisonment: A Longitudinal Study*, ESRC End of Award Report, RES-062-23-3102. Swindon: ESRC.
- Johnston, H., and Godfrey, B. (2013b) 'Counterblast: The perennial problem of short prison sentences', *Howard Journal of Criminal Justice*, 52 (4): 433–7.
- Kimberley Commission (1878-9) *Royal Commission to Inquire into the Working of the Penal Servitude Acts, [C.2368]*, London: Home Office.
- Lloyd, M. A. (1903) *Susanna Meredith: a record of a vigorous life*. London: Hodder and Stoughton.
- Mair, G and Burke, L. (2012) *Redemption, Rehabilitation and Risk Management: A History of Probation*. London: Routledge.
- McKean, A. (2006) *Playing for Time in 'The Dolls' House'*. *Issues of Community and Collaboration in the Devising of Theatre in a Women's prison*. University of Winchester. www.playingfortime.org.uk/copyright_annie_mckean.pdf
- McWilliams, W. (1983) 'The Mission to the English Police Courts 1876-1936', *Howard Journal*, 22: 129-47.
- Morrison, B. (2008) 'Controlling the 'Hopeless': Re-Visioning the History of Female Inebriate Institutions c. 1870-1920' in H. Johnston (ed.) *Punishment and Control in Historical Perspective*. Basingstoke: Palgrave Macmillan, pp. 135-157.

National Archives (2015) ELIZABETH FRY PROBATION HOSTEL

<http://www.nationalarchives.gov.uk/a2a/records.aspx?cat=084-ds58&cid=0#0> Date accessed: 24 July 2013.

Rafter, N. H. (1983) 'Chastising the Unchaste: Social Control Functions of a Women's Reformatory, 1894-1931', in S. Cohen and A. Scull (eds.) *Social Control and the State*. Oxford: Martin Robinson, pp. 288-311.

Sampson, R. L. and Laub, J. H. (1993) *Crime in the Making: Pathways and Turning Points Through Life*. Cambridge, MA: Harvard University Press.

Sampson, R. L. and Laub, J. H. (2001) 'Understanding Desistance from Crime', *Crime and Justice*, 28: 1-70.

Sim, J. (1990) *Medical Power in Prisons - The Prison Medical Service 1774-1989*, Milton Keynes: Open University Press.

Turner, J. (2009) *Offending Women in Stafford, 1880-1905: Punishment, Reform and Re-integration*, unpublished PhD thesis, Keele University.

Turner, J. (2011) 'Punishing Women, 1880-1905', *Howard Journal of Criminal Justice* 50(5): 505-515.

Turner, J. (2012) 'Summary Justice for Women: Stafford Borough, 1880-1905', *Crime, History and Societies* 16(2): 55-77.

Wiener, M. J. (1990) *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914*. Cambridge: Cambridge University Press.

Wincup, E. (2007) 'Almost a Century of Residential Work with Offenders: Past, Present and Future Roles of Approved Premises', *British Journal of Community Justice* 5 (2): 29-40.

Zedner, L. (1991) *Women, Crime and Custody in Victorian England*. Clarendon Press, Oxford.

Zedner, L. (1995) 'Wayward Sisters: The Prison for Women', in D. Rothman and N. Morris (eds.) *The Oxford History of the Prison*. Oxford: Oxford University Press, pp. 329-362.